

Lancaster County
444 Cherrycreek Rd.
Bldg. C
Lincoln, NE 68528

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, City of Bennet, herein called the "Grantor", record owner of the real property hereinafter described, for and in consideration of the sum of One and 00/100 Dollars (\$1.00), duly paid, the receipt whereof is hereby acknowledged and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed does hereby grant, remise and relinquish unto Lancaster County, a governmental subdivision of the State of Nebraska, herein called "Grantee", permanent easement on the following legally described real estate situated in Lancaster County, Nebraska, to wit:

A part of Lot 43, Irregular Tracts, located in the SE $\frac{1}{4}$ of Section 2, Township 8 North, Range 8 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southwest corner of said SE $\frac{1}{4}$; thence with an assumed bearing of South 88 Degrees, 38 Minutes, 54 Seconds East, with the south line of said SE $\frac{1}{4}$, a distance of 606.00 feet to a point; thence North 01 Degrees, 21 Minutes, 06 Seconds East, perpendicular to the south line of said SE $\frac{1}{4}$, a distance of 225.61 feet to a point of intersection with the northerly existing right of way line of Bennet Road, said point also being the point of beginning; thence South 87 Degrees, 51 Minutes, 57 Seconds East, with said northerly existing right of way line, a distance of 200.00 feet to a point; thence North 58 Degrees, 37 Minutes, 01 Seconds West, a distance of 28.65 feet to a point; thence North 74 Degrees, 22 Minutes, 12 Seconds West, a distance of 77.13 feet to a point; thence South 79 Degrees, 21 Minutes, 47 Seconds West, a distance of 76.90 feet to a point; thence South 61 Degrees, 10 Minutes, 14 Seconds West, a distance of 29.15 feet to the point of beginning.

Containing 0.09 acres, more or less.

TO HAVE AND TO HOLD unto Lancaster County, Nebraska, its successors and assigns, the right to construct, use and maintain on the land herein described utilities, such slopes as are necessary to retain and support the County road, the construction and/or extension of drainage structures and/or the construction of a drainage channel or drainage ditch

and so long as such utilities, slopes, drainage structure, drainage channel or drainage ditch is used and maintained, the right of ingress and egress to said property herein described from the County road for the purpose of inspecting, repairing, and maintaining the said utilities, slopes, drainage structure, drainage channel and/or drainage ditch located thereon at the will of the Grantee, it being the intention of the parties hereto that the Grantee shall have the right to assign, grant and dedicate utility easements and that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use the above described property for any purpose that does not interfere with the uses herein granted.

The Grantor, in consideration of the payments herein stated, agrees not to construct buildings, ornamental fences or other improvements which may be damaged by the Grantees uses herein specified. If the Grantor chooses to make such improvements, Grantor hereby waives all claims for damages which may occur from the Grantees use as herein specified with the exception of necessary fence removal and replacement costs, or damages caused by negligence of the Grantee.

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

In witness whereof the Grantor has signed this ____ day of _____, 20____

X_____
City of Bennet

By

State of _____ **County of** _____

Before me, a notary public qualified for said county, personally came _____

known to me to be the identical person or persons who signed the foregoing instrument and
acknowledged the execution thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on this _____ day of _____, 20____

Notary Public

My Commission Expires