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*Carol Givens*

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Filed:

November 15, 2018 10:17:00 AM

Register of Deeds

Fee \$34.00

DODGE COUNTY, NE

**ACCESS EASEMENT**

THIS ACCESS EASEMENT is entered into effective as of the 8 day of November, 2018 by and between Vernon F. Vodvarka and Becky J. Vodvarka, Husband and Wife ("Grantor") and Joseph C. Costa and Jane Marie Costa, Husband and Wife (collectively "Grantee"), according to the following terms and conditions.

**RECITALS:**

A. Grantor is the owner of the Northeast Quarter of the Southwest Quarter of Section 9, Township 20, Range 5 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska (the "Grantor's Property").

B. Grantee is the owner of real property described as follows: From the Southwest corner of Section 9, Township 20 North, Range 5 East; thence North along the West line of said Section 9 a distance of 1,130.16 feet to the Northwest corner of the South Half of the Southwest Quarter of said Section; thence N89°53'08"E on the North Line of said South Half of the Southwest Quarter a distance of 861.66 feet to the point of beginning; thence S0°06'52"E a distance of 518.21 feet; thence N89°53'08"E a distance of 752.75 feet; thence S2°47'03"W a distance of 813.43 feet to a point on the South Line of Section 9; thence East along said South line to the Southwest Corner of the South Half of the Southwest Quarter; thence North along the East Line of said South Half of the Southwest Quarter to the Northeast corner of the South Half of the Southwest Quarter; thence West along the North Line of the South Half of the Southwest Quarter to the point of beginning; lying in the South Half of the Southwest Quarter of Section 9, Township 20 North, Range 5 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, subject to county roads of record. Note: Also known as Tax Lot 4 taken from the Tax Lot Descriptions of the Dodge County Assessor (the "Grantee's Property").

C. Grantor has agreed to convey a non-exclusive access easement to Grantee according to the terms and conditions set forth herein.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the mutual covenants herein, together with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals: The foregoing Recitals are incorporated into this Agreement by reference.

2. Grant of Easement: Grantor does hereby grant a permanent and perpetual non-exclusive easement to Grantee and Grantee's respective heirs, successors, assigns, licensees, invitees, guests and lawful visitors over, upon and through the property described on Exhibit A attached hereto (the "Access Easement Area") for purposes of ingress and egress to and from Grantee's Property.

3. Term of Easement - Perpetual: The easement to the Access Easement Area shall be perpetual and shall run with the land.

4. Coordination with Grantor and Grantor's Successors in Interest: Grantee and Grantee's successors in interest shall be responsible for a reasonable and proportionate amount of any reasonable costs incurred by Grantor and Grantor's successors in interest for any maintenance and repair of the Access Easement Area (such as cost, for example, any application of gravel or crushed rock) and shall further indemnify and hold Grantor and Grantor's successors in interest harmless from and against any and all claims or causes of action of any nature whatsoever arising out of the use of the Grantor's Property.

5. Binding Effect: The terms of this Access Easement Agreement shall be binding upon the heirs, successors and assigns of all parties to this Agreement.

Vernon F. Vodvarka  
VERNON F. VODVARKA, Grantor

Joseph C. Costa  
JOSEPH C. COSTA, Grantee

Becky J. Vodvarka  
BECKY J. VODVARKA, Grantor

Jane Marie Costa  
JANE MARIE COSTA, Grantee

STATE OF NEBRASKA     )  
  ) ss  
COUNTY OF DODGE     )

The foregoing instrument was acknowledged before me this 6 day of November, 2018 by Vernon F. Vodvarka and Becky J. Vodvarka, Husband and Wife, Grantor.

State of Nebraska - General Notary  
RODNEY A. JOHNSON  
My Commission Expires  
August 9, 2020

[Signature]  
Notary Public

STATE OF NEBRASKA     )  
  ) ss  
COUNTY OF DODGE     )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2018, by Joseph C. Costa and Jane Marie Costa, Husband and Wife, Grantee.

