

COUNTER P C.E. P
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SHORT _____ NCR _____

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2012-21446

07/19/2012 3:02:58 PM

Clay J. Dowling

REGISTER OF DEEDS



EASEMENT

For and in consideration of the sum of **ONE and 00/100 DOLLAR, (\$1.00)** paid thereto, the undersigned DUANE J. DOWD and FRANCES DEE DOWD (Collectively: "GRANTORS"), hereby grant to the State of Nebraska Department of Roads ("NDOR") and the Papio-Missouri River Natural Resources District ("P-MRNRD") (Collectively: "GRANTEES"), and their successors and assigns, a permanent easement ("the EASEMENT") permitting construction, operation, maintenance, repair and replacement of a public recreational bicycle and pedestrian trail ("the TRAIL"), in, on, over and across the following described parcel of land of the GRANTORS (the "EASEMENT AREA"), to-wit

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 1280.06 FEET ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 55.16 FEET ALONG SAID LINE TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE EASTERLY DEFLECTING 089 DEGREES, 07 MINUTES, 29 SECONDS LEFT, A DISTANCE OF 57.36 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 078 DEGREES, 16 MINUTES, 53 SECONDS LEFT, A DISTANCE OF 31.05 FEET; THENCE WESTERLY DEFLECTING 080 DEGREES, 44 MINUTES, 04 SECONDS LEFT, A DISTANCE OF 69.09 FEET TO THE POINT OF BEGINNING CONTAINING 0.06 ACRES, MORE OR LESS.

GRANTORS previously granted to NDOR a permanent access easement ("the PRIOR EASEMENT") (recorded as Instrument No. 95-05326), in, on, over and across the EASEMENT AREA. As provided in the PRIOR EASEMENT, neither the EASEMENT nor the PRIOR EASEMENT shall be constructed as preventing the GRANTORS, their heirs, successors and assigns, from drilling and maintaining a well ("GRANTORS' WELL") on that portion of the EASEMENT AREA lying 13 feet or more east of the centerline of the drive constructed or to be constructed at Station 587+00, as shown on NDOR plans for Project S-31-2(1001). If necessary in the course of GRANTORS' construction, maintenance, repair and/or replacement of GRANTORS'

WELL or components thereof, GRANTORS may temporarily excavate the EASEMENT area, as necessary for such purposes, after GRANTORS have given advance notice to P-MRNRD of their intent to perform such excavation, so that P-MRNRD can temporarily close the TRAIL at such location. GRANTEES' use of the EASEMENT AREA shall not interfere with the permitted use thereof by prior grantees of access easements over the EASEMENT AREA.

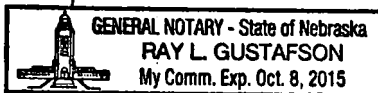
Dated this 18th day of July, 2012.

DUANE J. DOWD

FRANCES DEE DOWD

STATE OF Nebraska)
COUNTY OF Douglas) ss.

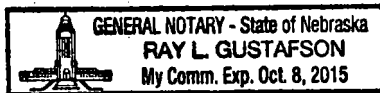
The foregoing easement was acknowledged before me this 18 day of July, 2012, by DUANE J. DOWD.



Ray L. Gustafson
Notary Public

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing easement was acknowledged before me this 18 day of July, 2012, by FRANCES DEE DOWD.



Ray L. Gustafson
Notary Public