

FILED SARPY CO. NE.
INSTRUMENT NUMBER
200410678

2004 MAR 29 P 4: 14 8

Lloyd J. Dowding
REGISTER OF DEEDS

COUNTER _____ C.E.
VERIFY JK DE son
PROOF _____
FEES \$ 20.50
CHECK# 132942
CHG. _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____



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FOR RECORDING
INFORMATION.**

**DOCUMENT STARTS ON
NEXT PAGE.**

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS
1210 GOLDEN GATE DRIVE, STE 1109
PAPILLION, NE 68046-2895
402-593-5773

A

AGREEMENT

This Agreement entered into this 19th day of March, 2004, by and between Dave McColley and Donna McColley, husband and wife, hereinafter referred to collectively as "McColley", and Rosemary Laschansky, a widow, hereinafter referred to as "Laschansky".

WITNESSETH:

WHEREAS, McColley is the owner of the property legally described as:

A tract of land located in the Northeast Quarter (NE1/4) Section Six (6), Township Thirteen (13) North, Range Twelve (12) East of the 6th P.M., Sarpy County Nebraska, more particularly described as follows: Referring to the North Quarter corner of said Section 6; thence due East (assumed bearing) along the North line of said Section 6 a distance of 800.00 feet to the point of beginning; thence due East along the North line of said Section 6 a distance of 300.00 feet; thence South 01 degree, 00 minutes East a distance of 400.00 feet; thence due West a distance of 300.00 feet; thence North 01 degree, 00 minutes West a distance of 400.00 feet to the point of beginning, except that part taken for roads (a/k/a Tax Lot 18),

hereinafter referred to as Tax Lot 18 and;

WHEREAS, Laschansky is the owner of the real property legally described as:

Tax Lot Seventeen (17), also known as the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section Six (6), Township Thirteen (13), North Range Twelve (12), East of the 6th P.M., Sarpy County, Nebraska except Tax Lot Eighteen (18)

hereinafter referred to as Tax Lot 17; and

WHEREAS, the above two parcels of real property, are subject to a well usage agreement, dated October 6, 1988 and recorded October 7, 1998 at Instrument No. 1988-14646 of the records of the Register of Deeds of Sarpy County, Nebraska, wherein the present and future owners of Tax Lot 17 were

MOORE BROS & COMPANY CO.

L-157803

— P.2 DAK WEST

B

granted access to the well on Tax Lot 18 and the parties agreed to split all costs and maintenance of that well on a 50/50 basis; and

WHEREAS, the current owners of the above described real property, have determined that it is no longer necessary for this well usage agreement to be in place, and desire to enter into an agreement, terminating that well usage agreement.

NOW THEREFORE, in consideration of the sum of \$1.00 and the mutual promises and covenants contained herein, the parties agree as follows:

1. That the well usage agreement dated October 6, 1988 and recorded October 7, 1998 at Instrument No. 1988-14646 of the records of the Register of Deeds of Sarpy County, Nebraska, should be and hereby is terminated.

2. That as a result of the termination of this well usage agreement, the present and future owners of Tax Lot 17 shall have no access to the well on Tax Lot 18. Additionally, the owners of Tax Lot 17 shall not be obligated for any costs or maintenance of the well located on Tax Lot 18.

Dave McColley
Dave McColley

Donna McColley
Donna McColley

Rosemary Laschanaky
Rosemary Laschanaky

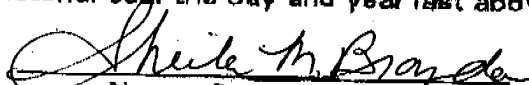
Linda Young - Trustee
for Ervin Laschanaky

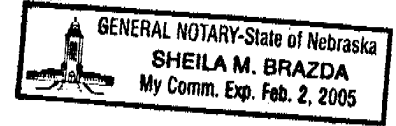
2004-10678C

STATE OF NEBRASKA :
 Ship : SS.
COUNTY OF DOUGLAS :

On this 19th day of March, 2004, before me, the undersigned, a notary public, duly commissioned and qualified for said state, personally came Dave McColley and Donna McColley, to me known to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be their voluntary act and deed.

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


Notary Public



STATE OF NEBRASKA :
 Sarpes : SS.
COUNTY OF DOUGLAS :

On this 15 day of March, 2004, before me, the undersigned, a notary public, duly commissioned and qualified for said state, personally came Rosemary Laschansky, to me known to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be her voluntary act and deed.

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


Notary Public