[Signature]  
Notary Public

GENERAL NOTARY - State of Nebraska  
TAMMY L. FLITTIE  
My Comm. Exp. April 18, 2021

**Costa - Tract 2 Easement Description**

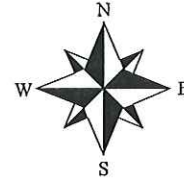
Section 9, Township 20 North, Range 5 East of the Sixth P.M.  
Dodge County, Nebraska

**Easement Description:**

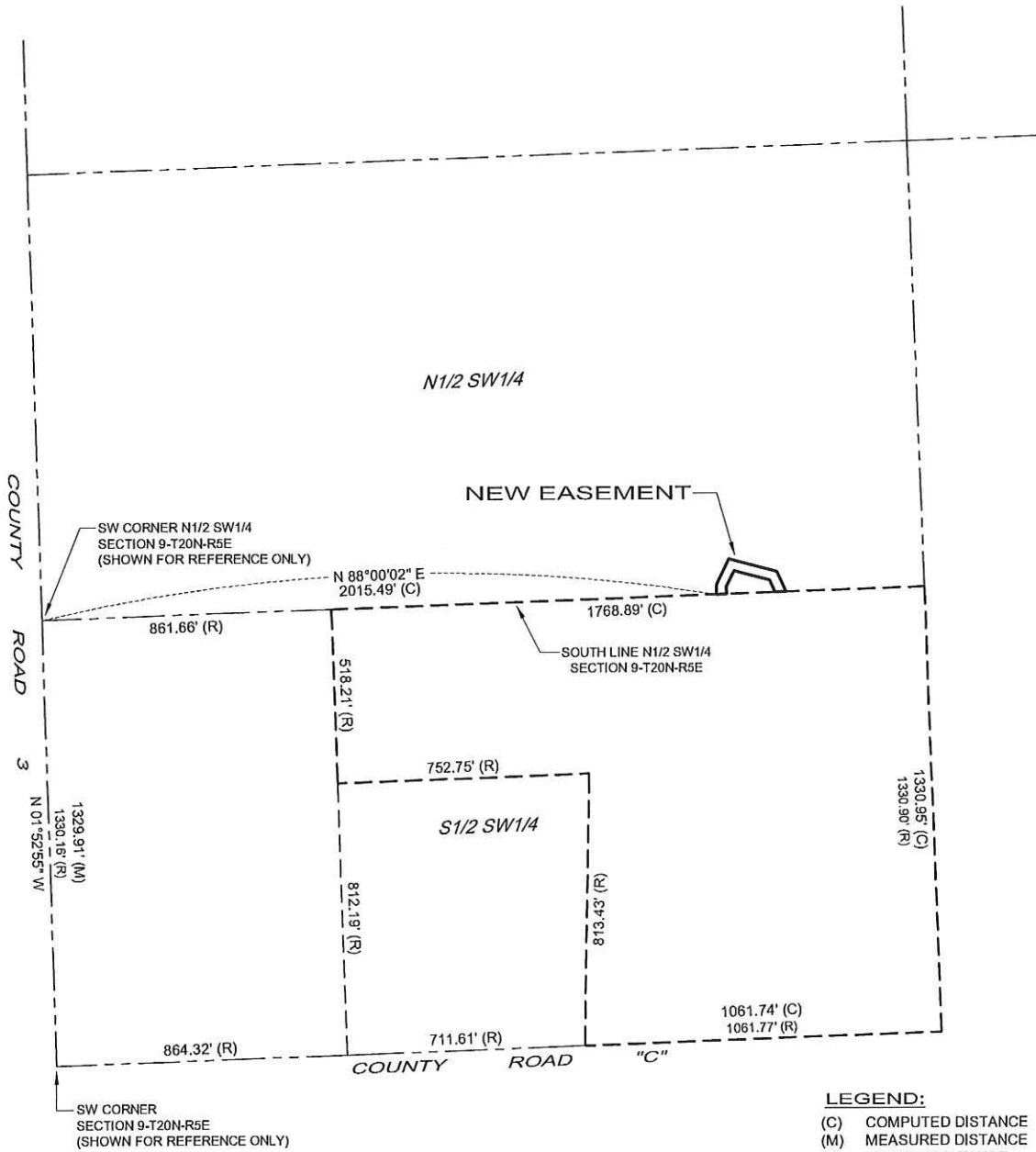
A 30.00 foot wide strip of land located in the North Half of the Southwest Quarter of Section 9, Township 20 North, Range 5 East of the Sixth P.M., Dodge County, Nebraska, being described as follows: Commencing at the Southwest Corner of said North Half; thence N88°00'02"E (Assumed Bearing) on the South Line of said North Half, a distance of 2015.49 feet to the true point of beginning; thence continuing N88°00'02"E on said South Line, a distance of 30.00 feet; thence N01°59'58"W, a distance of 22.73 feet; thence N25°27'50"E, a distance of 51.55 feet; thence S75°01'16"E, a distance of 108.26 feet; thence S23°51'23"E, a distance of 39.71 feet to a point on said South Line; thence N88°00'02"E on said South Line, a distance of 32.32 feet; thence N23°51'23"W, a distance of 66.11 feet; thence N75°01'16"W, a distance of 147.58 feet; thence S25°27'50"W, a distance of 83.84 feet; thence S01°59'58"E, a distance of 30.06 feet to the true point of beginning.

