

448

FILED

1986 JUN -5 PM 3:57 EASEMENT

CHARLOTTE L. PETERSEN  
WASHINGTON COUNTY  
CLERKSTATE OF NEBRASKA COUNTY OF WASHINGTON) 88 1560  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 5th DAY OF June A.D. 86  
AT 3:57 O'CLOCK P.M. AND RECORDED IN BOOK  
156 AT PAGE 156  
COUNTY CLERK Charlotte L. Petersen  
DEPUTY Cheryl Warner

This Easement made this 5 day of May, 1986, by and

between Rybin Investments, Inc., hereinafter called "Grantor",  
and Cottonwood, Inc., hereinafter called "Grantee".

WHEREAS, the Grantor is the owner of real estate in fee  
simple of a parcel of land described as Tax Lot 25 across which  
runs a private road which ends at the Missouri River; and,

WHEREAS, the Grantee is the owner or will become the  
owner in fee simple of another parcel of land near the Grantor's  
land described as:

All that part of Tax Lot 25 in Section 29,  
Township 19 North, Range 12 East of the 6th  
P.M., Washington County, Nebraska, further  
described as follows:

Recorded \_\_\_\_\_  
General \_\_\_\_\_  
Numerical \_\_\_\_\_  
Photostat \_\_\_\_\_

Beginning at the southwest corner of said Tax  
Lot 25 and assuming the south line of said tax  
lot to bear North 89 degrees 40 minutes West,  
thence South 89 degrees 40 minutes East on said  
south line a distance of 40.0 feet to a point on  
the centerline of a drive, said point being the  
point of beginning; thence North 36 degrees 23  
minutes 25 seconds East on said centerline a  
distance of 32.84 feet; thence North 66  
degrees 13 minutes 29 seconds East a distance of  
64.06 feet to a point on the east line of said  
drive, thence along the east line of said drive  
as follows:

North 6 degrees 19 minutes 38 seconds East a  
distance of 255.10 feet;  
North 49 degrees 02 minutes 34 seconds East a  
distance of 163.95 feet;  
North 0 degrees 20 minutes 00 seconds East a  
distance of 75.00 feet;  
North 5 degrees 12 minutes 30 seconds East a  
distance of 143.79 feet;  
North 33 degrees 40 minutes 08 seconds East a  
distance of 42.46 feet;

thence South 60 degrees 35 minutes 34 seconds

49 seconds East a distance of 316.26 feet to the east line of said Tax Lot 25; thence South 24 degrees 04 minutes West on said east line a distance of 160.71 feet to the southeast corner of said tax lot; thence North 89 degrees 40 minutes West on the south line of said tax lot to the point of beginning; containing 10.33 acres, more or less.

WHEREAS, Grantor has agreed that in consideration of the purchase of said real estate from the Grantor, the Grantor will grant to the Grantee a perpetual easement or right of way over the said private road described as follows:

Commencing at the southwest corner of Tax Lot 25 in Section 29, Township 19 North, Range 12 East of the 6th P.M., Washington County, Nebraska, thence South 89 degrees 40 minutes East (assumed bearing) along the south line of said tax lot a distance of 21.45 feet to the point of beginning; thence continuing South 89 degrees 40 minutes East on said south line a distance of 37.11 feet; thence North 36 degrees 23 minutes 25 seconds East a distance of 48.08 feet; thence North 66 degrees 13 minutes 29 seconds East a distance of 33.91 feet; thence North 6 degrees 19 minutes 38 seconds East a distance of 255.1 feet; thence North 49 degrees 02 minutes 34 seconds West a distance of 163.95 feet; thence North 0 degrees 20 minutes 00 seconds East a distance of 75.00 feet; thence North 5 degrees 12 minutes 30 seconds East a distance of 143.79 feet; thence North 33 degrees 40 minutes 08 seconds East a distance of 42.46 feet; thence South 60 degrees 35 minutes 34 seconds East a distance of 380.59 feet; thence South 73 degrees 08 minutes 54 seconds East a distance of 103.64 feet; thence North 82 degrees 30 minutes 02 seconds East a distance of 128.89 feet; thence North 61 degrees 56 minutes 10 seconds East a distance of 95.99 feet; thence North 34 degrees 26 minutes 57 seconds East a distance of 156.58 feet; thence North 42 degrees 50 minutes 40 seconds East a distance of 236.42 feet; thence North 78 degrees 05 minutes 57 seconds East a distance of 178.87 feet; thence North 1 degree 41 minutes 51 seconds East a distance of 103.50 feet to the design bank of the Missouri River; thence North 69 degrees 08 minutes 30 seconds West on said design bank a distance of 47.64 feet; thence South 1 degree 41 minutes 51 seconds West a distance of 97.08 feet; thence

