THIS TO RECORD CO THE LOW OF OCT IN LAND CONTRACT, IF

NOT UNDERSTOOD, SERK LIGAL ADVICE

CONSTRUCTION, STORAGE AND FLOWAGE AND OPERATION AND

For and in consideration of <u>Three Thousand Nine Hundred Seventy Dollars (\$3,970.00)</u>, the receipt whereof is hereby acknowledged.

MAINTENANCE BASEMENT

CHARLES B. MAY & PATRICIA A. MAY (Husband & Wife)

of <u>Fremont, Nebraska</u>, herein called the Grantor, whether one or more, does hereby grant, convey and release unto the

LOWER PLATTE NORTH NATURAL RESOURCE DISTRICT

a political subdivision of the State of Nebraska, with its principal office located at <u>David City, Nebraska</u>, herein called the Grantee, its successors and assigns, a perpetual easement in, over and upon the following described land situated in the County of <u>Dodge</u>, State of Rebraska, to wit;

A TRACT OF LAND IN PART OF THE NW1/4 OF THE SE1/4 SEC. 5, T17N, R8E, OF THE STH P.M. IN DODGE COUNTY, NEBRASKA; BEGINNING AT A POINT IN THE EAST 1/16 LINE OF SAID SECTION 5; SAID POINT BEING 480.61 FEET SOUTHERLY FROM THE CENTER EAST 1/15 CORNER AND SAID EAST 1/16 LINE IS ASSURED TO BEAR NORTH OO 39'20" EAST; THENCE IN A LINE PARALLEL WITH AND 120.00 FEET WORTHERLY FROM THE CHANNEL CENTERLINE, SOUTH 87 55'05" WEST, A DISTANCE OF 198.16 FEET; THENCE SOUTH 81 23'54" WEST, A DISTANCE OF 352.28 FEET; THENCE SOUTH 02 04/55" WEST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 77 08'02" EAST, A DISTANCE OF 551.42 FEET TO A POINT IN THE SAID EAST 1/16 LINE; THENCE WITH SAID EAST 1/16 LINE NORTH 00 39'20" EAST, A DISTANCE OF 322.60 PERT TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 2.97 ACRES MORE OR LESS; AS ILLUSTRATED IN ATTACHMENT A;

AND;

ANTEE

118 25

A STORAGE AND FLOWAGE EASEMENT IN AN ARZA OF THE SW1/4 OF THE NE1/4 AND THE MW1/4 OF THE SE1/4 SECTION 5, T17N, RSE OF THE STH P.W. IN DODGE COUNTY, NEBRASKA; CONSISTING OF TWO AREAS COMPOSED OF TWO (2) ACRES MORE OR LESS; AS ILLUSTRATED IN ATTACHMENT B;

AND;

A TEMPORARY RASEMENT AREA FOR CONSTRUCTION PURPOSES
AS PURTAINS TO THE INSTALLATION OF THE PROJECT
CONFOUENTS IN SWILL OF THE SELLA SECTION 6, TITM,
REF OF THE 6TH P.M. IN DODGE COUNTY, NEBRASKA WHICH
SHALL TERMINATE UPON COMPLETION OF CONSTRUCTION.

For or in connection with the construction, operation and maintenance, repair and inspection of the flood control channel, a pertion of which is located as described herein; for the flowage of any water, in, over, upon, or through such structure and adjacent storage as is herein described; is illustrated in Attachment A & B; for the flood control channel designated as:

RAWHIDE FLOOD CONTROL CHANNEL

The rights and privileges herein granted shall be subject to the following terms and conditions:

1. The consideration recited herein shall constitute.

payment in full for all damages sustained or to be

sustained by the Grantor by reason of the proper exercise of any of the rights or activities granted or described by the above, and Grantor hereby releases Grantee from any and all damages, liability, claims and expenses arising out of the proper exercise of construction, operation, maintenance, inspection and repair of the structure, except as herein provided.

