

**Prepared By:
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Telephone: 605 312-6568**

PERMANENT PUBLIC SIDEWALK EASEMENT

THIS EASEMENT is granted _____, 2025, by The Evangelical Lutheran Good Samaritan Society d/b/a Good Samaritan – Albion (OWNER), to the City of Albion, Nebraska (CITY).

WHEREAS the CITY will construct and maintain a public sidewalk as part of the Albion Walking Trail System (“Trail System”), and the OWNER will cooperate with the CITY in the construction of the Trail System.

NOW THEREFORE, in consideration of the construction and maintenance of the Trail System by the CITY, the OWNER grants to the CITY the perpetual right and easement, as depicted on the attached Exhibit A, to construct, maintain, repair, or replace the Trail System sidewalk over, across, and upon the following described real estate in Boone County, NE (the “Property”):

A fraction of the NW1/4 of Section 27, Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska, described as follows: commencing at a point 42 rods, 11 fete South of Northwest corner of said Section; thence running East 34 rods; thence South 23 1/3rd rods; thence West 34 rods; thence North 23 1/3rd rods to the place of beginning

This grant is subject to the following conditions:

(1) The Trail System shall be constructed in a good and workmanlike manner, and all disturbed areas of Owner shall be restored to as near their original condition as reasonably possible.

(2) The CITY will hold the OWNER harmless from any claims for damage arising out of the construction and maintenance of the Trail System.

(3) The OWNER will maintain the surface area of the easement following construction. The OWNER will keep the easement area clear of any structure, debris, trees, shrubs, or landscaping whatsoever, except lawn grass, which shall be regularly mowed, and annual vegetation may be grown.

(4) The CITY shall hold OWNER, its affiliates, successors, assigns and subsequent owners harmless from and against all claims, actions, damages, injuries, costs, fees and expenses arising from and

related to this easement and the Walking Trail.

(5) The OWNER hereby grants to CITY the temporary right and easement to perform all construction of the Trail System located on the Property. The CITY shall use best efforts not to disturb the business activities of the OWNER while constructing the Trail System or use of the temporary easement area. This grant of temporary easement shall automatically expire upon completion of the Trail System on the Property.

IN WITNESS WHEREOF, the OWNER has executed this easement as of the day and year first above written.

Kirk Cristy, Senior Vice President

STATE OF SOUTH DAKOTA

)SS)

ACKNOWLEDGMENT

COUNTY OF MINNEHAHA)

On this 13th day of May, 2025, before me, the undersigned officer, personally appeared THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY representative, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



(SEAL)

Notary Public-State of: South Dakota

My Commission Expires: 1-27-27

Approved: _____ day of: _____ 2025.

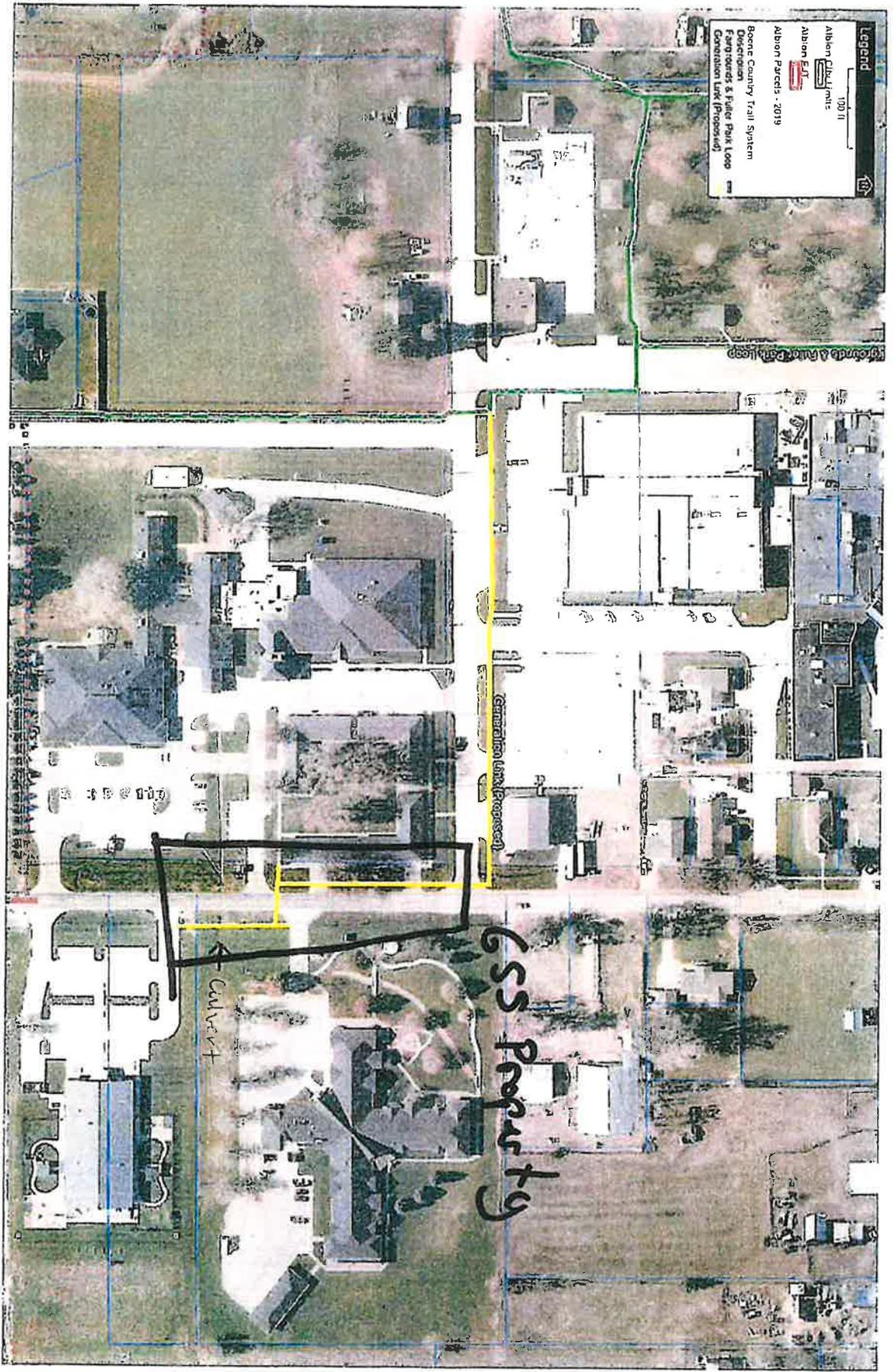
City of Albion, Nebraska

By _____

Attest _____

Exhibit A

(insert map of easement)



Legend

100 ft

Albion City Limits

Albion EIT

Boone County Trail System

Direction

Fairgrounds & Fuller Park Loop

Generation Link (Proposed)

GSS Property

Generation Link (Proposed)

Current

Untitled Map

Write a description for your map.

Legend

- 1225 S 6th St, Albion, NE 68620, USA
- Good Samaritan Society - Albion?

1225 S 6th St, Albion, NE 68620, USA

Good Samaritan So

S 6th St

Google Earth

Image © 2025 Airbus

100 ft

CULVERT
EASEMENT



