

Blair Fall
4-7-66
6000.00

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, BURTON O. ROBINSON, hereinafter referred to as the "grantor", for a good and valuable consideration, the receipt where of is hereby acknowledged, do hereby grant unto the VILLAGE OF WATERLOO, DOUGLAS COUNTY, NEBRASKA, hereinafter called the "District", and to its successors and assigns, the right to enter upon the lands of the undersigned situated in the County of Douglas, State of Nebraska, being a strip of land in Tax Lot Sixteen (16), in Section Ten (10) Township Fifteen (15) North, Range Ten (10) East of the Sixth P.M. (6th), more particularly described as follows:

To

Commencing at a point on the south line of said Tax Lot 16, 105 feet east of the southwest corner thereof, thence northwesterly 135 feet to a point 12 feet east and 99 feet north of the southwest corner of said Tax Lot 16; thence westerly 1181 feet to a point 166.96 feet east of the west line and 307 feet north of the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence northwesterly 45 feet to a point 136.89 feet east of the west line and 341 feet north of the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence north 33 feet; thence east 25 feet; thence north 30 feet; thence west 25 feet; thence north to a point on the north line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 133.33 feet east of the northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence west 70.26 feet to the east right of way line of Highway #275; thence south on said east right of way line to a point 230 feet north of the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence easterly 1230 feet more or less to a point 37 feet west and 13 feet north of the southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence southeast 18 feet to a point on the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 25 feet west of the southeast corner thereof; thence east 130 feet to the point of beginning containing 4.37 acres more or less.

for the purpose of constructing a dike or levee on said land.

Grantor hereby grants the Village of Waterloo, or its agents, the right to enter upon said land and to construct thereon a dike or levee as designed by the U. S. Corps of Engineers, for the purpose of controlling the flooding by the Elkhorn River; that the easement and right of encroachment shall continue indefinitely

until terminated by all the parties hereto, or for so long as said ground is used for the purpose herein stated.

Said grantor hereby grants permission to the Village of Waterloo, and/or its agents, to enter upon said land for the purpose of maintaining said dike or levee so long as this easement remains in effect, and to enter upon the said described property from time to time to cut, trim and remove trees, bushes, overhanging branches and other obstructions which may injure or interfere with the Village of Waterloo's occupation of the area, in order to maintain and control the Elkhorn River at this point, and the Village of Waterloo will also have the right to store equipment, temporarily, for the purpose of working on said dike or levee.

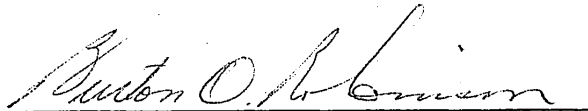
Said grantor agrees the dike or levee when constructed, shall be used in only such manner and for such purposes as the rules and regulations of the U. S. Corps of Engineers, Omaha District, shall permit.

In no event is the District or anyone on behalf of the District, to deposit rubbish or debris on any area included in this grant.

As part of the consideration for this grant, the grantor does hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

This Grant of Easement is executed in duplicate and either copy may be used as an original for any purpose.

DATED this 22nd day of March, 1966.

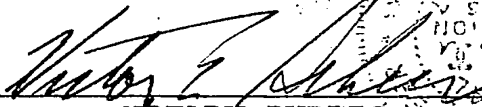


GRANTORS

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 22 day of March, 1966 before the undersigned,

a Notary Public in and for said County and State, personally appeared BURTON O. ROBINSON, to me known to be the identical person who is named in and who executed the foregoing instrument and acknowledged he executed the same as his voluntary act and deed.

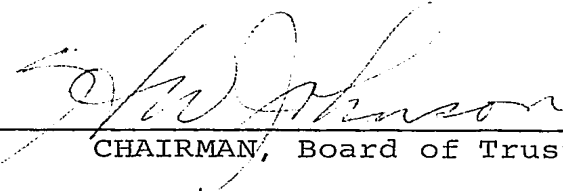


NOTARY PUBLIC

ACCEPTANCE

The Village of Waterloo, Douglas County, Nebraska, by resolution of its Board of Trustees, hereby accepts the above Grant of Easement according to the terms and conditions herein contained.

DATED this _____ day of _____, 1966.



CHAIRMAN, Board of Trustees

VILLAGE CLERK

April 8th, 1966
February

Mr. Burton O. Robinson,
Waterloo, Nebraska.

Dear Sir:

You have this day granted us an easement covering approximately 4.37 acres of your land as described in detail in the easement, for which we are paying you the total sum of \$6,000.00. It is expressly understood and agreed that the \$6,000.00 paid to you is broken down as follows:

- \$4,175.00 - Land Value
- \$1,355.00 - Severance Damages
- \$ 470.00 - Removal of corn crib and relocating drainage ditch

Our other agreements not set forth in the easement are as follows:

- 1.) We are to construct 2 ramps 20 feet wide, one to be located on your north fence line and the other to be in line with your wooded area adjacent to the creek. A 3rd cattle ramp 10 feet wide we shall construct on the west end of your wooded area.
- 2.) You are hereby granted permission to drain all waters from your land into the ditch to be built in connection with the dike.
- 3.) Your present fences wherever located on property covered by said easement shall remain your personal property and you shall remove same before the dike is constructed.
- 4.) No equipment of any kind shall be permitted to trespass on any of your land not specifically covered by the easement.

In order that the above agreements may be mutual, will you please signify your acceptance in the space provided below.

Yours very truly,

VILLAGE OF WATERLOO,

By:

W. Johnson
Chairman of Board of Trustees

Robert Bruegelman
Village Clerk

The foregoing agreements are hereby accepted and approved by me on this 8th day of February, 1966.

Burton O. Robinson
Burton O. Robinson

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INDEXED IN REGISTER AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
 8 JULY 1966 AT 3:06 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS 6.00