

239 56

95 MAR 23 PM 2:35  
CHARLOTTE L. PETERSON  
WASHINGTON COUNTY CLERK  
BLAIR, NEBR.

FILED

EASEMENT

This Easement is made this 22 day of March 1995, by and between Jeff C. Ellis and Sandra L. Ellis, Husband and Wife, hereinafter referred to as "Grantor", and S & T Development, L.L.C., a Nebraska Limited Liability Company, hereinafter referred to as "Grantee".

WHEREAS, Grantors are the owners of the real estate described on Exhibit "A" attached hereto and by this reference made a part hereof; and,

WHEREAS, the Grantee is the owner of the real estate described on Exhibit "B" attached hereto and by this reference made a part hereof; and

WHEREAS, it is necessary for the Grantors to grant an easement to the Grantee for a cul-de-sac pursuant to applicable zoning regulations over and across the real estate described on Exhibit "A".

NOW, THEREFORE, in consideration of Ten Dollars and other good and valuable consideration, receipt and sufficiency of which is hereby specifically acknowledged by all parties hereto, the Grantors hereby grant to the Grantee a perpetual nonexclusive easement for a cul-de-sac over and across the real estate described on Exhibit "A" attached hereto which shall run with said real estate and the title to such property and shall be binding upon the Grantors, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of the Grantee, its successors and assigns, and any other person or other entity that at any time hereafter shall become the owner of the real estate described on Exhibit "B".

This agreement may be amended only in writing signed by the parties hereto and any other parties which have been granted an identical nonexclusive easement by the Grantors over and across the real estate described on Exhibit "A".

This agreement shall be governed, construed and enforced pursuant to the laws of the State of Nebraska.

The parties specifically agree this easement is granted for a cul-de-sac for residential purposes. The parties hereto shall be separately liable for any damages caused to the roadway by their gross negligence in failing to limit excessive load capacities of themselves, their invitees or permittees, for the existing conditions of said roadway.

This agreement shall be binding upon the heirs, personal representatives, successors and assigns of all parties hereto.

Jeff C. Ellis  
Jeff C. Ellis, Grantor

Sandra L. Ellis  
Sandra L. Ellis, Grantor

STATE OF NEBRASKA )  
WASHINGTON COUNTY ) :ss:

On this 22 day of March, 1995, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came Jeff C. Ellis and Sandra L. Ellis, Husband and Wife, Grantors, to me known to be the identical persons whose names are affixed 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.

Sandra Willmott  
Notary Public



STATE OF NEBRASKA COUNTY OF WASHINGTON) SS 753  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 24th DAY OF March A.D. 19 95  
AT 2:35 O'CLOCK p. M. AND RECORDED IN BOOK  
239 AT PAGE 56-59  
COUNTY CLERK Charlitta R. Petersen  
DEPUTY Karen Madsen

[ ]  
[ ]  
[ ]  
[ ]

## EXHIBIT "A"

Part of Tax Lot 223 lying in the NW1/4 SE1/4 NE1/4 of Section 14, Township 18 North, Range 11 East of the 6th Principal Meridian, Washington County, Nebraska, and more particularly described as follows: From the Southeast corner of the NW1/4 SE1/4 NE1/4 of said Section 14, T 18 N, R 11 E; thence N 00°07'10" W (assumed bearing) along the east line of said NW1/4 SE1/4 NE1/4 a distance of 9.26 feet; thence N 89°49'53" W a distance of 33.00 feet to the Point of Beginning, said point also being on the easterly line of Tax Lot 223 in said Section 14; thence along a 62.5 foot radius curve to the right, initial tangent of which bears N 58°14'56" W an arc distance of 126.82 feet to the east line of said Tax Lot 223; thence S 00°07'10" E along said east line a distance of 106.16 feet to the Point of Beginning.

## EXHIBIT "B"

Tax Lot 101 lying in the NE1/4 SE1/4 NE1/4 of Section 14, Township 18 North, Range 11 East of the 6th Principal Meridian, Washington County, Nebraska, and more particularly described as follows: From the northeast corner of the SE1/4 NE1/4 of said Section 14, T 18 N, R 11 E; thence S 89°59'33" W (assumed bearing) along the north line of said SE1/4 NE1/4 a distance of 329.03 feet to a point on the northerly projection of the west lines of Tax Lot 112 and Thompson's Twin Elm Addition as said Tax Lot and said Addition were surveyed, platted and recorded in the Washington County Courthouse, said Point also being the Point of Beginning; thence S°00 14'33" E along said west lines and their northerly projection a distance of 660.34 feet to the southwest corner of Lot 8 in said Thompson's Twin Elm Addition, said Point lying on the south line of the NE1/4 SE1/4 NE1/4 of said Section; thence N 89°49'51" W along said south line a distance of 330.40 feet to the southwest corner of said NE1/4 SE1/4 NE1/4; thence N 00°07'10" W along the west line of said NE1/4 SE1/4 NE1/4 a distance of 659.32 feet in the northwest corner of said NE1/4 SE1/4 NE1/4; thence N°89 59'33" E along the north line of said NE1/4 SE1/4 NE1/4 a distance of 328.98 feet to the Point of Beginning; and containing 4.99 Acres, more or less.