

E A S E M E N T

201

The undersigned, CARL LAYMAN and DORIS LAYMAN, husband and wife, as joint tenants, grant and convey to WILMA WOTIPKA, a widow, grantee, and her heirs, executors, administrators and assigns; owner of Lots 20 and 22, Spoonhour Acres, Saunders County, Nebraska; and JOHN TOBER AND MARTHA TOBER, husband and wife, as joint tenants with right of survivorship and not as tenants in common, grantees, and their heirs, executors, administrators and assigns, owners of Lot 24, Spoonhour Acres, Saunders County, Nebraska, an easement for a driveway to, upon and over the following described real property, to-wit:

A 14 foot easement presently used as a roadway, which easement runs north and south from the south boundary of Highway 109 in Saunders County, Nebraska, to approximately the south boundary of the 60 foot dedicated street adjoining Lots 24 and 25, Spoonhour Acres, Saunders County, Nebraska, on the south boundary thereof, which property is owned by CARL LAYMAN and DORIS LAYMAN, husband and wife, as grantors;

the easement being for the sole and only purpose of ingress and egress to and from Lots 20, 22, and 24, Spoonhour Acres Saunders County, Nebraska. The easement is to accommodate vehicular and pedestrian traffic; all terrain vehicles, mini-bikes, etc., excluded.

It is agreed that the easement granted is not an exclusive easement but is subject to the equal right on the part of the grantors herein and their assigns of the ingress and egress over and upon the said easement, which right is hereby expressly reserved.

The purpose and intention of the easement hereby granted is that henceforth the parties hereto, their respective heirs, executors, administrators and assigns, shall have equal rights of ingress and egress over and upon the said easement, and that neither shall have the right of ingress and egress to the exclusion of the other.

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It is agreed that the easement thus granted shall continue so long as the same may be necessary and required for ingress and egress to and from Lots 20, 22, and 24, Spoonhour Acres, Saunders County, Nebraska, after which it will cease and come to an end.

In consideration of the grant and conveyance, the grantees herein and heirs, executors, administrators, and assigns shall gravel and level the road and described easement to grantors satisfaction to provide for the ingress and egress contemplated. The expense of such leveling and graveling shall be paid by grantees as follows: The owners of each lot as herein described shall pay one third of the total expense of such maintenance. The owner of each lot shall maintain and keep open and clear the drainage ditch in the easement, which adjoins his lot, and keep such easement free of weeds and trash. Grantees shall provide snow removal and bear the cost of same when roadway becomes impassible. The bottom of the road ditch will be cut and maintained at a depth of not less than 24 inches.

The grantors and the grantees herein agree not to park any vehicles on the easement and to plant no trees closer than 25 feet from the center of the easement.

The owner of each lot herein described agrees to provide and maintain a culvert under the driveway into each lot and to maintain the culvert in good repair.

IN WITNESS WHEREOF, the parties hereto have set their hands this 23 day of Dec, 1976.

Legal action will be taken
against Grantee who repeatedly
violates this agreement.
Failure to comply will result
in loss of easement.

Carl Layman
CARL LAYMAN, Grantor

Doris Layman
DORIS LAYMAN, Grantor

Wilma Wotipka
WILMA WOTIPKA, Grantee

John Tober
JOHN TOBER, Grantee

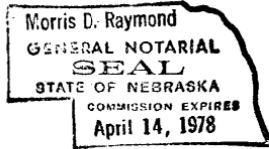
Martha Tober
MARTHA TOBER, Grantee

STATE OF NEBRASKA) ss.
County of Dodge (

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On this 23 day of Dec, 1976, before me, a notary public in for said county, personally came CARL LANMAN and DORIS LANMAN, Husband and wife, known to me to be the identical persons who executed the forgoing Easement, and they acknowledged the execution thereof to be their voluntary act and deed.

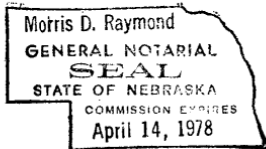
WITNESS my hand and notarial seal the day and year last above written.



Morris D. Raymond
Notary Public

On this 22nd day of March 1977 before me a notary public in for said county personally came Wilma Wotipka known to be the identical person who executed the forgoing Easement, and they/she acknowledge the execution thereof to be their/her voluntary act and deed.

Witness my hand and seal this day and year last above written.



Morris D. Raymond
Notary Public



INDEX AGAINST:

N² NE⁴ Sec. 4-16-8
SAUNDERS Co. Neb.
4 Lots 20, 22 + 24
SPOONHOUR ACRES Subd.

INDEXERS CO. NEBRASKA	Dep.
Filed in NUM. INDEX	
Register of Deeds Off.	
April 19 17 at 2 P M	
132 Pg. 513	
<u>Charles Heitzel</u>	
Register of Deeds	
BY	

8925 - pd ch

Carver - Fisher