South 78 degrees 05 minutes 57 seconds West a distance of 149.36 feet; thence South 42 degrees 50 minutes 40 seconds West a distance of 248.16 feet; thence South 34 degrees 26 minutes 57 seconds West a distance of 151.44 feet; thence South 61 degrees 56 minutes 10 seconds West a distance of 83.21 feet; thence South 82 degrees 30 minutes 02 seconds West a distance of 90.77 feet; thence North 78 degrees 31 minutes 54 seconds West a distance of 117.36 feet; thence North 60 degrees 35 minutes 34 seconds West a distance of 406.07 feet; thence South 33 degrees 40 minutes 08 seconds West a distance of 77.92 feet; thence South 5 degrees 12 minutes 30 seconds West a distance of 35.0 feet to the west line of said Tax Lot 25; thence South 0 degrees 20 minutes 00 seconds West on said west line a distance of 198.83 feet; thence South 49 degrees 02 minutes 34 seconds East a distance of 153.03 feet; thence South 6 degrees 19 minutes 38 seconds West a distance of 235.69 feet; thence South 66 degrees 13 minutes 29 seconds West a distance of 26.55 feet; thence South 36 degrees 23 minutes 25 seconds West a distance of 77.91 feet to the point of beginning.

NOW, THEREFORE, for the considerations given above, Grantor does hereby covenant and agree to grant to the Grantee, its heirs and assigns, full and free right and liberty for it, its tenants, stockholders, servants, visitors, and licensees in common with all others having the like right, at all times hereafter, with or without vehicles of any description, for all purposes connected with the use and enjoyment of the land of said Grantee and access to the Missouri River, to pass and repass along said easement for the purpose of going from county roads to the Missouri River and to the real estate owned by the Grantee, or vice versa over said easement, provided that only stockholders of the corporation shall be allowed to use said easement for the purposes of putting in or taking out their boats from the Missouri River.

To have and to hold the perpetual easement or right of

way hereby granted unto the Grantee, its heirs, and assigns, as appurtenant to the land of the Grantee; and that further said permanent easement or right of way may be used for the placement of utilities of any kind to be placed thereon.

This agreement shall be binding upon the heirs and assigns of the parties hereto.

RYBIN INVESTMENTS, INC.  
GRANTOR

COTTONWOOD, INC.  
GRANTEE

BY George R. Rybin Jr.  
ITS DULY AUTHORIZED OFFICER

BY Joseph J. Tholen  
ITS DULY AUTHORIZED OFFICER

STATE OF NEBRASKA )  
                          )ss  
WASHINGTON COUNTY )

Before me, a Notary Public, in and for said county and state personally came George R. Rybin Jr., duly authorized officer of Rybin Investments, Inc., a Nebraska corporation, Grantor, and Joseph J. Tholen, duly authorized officer of Cottonwood, Inc., a Nebraska corporation, Grantee, to me known to be the identical persons who signed the above and foregoing Easement, and acknowledged the execution thereof to be their voluntary act and deed for the purposes therein express.

WITNESS my hand and seal this 5 day of June, 1986.



Jon A. Sedlacek  
NOTARY PUBLIC