

From, chg. & ret. to: Steinacher & Vosoba, Attorneys, Wilber, Nebraska 68465 Fee: \$ 6.25 chg. STATE OF NEBRASKA SSALINE COUNTY

Entered in numerical index and filed for record, the 13 day of March 19 74 at 9 o'clock A. M. and recorded in Book 39 of Misc. Page 146

County Clerk

## AGREEMENT

WHEREAS City of Crete is having a sewer extension main built running east on 13th Street from a point 1,650 feet east of the southwest corner of Section Twenty-six (26), Township Eight (8) North, Range Four (4), East of the 6th P.M., in Saline County, Nebraska; and

WHEREAS the undersigned, Edward S. Rychecky and Louise Rychecky, husband and wife, owners of the following described property which abuts to the north side of said 13th Street, to-wit:

Beginning at the southeast corner of the Southeast Quarter  $(SE_4^1)$  of the Southwest Quarter  $(SW_4^1)$  of Section Twenty-six (26), Township Eight (8) North, Range Four (4), East of the 6th P.M. thence west twenty (20) rods, thence north forty (40) rods, thence east twenty (20) rods, thence south forty (40) rods to the place of beginning less two (2) rods on the north side retained for road

WHEREAS said owners are desirous of having said sewer extension main constructed and had urged the City Council of the City of Crete, Nebraska, to pass a Resolution of Necessity so that said sewer extension main might be constructed and said owners would then have the services of said sewer line; and

WYEREAS said owners desired to be and fully intended to be included in Sanitary Sewer District number 11 which provided for the construction of said sewer extension main, but was inadvertently omitted from the Resolution of Necessity passed October 17, 1972, by the City Council of the City of Crete, Nebraska, because of an incorrect legal description; and

WHEREAS the owners were, and are still willing to pay their fair and equitable share of the cost of said sewer extension main, pursuant to the verbal agreement they had with the City Council prior to the passage of the above mentioned Resolution of Necessity; and

WHEREAS said share of the cost was to be determined by the City Council sitting as the Board of Assessment; and

WHEREAS the owners are willing to and desires to fulfill said verbal agreement by having their property assessed for their equitable share of the cost as previously agreed;

NOW THEREFORE, Edward S. Rychecky and Louise Rychecky, husband and wife, owners of the following described property, to-wit:

Beginning at the southeast corner of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-six (26), Township Eight (8) North, Range Four (4), East of the 6th P.M. thence west twenty (20) rods, thence north forty (40) rods, thence east twenty (20) rods, thence south forty (40) rods to the place of beginning less two (2) rods on the north side retained for road.

hereby covenant and agree with the City Council of the City of Crete, Nebraska and the City of Crete, Nebraska to pay their fair and equitable share of the cost of said sewer extension main, said cost to be determined by the City Council of the City of Crete, Nebraska, sitting as the Board of Assessment; and

IT IS FURTHER AGREED that said assessment shall be paid the same way that is provided by law for assessments made upon property in sewer extension districts created by an Ordinance pursuant to Chapter 19, Article 24 of the Reissue of Revised Statutes of 1943, as amended; and

IT IS FURTHER AGREED that this covenant runs with the land and the owners hereby bind their heirs, executors, administrators, successors and assigns to this Agreement and the assessment made by the City of Crete

for the construction of said sewer extension main shall be and it hereby is expressly made a lien upon the above described premises. Edward S. Rychecky Louise Rychecky Richard J. Buck, Mayor of City of Crete STATE OF NEBRASKA SS COUNTY OF SALINE

Before me, a notary public qualified for said county, personally came Edward S. Rychecky and Louise Rychecky, husband and wife, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Thomas J. Dredla, Jr.  GENERAL NOTARIAL  STATE OF NEBRASKA  COMMISSION EXPIRES  July 25, 13//		notaria , 19	al seal on this _7th _ da 73. 	y of
STATE OF NEBRASKA	)	gg		
COUNTY OF SALINE	)	SS		
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Before me, a notary public qualified for said county, personally came Richard J. Buck, Mayor of the City of Crete, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed

thereof to be his voluntary	ict and deed.
Witness my hand an	notarial seal on this day of
march	, 1973.
	Anne B. Vasatka
ALINE B. VASATKA	Notary Public
GENERAL NOTARY	
Indiana My Cotmon don Explica	
December 8, 1075	2