

No Fee
INST NO 2003
003142

2003 JAN -9 P 4-09
LANCASTER COUNTY, NE

BLOCK
CODE
CHECKED
ENTERED
INDEXED

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, Lancaster County, a governmental subdivision of the State of Nebraska, herein called the "Grantor", record owner of the real property hereinafter described, for and in consideration of the sum of One and 00/100 Dollars (\$1.00), duly paid, the receipt whereof is hereby acknowledged and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed does hereby grant, remise and relinquish unto Eugene and Jeanette Theer, herein called "Grantee", a permanent utility easement on the following legally described real estate situated in Lancaster County, Nebraska, to wit:

The South Five Feet (S 5') of the North Fifty Feet (N 50') of County owned right-of-way located in Lot 35, Irregular Tract, in the Northwest Quarter (NW 1/4) of Section Six (6), Township Eight North (8), Range Seven East (7E) of the 6th Principal Meridian, Lancaster County, Nebraska.

This easement agreement voids a portion of an easement agreement between Donna Verbeek and Willie Verbeek, Wife and Husband, Grantor to Eugene Theer, Grantee, dated July 21, 1997, as recorded in Book 97, Page 034017 of the Lancaster County Register of Deeds Office and more particularly described as the portion of Easement "B", located in Lot 35, I.T., in the NW 1/4 of Section 6, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska

TO HAVE AND TO HOLD unto Eugene and Jeanette Theer, their successors and assigns, the right to construct, use and maintain on the land herein described for the express purpose of relocating an underground electrical utility cable, the right of ingress and egress to said property herein described from the County road for the purpose of inspecting, repairing, and maintaining the said underground utility cable, it being the intention of the parties hereto that the Grantee shall have the right to assign utility easements and that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use the above described property for any purpose that does not interfere with the uses herein granted.

The Grantor, in consideration of the payments herein stated, agrees not to construct buildings, fences or other improvements which may be damaged by the Grantees uses herein specified. If the Grantor chooses to make such improvements, Grantor hereby waives all claims for damages which may occur from the Grantees use as herein specified with the exception of necessary fence removal and replacement costs, or damages caused by negligence of the Grantee.

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

Executed by Lancaster County this 17 day of December, 2002

LANCASTER COUNTY
ENGINEERING DEPARTMENT
Approved by County Engineer

[Signature]

LANCASTER COUNTY
BOARD OF COMMISSIONERS

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Vertical Signature]

APPROVED AS TO FORM

this 17th day of December, 2002
[Signature]
Deputy County Attorney

State of Nebraska, County of Lancaster:

Before me, a Notary Public qualified for said County, personally came _____

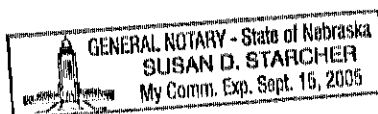
Lancaster County Board

known to me to be the identical 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 on December 17, 2002

My commission expires September 15, 2005

Notary Public Susan D. Starcher



State of _____, County of _____:

Before me, a Notary Public qualified for said County, personally came _____

known to me to be the identical 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 on _____

My commission expires _____

Notary Public _____