

FILED FOR RECORD 4-9-80 AT 9:05A M. IN BOOK 53 OF Miss Rose
 PAGE 215 Carl R. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB. 325

EASEMENT

WHEREAS, JERRY G. FERGUSON and LINDA R. FERGUSON, Husband and Wife, hereinafter referred to as First Party, are the owners of the following described real estate, to wit:

Lot Ninety-Seven (97), in Fontenelle, a Subdivision located in Sarpy County, Nebraska, as surveyed, platted and recorded.

and,

WHEREAS, C. CLIFTON NELSON and DIANE E. NELSON, Husband and Wife, hereinafter referred to as Second Party, are the owners of the following described real estate, to wit:

Lot Ninety-Eight (98), in Fontenelle, a Subdivision located in Sarpy County, Nebraska, as surveyed, platted and recorded.

and,

WHEREAS, a concrete walk for the benefit and use of Lot 98, Fontenelle, encroaches upon Lot 97, Fontenelle, on the lot line dividing said lots at a point 30 feet East from the front of said lots, and extending to a point 18.5 feet East therefrom.

NOW, THEREFORE, for a satisfactory consideration, the First Party does hereby agree that said encroachment may continue to exist so long as said concrete walk is in existence and the Second Party shall be entitled to use said concrete walk in their use and enjoyment of their lot.

At such time as said concrete walk is no longer in existence, this right of encroachment shall expire and Second Party, their heirs and assigns, shall not claim any right over the land, to wit, Lot 97, Fontenelle, over which the, encroachment extends.

State of Nebraska)
) ss.
 County of Sarpy)

Jerry G. Ferguson
 Jerry G. Ferguson
Linda R. Ferguson
 Linda R. Ferguson

Before me, a Notary Public qualified for said county, personally came JERRY G. FERGUSON and LINDA R. FERGUSON, 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.

Witness my hand and notarial seal on April 3, 1980, 1980.

William J. McManis
 Notary Public

WILLIAM J. MCMANIS
 GENERAL NOTARY
 State of Nebraska
 My Commission Expires
 December 1, 1981

43-02338