

W-630

E A S E M E N T

1973 APR 27 PM 0:50

The undersigned, John R. Foley and Joan M. Foley, husband and wife, owners of the following real estate, for value received, do hereby grant unto Lakeland Development Co., a Corporation, and Omaha Public Power District, a public utility, their successors and assigns, an easement described as a tract of land beginning at the N $\frac{1}{4}$  Corner of Section 13, Township 17 North, Range 11 East, and assuming the N-S $\frac{1}{4}$  line of Section 13 to bear N 0° 08'40" W; thence N 0°08'40" W a distance of 501.24 feet; thence East a distance of 20.0 feet; thence S 0°08'40" E to the centerline of a County Road; thence Northwesterly along the County Road centerline a distance of 20.12 feet to the N-S $\frac{1}{4}$  line of Section 13; thence N 0°08'40" W along the N-S $\frac{1}{4}$  line of Section 13 to the point of beginning, lying in the Northwest Quarter Northeast Quarter (NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 13 and the Southwest Quarter Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 12, all in Township 17 North, Range 11 East of the 6th P.M., Washington County, Nebraska. Said easement to be and remain in full force and effect so long as said Corporation and public utility, their successors or assigns, use, operate, construct and maintain a water line and electric utility line thereon, but in the event said water line and electric utility line should be discontinued and shall not be and remain in use, then this easement shall terminate and cease and shall no longer be in effect.

It is further understood and agreed that the electric utility line will be underground.

It is further understood and agreed that the undersigned will not be held responsible for any septic tanks being placed in the vicinity of the water well, located in said description.

In the event that the Lakeland Development Co. sells its interest in the water system to be constructed on the foregoing easement to a third party other than Lake Arrowhead, Inc. or a corporation owned by the stockholders of Lakeland Development Co. or Lake Arrowhead, Inc., then and in that event the grantors herein would be entitled to make an annual charge for the use of said property as a water system easement, the amount of said charge to be determined by three licensed real estate men residing in Washington County, Nebraska, one to be selected by these grantors, one by the grantees of Lakeland Development Co., Lake Arrowhead, Inc., or a corporation owned by the stockholders of said Lakeland Development Co., and one to be selected by the two thus chosen. The restrictions in this paragraph to not apply to the easement granted to the Omaha Public Power District and its assigns for electric utility easements on said property.

This easement is recorded to correct an erroneous description contained in a previous easement between said parties dated March 29, 1973, and recorded in Miscellaneous Book W, Pages 608-609 of the Records of Washington County, Nebraska.

Done at Blair, Nebraska this 24<sup>th</sup> day of April, 1973.

John R. Foley  
 John R. Foley  
Joan M. Foley  
 Joan M. Foley

STATE OF NEBRASKA )  
 ) :ss:  
 WASHINGTON COUNTY )

On this 24<sup>th</sup> day of April, 1973, before me, the undersigned a Notary Public, duly commissioned and qualified for in

said County, personally came John R. Foley and Joan M. Foley, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing Easement 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.



Beryl W. Dixon  
Notary Public

My commission expires the 30<sup>th</sup> day of October, 1974.

STATE OF NEBRASKA, COUNTY OF WASHINGTON SS 589  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORDS  
THIS 27 DAY OF April AD 73  
AT 8:00 O'CLOCK A.M. AND RECORDED IN BOOK  
.....W. AT PAGE 630-632  
COUNTY CLERK Charlotte Peterson  
DEPUTY Fred L. Ainsworth