- 2. There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land of the rantor at any time, in any manner and for the purpose not inconsistent with the full use and enjoyment by the Grantee,, its successors and assigns, of the rights and privileges herein granted.
- The Grantee is responsible for operating and maintaining the facilities constructed.
- 4. This easement shall not convey nor shall the same be construed to convey, to the Grantee any fee simple interest or title to the above described lands.
- 5. This easement includes the right of ingress and egress at any time over and upon the above described land of the Grantor and any other land of the Grantor adjoining said land for purposes of operation and maintenance activities with full concurrence of the landowner and/or tenant on land not covered by this easement
- 6. This contract shall be binding upon the parties hereto, their heirs, successors and assigns.
- Grantee will replace fencing as required to provide maximum utilization of area by Grantor.
- 8. Grantee will provide a cattle water device as required if project construction precludes water availability for livestock.
- 9. Grantee will provide adequate access for farm equipment for continuation of farming operations.

TO HAVE AND TO HOLD the aforesaid Easement in, over, and upon the above described land of the Grantor, with all rights, privileges, and appurtenances thereto belonging or in any way pertaining, unto the Grantee, its successors and assigns

Charles of Grantor)

Patricia a May
(Signature of Grantor)

STATE OF NEBRASKA)

) SS.

Didge COUNTY }

Before me, a Notary Public, qualified for said county, personally came

Charles B. May and Patricia a. Manual person or persons who signed

the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed,

WITNESS my hand and Notarial Seal the day and year last above written.

Charles S. May

My commission expires:_

SENERAL NOTARY—State of Habrata CHARLES 3. MAY My Comm. Exp. April 27, 1967

ATTACHMENT A CHARLES B. MAY & PATRICIA A. MAY (HUSBAND & WIFR) RAWHIDE FLOOD CONTROL PROJECT

A TRACT OF LAND IN PART OF THE NWI/4 OF THE SEI/4 SEC.

5, T17N, R8E, OF THE 6TH P.M. IN DODGE COUNTY,

MEBRASKA; BEGINNING AT A POINT IN THE EAST 1/16

LINE OF SAID SECTION 5; SAID POINT HEING 480.61

FEET SOUTHERLY FROM THE CENTER EAST 1/16 CORNER AND

SAID EAST 1/16 LINE IS ASSUMED TO BEAR NORTH OO 39'20"

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MORTHERLY PROM THE CHANNEL CENTERLINE, SOUTH 87 55'05"

WEST, A DISTANCE OF 198.16 FEET; THENCE SOUTH 81 23'54'

WEST, A DISTANCE OF 352.28 FEET; THENCE SOUTH 02 04'55'

WEST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 77 08'02'

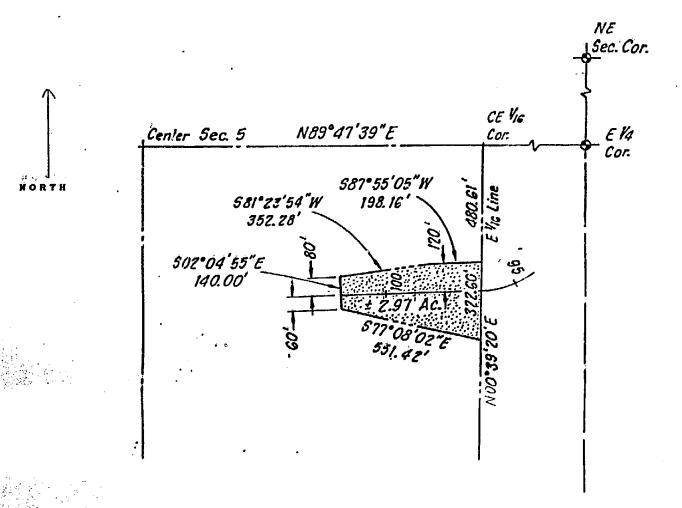
EAST, A DISTANCE OF 551.42 FEET TO A POINT IN THE SAID

EAST 1/16 LINE; THENCE WITH SAID EAST 1/16 LINE WORTH

OD 39'20" EAST, A DISTANCE OF 322.60 FEET TO THE POINT

OF BEGINNING; CONTAINING AN AREA OF 2.97 ACRES MORE OR

LESS.



ATTACHMENT B CHARLES B. MAY & PATRICIA A. MAY (HUSBAND & WIFE) RAWHIDE FLOOD CONTROL PROJECT

A STORAGE AND FLOWAGE EASEMENT IN AN AREA OF THE SW1/4 OF THE WEI/4 AND THE WW1/4 OF THE SE1/4 SECTION 5, T17N, RBE OF THE 6TH P.M. IN DODGE COUNTY, HEBRASKA; CONSISTING .P TWO AREAS COMPOSED OF TWO (2) ACRES MORE OR LESS.

