

179-57

RECORDED IN SARP COUNTY REGISTRY OF DEEDS
APR 25 1963
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EASEMENT

THIS AGREEMENT, MADE THIS 12th DAY OF JULY, 1963, BY AND BETWEEN MARY E. SCHNEEKLOTH, PARTY OF THE FIRST PART, AND PETER SARPY DEVELOPMENT CORPORATION, PARTY OF THE SECOND PART,

WITNESSETH;

WHEREAS, THE PARTY OF THE FIRST PART IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT:

THE SOUTH HALF OF THE SOUTH HALF OF SECTION 17, TOWNSHIP 13 NORTH, RANGE 13 EAST, OF THE 6TH P.M. IN SARPY COUNTY, NEBRASKA.

AND,

WHEREAS, THE PARTY OF THE SECOND PART IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT:

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19 AND THE NORTH HALF OF THE NORTH HALF OF SECTION 20, ALL IN TOWNSHIP 13 NORTH, RANGE 13 EAST, OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

AND,

WHEREAS, IN ORDER ^{FOR} THE THE PARTY OF THE SECOND PART TO HAVE THE FULL ENJOYMENT AND USE OF ITS REAL PROPERTY IT IS NECESSARY TO HAVE A ROADWAY EASEMENT OVER THE PROPERTY OF THE PARTY OF THE FIRST PART,

NOW, THEREFORE, IN CONSIDERATION OF THE SECOND PARTIES PAYMENT TO THE PARTY OF THE FIRST PART OF THE SUM OF TWENTY FIVE AND NO/100 (\$25.00) DOLLARS ANNUALLY, THE FIRST PAYMENT DUE MARCH 1, 1964, AND ANNUALLY THEREAFTER, THE PARTIES AGREE TO THE FOLLOWING COVENANTS, AGREEMENTS, CONDITIONS AND STIPULATIONS:

I

THE PARTY OF THE FIRST PART DOES HEREBY GRANT UNTO THE PARTY OF THE SECOND PART AND ITS ASSIGNS, A ROADWAY EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS OVER, ALONG AND UPON THE FOLLOWING DESCRIBED AREA:

THE EAST THIRTY-THREE (33) FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 13 NORTH, RANGE 13 EAST, OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

SAID EASEMENT TO BE USED AS A RIGHT OF WAY FOR PASSAGE TO AND FROM THE PROPERTY OF THE SECOND PARTY.

II

IT IS UNDERSTOOD AND AGREED BY THE PARTIES THAT THIS EASEMENT IS GRANTED TO THE PARTY OF THE SECOND PART FOR THE PURPOSE OF DEVELOPING ITS LAND AS A GOLF COURSE AND COUNTRY CLUB AND THIS EASEMENT SHALL REMAIN IN EFFECT ONLY SO LONG AS THE PARTY OF THE SECOND PART OR ITS ASSIGNS SHALL HOLD AND USE THE REAL ESTATE SERVED BY SUCH EASEMENT AS A GOLF COURSE, COUNTRY CLUB OR OTHER RELATED RECREATIONAL ACTIVITIES.

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III

IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE PARTIES THAT THE ROADWAY EASEMENT GRANTED HEREUNDER SHALL BE CONSTRUCTED, GRADED AND MAINTAINED BY THE SECOND PARTY AND THE FIRST PARTY SHALL NOT BE OBLIGATED TO SHARE IN THE COST OF SUCH MAINTENANCE. INCLUDED IN SUCH MAINTENANCE SHALL BE THE RIGHT OF THE SECOND PARTY TO PLACE A GATE AT EACH END OF THE ROADWAY SO LONG AS IT DOES NOT INTERFERE WITH THE FIRST PARTIE'S USE OF HER PROPERTY.

IV

IT IS FURTHER UNDERSTOOD AND AGREED THAT THIS EASEMENT SHALL RUN WITH THE LAND AND SHALL BE BINDING ON ALL HEIRS AND ASSIGNS.

V

THIS AGREEMENT HAS BEEN EXECUTED IN DUPLICATE BY THE PARTIES HERETO AND EACH EXECUTED COPY THEREOF SHALL BE CONSIDERED AS AN ORIGINAL.

IN WITNESS WHEREOF, THE PARTIES HAVE HEREUNTO SET THEIR HANDS AS OF THE DAY AND YEAR FIRST ABOVE SPECIFIED.

Mary E. Schneekloth
MARY E. SCHNEEKLOTH

PETER SARPY DEVELOPMENT CORPORATION
By William T. Henderson
PRESIDENT

STATE OF NEBRASKA)
COUNTY OF SARPY) SS

ON THIS 12th DAY OF JULY, 1963, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC DULY COMMISSIONED AND QUALIFIED FOR SAID COUNTY, PERSONALLY CAME MARY E. SCHNEEKLOTH, TO ME KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HER VOLUNTARY ACT AND DEED.

John E. Pugh
NOTARY PUBLIC

COMMISSION EXPIRES July 6 1967

