

L.L. BROWN & SONS PAPER CO. LINCOLN, NEBRASKA

Further affiant sayeth not.

Charles L. Graves

Subscribed in my presence and sworn to before me this 12th day of May 1933.

{ W. A. Robertson, Notarial Seal }  
{ Commission expires Aug. 24, }  
{ 1933 Cass County, Nebraska. }

W.A. Robertson  
NOTARY PUBLIC.

Easement & Release  
Martin Dowd  
to  
Sanitary Dist. # 1 Lancaster Co. Nebr.)

COMPARED

Filed May 29th, 1933 at 8:00 A. M.  
Lillian G. White  
Register of Deeds  
\$1.85 by Minnie Hild, Deputy.

EASEMENT FOR RIGHT-OF-WAY

AND

RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, owners of the following described real estate situated in the County of Cass and State of Nebraska, to-wit:

The Northeast quarter of the Northwest quarter of Section 6, Township 11 North, Range 9 East of the 6th principal meridian and the North half of the Northeast quarter of Section 6, Township 11 North, Range 9 East.

are asserting a claim for damages against Sanitary District Number One of Lancaster County, Nebraska, on the theory that it is responsible and liable in damages for an alleged accelerated flow of water through the present Salt Creek channel by reason of the construction of the present improved channel of Salt Creek from the City of Lincoln, Nebraska to the eastern boundary line of Lancaster County, Nebraska, which claim is denied by said Sanitary District Number One, and

Whereas, it is the desire of the undersigned and said Sanitary District Number One to obviate litigation incident to said claim, and

Whereas, said Sanitary District Number One by resolution of its duly constituted trustees under date of January 9, 1933, offered to compromise, settle and adjust all claims which the undersigned may have or claim to have against it by reason of the construction by it of the new and improved channel for said Salt Creek from said City of Lincoln to the eastern boundary of Lancaster County, Nebraska, by improving at its cost and expense that portion of the channel of Salt Creek lying within Cass County, Nebraska, along lines recommended by the engineers of said District, on condition that the owners of the real estate upon and across which it is proposed to excavate new channels and to lower and clean the old channels of said Salt Creek within said Cass County, execute conveyances of easements for rights-of-way therefor and for the disposition of excavated soil thereon, and that they release and discharge said Sanitary District of and from all damages by reason of the construction and proper use of said channels to land owned by them situated in the valley of Salt Creek and within the limits of Cass County, Nebraska, and that they release and discharge said Sanitary District of and from all claims for damages suffered by them by reason of the flooding of lands and crops owned by them or in which they have an interest, and on other conditions recited in said resolution, which said resolution is made a part hereof and incorporated herein by reference.

NOW THEREFORE, for the purpose of accepting said offer of compromise and for the consummation thereof and in consideration of the performance on the part of said Sanitary District Number One of the agreements on its part to be done and performed under the terms of said offer of compromise, we, the undersigned, hereinafter referred to as grantors, hereby grant to Sanitary District Number One of Lancaster County, Nebraska, hereinafter referred to as grantee, a right-of-way for the construction, maintenance and operation of a channel or ditch on and across the following described real estate, to-wit:

A strip of ground 250 feet wide being 125 feet each side of the following described line: Beginning at a point in the West line of the Northeast quarter of the Northwest quarter of Section 6, Township 11 North, Range 9 East of the 6th principal meridian, 723.2

Lt. Brown, Lessee  
Parks Co. Lessee

feet North of the Southwest corner thereof and running thence Northeast 68 feet, said line making an angle of 72 degrees and 26 minutes in the Northeast quadrant with said West line of the Northeast quarter of the Northwest quarter, thence on a 3 degree curve to the left a distance of 601.1 feet said curve having a radius of 1910.1 feet, thence Northeasterly on a tangent to the last described curve a distance of 50 feet containing 4.13 acres.

Said grantee shall have the right of ingress to and egress from said last above described real estate to go upon and from the same with construction equipment for the purpose of constructing, maintaining and repairing said channel or channels constructed on said last above described real estate, and to do all work necessary to keep the same in efficient operation.

The grantee shall have the right to remove any obstructions from said channel or channels, including trees, debris and vegetation.

The grantor reserves the right, subject to the foregoing, to utilize all of the premises hereby conveyed and it is agreed that the grantors shall construct and maintain such fences or other improvements thereon as the grantors may desire.

And for the same consideration the grantors hereby release and forever discharge Sanitary District Number One of Lancaster County, Nebraska, of and from any and all damages which may accrue to them by reason of the construction and proper use of said new improvement as contemplated in said resolution, and of and from all claims and demands whatsoever which they have or claim to have against it by reason of damages to the land first herein described and all other lands owned by them lying in the valley of said Salt Creek and within the limits of Cass County, Nebraska, which have heretofore accrued or may hereafter accrue to them or which is now claimed to have been suffered by them, or may hereafter be claimed to have been suffered by them by reason of the overflow of the waters of said Salt Creek upon and over said lands and the consequent injury to said lands and to the crops, buildings, fences and appurtenances thereon.

IN WITNESS WHEREOF we have hereunto set our hands this 22 day of May 1933.

Vedah W. Hall  
Witness  
Vedah W. Hall  
Witness to  
Mary Dowd Mary Dowd  
Signature

Martin Dowd  
\_\_\_\_\_  
\_\_\_\_\_  
Signature

STATE OF NEBRASKA:  
                  :SS  
CASS COUNTY      :

Be it remembered that on this 22 day of May, 1933, before me, the undersigned, a notary public duly commissioned, qualified and acting within and for said county and state, personally came Martin Dowd and Mary Dowd to me personally known to be the identical persons whose names are affixed to the foregoing instrument in writing, and they acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on the day and year last above written.

(Vedah W. Hall, Notarial Seal )  
(Commission expires Oct. 5 ) My Commission  
(1938 Cass County Nebraska. ) expires 10/5/38  
\*\*\*\*\*  
Easement & Release }  
Thomas Dowd } COMPARED  
to }  
Sanitary Dist. # 1 Lancaster Co. Nebr. }  
Vedah W. Hall  
Notary Public  
Filed May 29th, 1933 at 8:01 A. M.  
Lillian G. White  
Register of Deeds  
\$2.15 by Minnie Hild, Deputy.

EASEMENT FOR RIGHT-OF-WAY

AND

RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, owners of the following described real estate situated in the County of Cass and State of Nebraska, to-wit:

The West half of the Northwest quarter of Section 6, Township 11 North, Range 9 East  
and the South half of the Southwest quarter of Section 31, Township 12 North, Range 9 East  
of the 6th principal meridian.