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WITNESSETH

THIS AGREEMENT, Made this 22nd day of April, A. D. 1957, between CHARLES M. McWHIRTER, JR. and B. W. WILSON of SARPY County, Nebraska, parties of the first part, and the CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY, a Delaware Corporation, party of the second part,

WITNESSETH, That the said party 1st of the first part, for and in consideration of the sum of FIFTY DOLLARS (\$50.00) Dollars, (\$ 50.00), and other good and valuable considerations, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant unto the said party of the second part, and to its successors and assigns, subject to the restrictions and for the uses and purposes hereinafter mentioned, an easement in and to a parcel of land located in the South Half (S^{1/2}) of the ^{NORTH EAST} Quarter (NE 1/4) Section Thirty-five (35), Township Fourteen (14) North, Range Twelve (12) East, Sarpy County, Nebraska, said parcel being more particularly described as follows:

Beginning at a point Sixteen Hundred Seventy-seven and Seven tenths (1677.7) Feet distant westerly from the intersection of the East line of Section Thirty-five (35), Township Fourteen (14) North, Range Twelve (12) East in Sarpy County, Nebraska, with the center line of the Chicago, Rock Island and Pacific Railroad Company's main track, measured along the center line of said main track and One Hundred (100) Feet northerly measured at right angles to the center line of said main track. Said point being the true point of beginning of the land being described. Thence westerly parallel with and One Hundred (100) feet northerly from the center line of said main track a distance of Three Hundred (300) feet; thence northerly at right

Entered in Numerical Index and Recorded in the Register of Deeds office in Sarpy County, Nebraska, on 7 day April, 1957, at 8 A.M., Geo. F. Nicholson, County Clerk 5,000.00

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angles One Hundred Twenty (120) feet; thence easterly
at right angles Three Hundred (300) feet; thence southerly
at right angles One Hundred Twenty (120) feet to the
true point of beginning and containing Eight tenths (0.8)
of an acre, more or less.

The purpose of this easement is to enable said party of the second
part, its successors and assigns, to occupy and use the property described
for the purpose of making a change in the channel of an existing creek in
order to improve general drainage conditions in the immediate vicinity, and
for such other railroad purposes as may be necessary in connection with such
channel change. The said party of the second part, its successors and assigns,
has the right to enter upon the premises hereinbefore described at all times
necessary to maintain clean, and patrol the new channel constructed under the
provisions of this easement.

It is further expressly understood and agreed that title in the
property described herein shall not pass to the party of the second part, and
all rights of ownership herein are retained by said party of the first part,
subject only to this easement and for the uses and purposes stated herein.

This agreement shall be binding upon the parties hereto, and their
respective heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF, the said parties of the first part have
hereunto set their hands the day and year first above written.

Charles M. Daniels
Charles M. Daniels

STATE OF NEBRASKA)
SARAH COUNTY) SS

CHARLES MEDANIEL, Clerk of the Court, appeared before us
this 22nd day of APRIL A.D. 1954, in person, and being

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personally known to me, acknowledged the foregoing instrument to be THEIR
voluntary act and deed for the uses and purposes specified therein.

WITNESS my hand and official seal.

Victor L. ...
Notary Public

My Commission Expires:

MAY 15, 1958