# EASEMENT DETAIL

PART OF THE N1/2 OF THE SW1/4, OF SECTION 9, T20N, R5E  
OF THE 6TH P.M., DODGE COUNTY, NEBRASKA



SCALE: 1" = 400'



**LEGEND:**

- (C) COMPUTED DISTANCE
- (M) MEASURED DISTANCE
- (R) RECORD DISTANCE

1. ALL BEARINGS ARE ASSUMED.

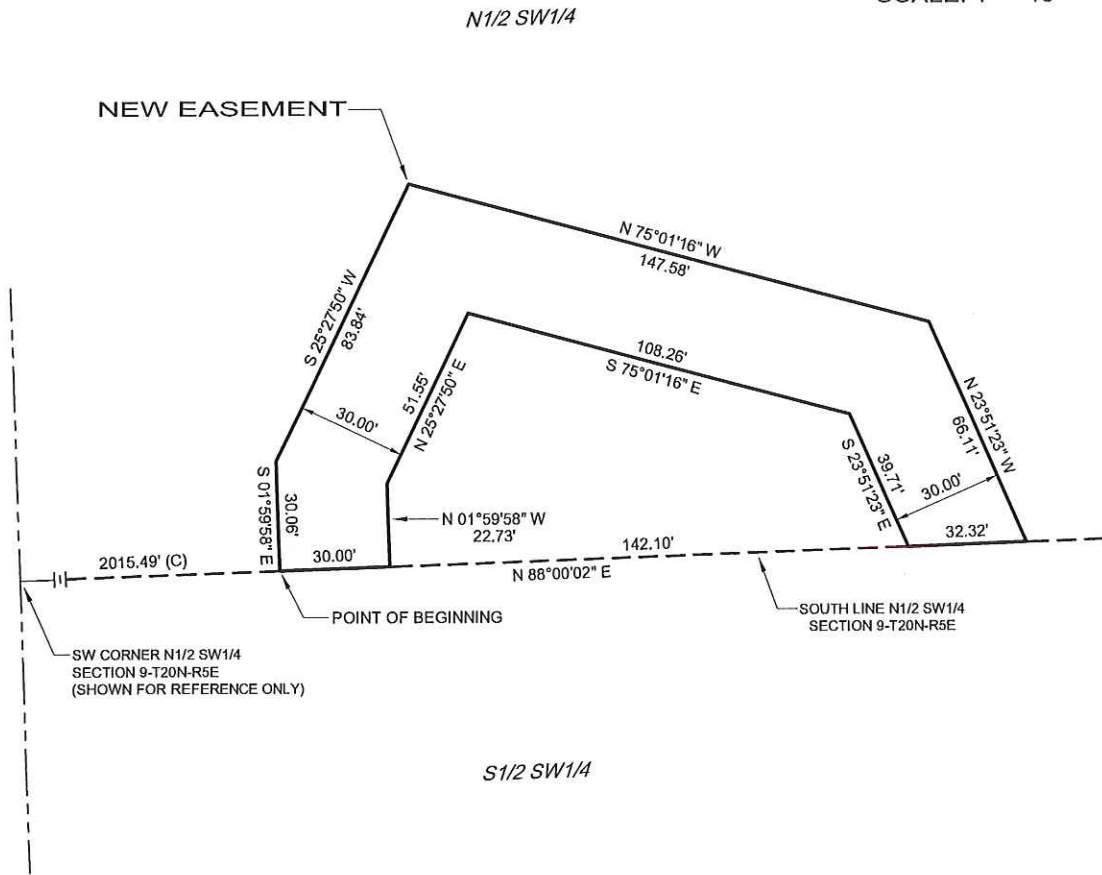
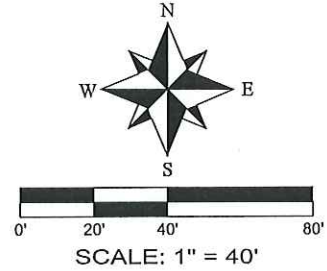
**APEX**  
**LAND SURVEYING, LLC**

