

12-15-10

Affects Lot 66

EASEMENT

THIS INDENTURE, made this 30 day of June, 1973, between the Bruhn Packing Company, a Nebraska Corporation, party of the first part, and the City of Elkhorn, a Municipal Corporation, party of the second part, Witnesseth:

That said parties of the first part in consideration of the sum of \$1.00 and other valuable considerations, to it be paid by party of the second part, receipt of which is hereby acknowledged, doth hereby grant, sell, convey and confirm unto said party of the second part, and its assigns, forever, the right to construct, build and maintain a water line for the passage of water through and under the parcel of land described below, as follows, to-wit:

A tract of land in Section 12, Township 15 North, Range 10 East of the 6th ²³ P.M. Douglas County, Nebraska, more particularly described as follows:

Commencing at the Northwest corner of Lot 22, Block 3, Suburban Homes Addition to the City of Elkhorn, Nebraska, thence North a distance of 10.0 feet; thence East 10.0 feet North of and parallel with the North line of Suburban Homes Addition a distance of 218.84 feet, thence North a distance of 235.16 feet to the South line of County Road 261 "D", thence East on said South line of County Road 261 "D", a distance of 10.0 feet, thence South a distance of 295.16 feet to a point on the North line of Suburban Homes Addition, thence West on the North line of Suburban Homes Addition to the point of beginning.

Said easement is granted upon the express condition that if any changes, repairs, or alterations are necessary to be made at any time or if any portion of said water line needs to be reconstructed, the City shall make good to the owner or owners of said tract (or if same is subdivided into lots), as hereinbefore set forth and all damage that may be done by said construction, alteration, changes, repairs or re-construction in the way of damage to trees, grounds, buildings or other improvements thereon including crops, vines, gardens and lawns, and farm lands, during construction and thereafter.

Said parties of the second part agrees to pay all costs of construction of said water line and fill the trench with mechanically compacted material and with the City paying cost of replanting alfalfa and pay damage to crops, if any. Second parties agrees to leave premises in a neat and orderly condition.

Said party of the first part for itself and assigns do confirm with parties of the second part and its assigns, that the parties of the first part are well

seized in fee of said premises and they shall warrant and defend said easement to said party of the second part and its assigns against the claims and demands of all persons.

Resolve

The City of Elkhorn to install a connection "T" in the water line at a point 145 feet North of the North line of Suburban Homes Addition for future water connection.

deemed Wood D which 162nd Block 28, Bl Height Lots 1 more p veyed, June 2 made o upon t

IN WITNESS WHEREOF said parties have hereunto set their hands and seal, the date and year first above written.

CITY OF ELKHORN, ELKHORN, NEBRASKA
By H. Dean Jones
Mayor

BRUHN PACKING COMPANY, A NEBR. CORP.
By Earl Bruhn Jr.
President

made a the da by Res made. Street, tion."

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)


On this 30th day of June, 1973, before the undersigned, a Notary Public for said County, personally appeared EARL BRUHN JR, President of Bruhn Packing Company, a Nebraska Corporation, known to me to be the President and identical person who signed the foregoing instrument and he acknowledged the execution to be his voluntary act and deed as such officer, and the voluntary act and deed of said corporation, and that its corporate seal was thereto affixed by its authority.

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Witness my hand and notarial seal on June 9, 1973.

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STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

 EARL BRUHN, SR. Notary Public
GENERAL NOTARY, State of Nebr.
My Commission Expires
March 17, 1976

Earl Bruhn Jr.
Notary Public

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On this 9 day of June, 1973, before the undersigned, a Notary Public, appeared H. Dean Jones, Mayor of the City of Elkhorn, who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed as such Mayor, and that his corporate seal was thereto affixed by its authority.

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Witness my hand and notarial seal on June 9, 1973.

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STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

 EARL BRUHN, SR. Notary Public
GENERAL NOTARY, State of Nebr.
My Commission Expires
March 17, 1976

Earl Bruhn Jr.
Notary Public

Douglas Drive, more pa and 25, 18 thro Peterso Block 2.

2 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
11 DAY OF Sept 1974 AT 9:44 A.M. C. HAROLD OSTLER, REGISTER OF DEEDS
6.25