

Copy 12/1/66

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, ED MILLER, hereinafter referred to as the "grantor", for a good and valuable consideration, the receipt whereof 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 Section Fifteen (15) Township Fifteen (15) North, Range Ten (10), East of the Sixth (6th) P.M., more particularly described as follows:

Commencing at a point 33 feet south and 268 feet east of the northeast corner NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15; thence south 67 feet; thence west parallel with the north line of said Section 15 to the east right of way line of County Road; thence northwesterly on said right of way line to a point 33 feet south of the north line of said Section 15; thence east to the point of beginning. Containing .7 acre 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. Construction operations shall be limited to the area covered by the easement.

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, within the area covered by the easement for the purpose of constructing 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.

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

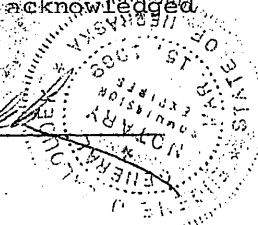
DATED this 2<sup>ND</sup> day of MARCH, 1966.

Edward Miller  
GRANTOR

STATE OF NEBRASKA)  
) ss  
COUNTY OF DOUGLAS)

On this 2<sup>nd</sup> day of March, 1966, before the undersigned a Notary Public in and for said County and State, personally appeared ED MILLER, 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.

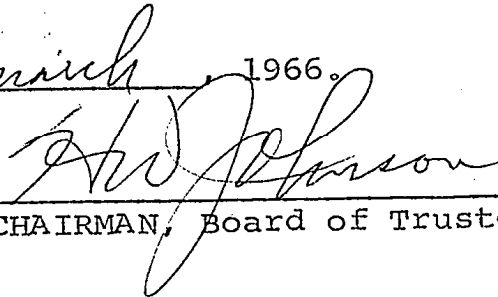
Edmund J. Schubert  
NOTARY PUBLIC



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 10<sup>th</sup> day of March, 1966.

  
\_\_\_\_\_  
CHAIRMAN, Board of Trustees

  
\_\_\_\_\_  
VILLAGE CLERK

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*[Signature]*

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THOMAS J. CONNOR  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

THE ST

Law

for

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*[Signature]*

*[Signature]*

Deputy

*[Signature]*  
Don Bailey, nebr

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