Danny Martinez, RLS  
125 N. Clamar Ave.  
Fremont, Nebraska 68025  
(402) 720-9339 Office / Mobile  
danm.surveying@gmail.com

Client: <b>Joseph Costa</b>	
Date: 11/07/2018	Project No.: 136-2018
Scale: 1" = 400'	Drawing File: 05-092005-Costa-EasementDetail
Sheet: 1 of 2	Issue No.: 1

# EASEMENT DETAIL

PART OF THE N1/2 OF THE SW1/4, OF SECTION 9, T20N, R5E  
OF THE 6TH P.M., DODGE COUNTY, NEBRASKA



**Easement Description :**

A 30.00 foot wide strip of land located in the North Half of the Southwest Quarter of Section 9, Township 20 North, Range 5 East of the Sixth P.M., Dodge County, Nebraska, being described as follows: Commencing at the Southwest Corner of said North Half; thence N88°00'02"E (Assumed Bearing) on the South Line of said North Half, a distance of 2015.49 feet to the true point of beginning; thence continuing N88°00'02"E on said South Line, a distance of 30.00 feet; thence N01°59'58"W, a distance of 22.73 feet; thence N25°27'50"E, a distance of 51.55 feet; thence S75°01'16"E, a distance of 108.26 feet; thence S23°51'23"E, a distance of 39.71 feet to a point on said South Line; thence N88°00'02"E on said South Line, a distance of 32.32 feet; thence N23°51'23"W, a distance of 66.11 feet; thence N75°01'16"W, a distance of 147.58 feet; thence S25°27'50"W, a distance of 83.84 feet; thence S01°59'58"E, a distance of 30.06 feet to the true point of beginning.

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**LAND SURVEYING, LLC**

Danny Martinez, RLS  
125 N. Clarmar Ave.  
Fremont, Nebraska 68025  
(402) 720-9339 Office / Mobile  
danm.surveying@gmail.com

Client:		Joseph Costa	
Date:	11/07/2018	Project No.:	136-2018
Scale:	1" = 40'	Drawing File:	05-092005-Costa-EasementDetail
Sheet:	2 of 2	Issue No.:	1