

83-002353

## AGREEMENT

This Agreement is made and entered into on this 9th day of May, 1983, by and between First National Bank of Grand Island, Grand Island, Nebraska, as conservator of Mary Heuermann, a protected person, hereinafter called "the Bank" and Randy L. Huryta and Linda S. Huryta, husband and wife, hereinafter called "Huryta";

WHEREAS, the Bank, as conservator, holds title to the real estate legally described as:

The Northerly Forty-Eight and One-Half (48½) Feet of Lot Five (5), in Block One Hundred Twenty-Five (125), in Union Pacific Railway Company's Second Addition to the City of Grand Island, Hall County, Nebraska

and Mr. and Mrs. Huryta hold title to the real estate legally described as:

The Southerly Eight-Three and One-Half (83½) of Lot Five (5), in Block One Hundred Twenty-Five (125), in Union Pacific Railway Company's Second Addition to the City of Grand Island, Hall County, Nebraska; and

WHEREAS, there is a garage on the property line between the above tracts which lies partially on both tracts of land set forth above and the parties hereto desire to mutually agree to the use and maintenance of that garage.

NOW THEREFORE, this Agreement is made and entered into; WITNESSETH:

1. The garage referred to above is shown on the attached survey, a copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference.

2. The parties agree that they shall each be entitled to use the portion of the garage located on their property as shown on said Exhibit "A" and each agree to share in the reasonable maintenance and upkeep of the garage during the term of this agreement.

3. Each party agrees to maintain fire insurance on the garage in such amounts as they mutually agree upon

from time to time and to name the other party as an additional insured on any such policy of fire insurance effecting that garage and to provide the other party written evidence of such insurance, with a clause providing for a ten day notification in the event of cancellation of such insurance to the other party.

4. Any repair, painting, or other work as needed on the garage shall be done by mutual agreement and consent of the parties hereto.

5. The parties mutually covenant and agree to this agreement for themselves and their respective heirs and assigns, each to and with the other, and the covenants herein contained shall run with the land described above, but no owner shall be responsible except for his acts or defaults while owner of such real estate.

6. It is further mutually agreed between the parties of this agreement shall be perpetual for so long as the parties desire to maintain a garage in its present location.

Made and entered into the day and year first written above.

FIRST NATIONAL BANK OF GRAND ISLAND, GRAND ISLAND, NEBRASKA  
CONSERVATOR OF MARY HEUERMAN, A Protected Person,

By John B. Huryta  
Vice President

Randy L. Huryta  
Randy L. Huryta

Linda S. Huryta  
Linda S. Huryta

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF HALL )

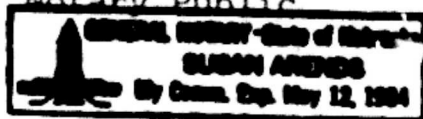
The foregoing instrument was acknowledged before me this 9th day of May, 1983 by John B. Atkins, Vice President of the First National Bank of Grand Island as Conservator of Mary Heuermann, a protected person.

Susan Arends  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF HALL )

The foregoing instrument was acknowledged before me this 9th day of May, 1983 by Randy L. Huryta and Linda S. Huryta, husband and wife.

Susan Arends  
Notary Public



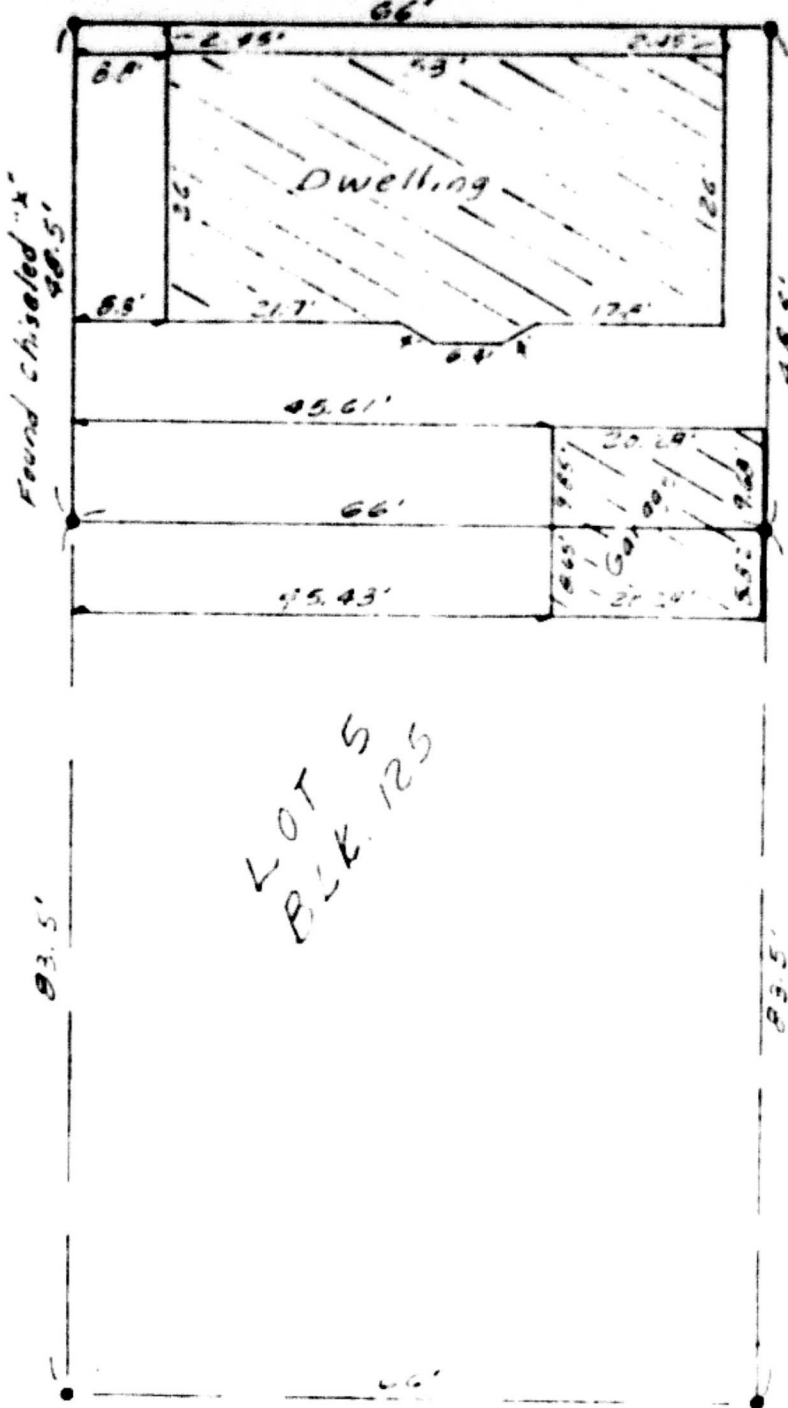
All distances shown are actual & recorded

JANING 40-21 39114

16' Alley

83-002353

WHEELER ST.



7th St.

A tract of land comprising the northerly Forty Eight and Five Tenths (48.5) feet of Lot Five (5), Block One Hundred Twenty Five (125) Union Pacific Railway Company's Second Addition to the City of Grand Island, Nebraska.

I hereby certify that to the best of my knowledge and belief, the accompanying plat is from an accurate survey of the described property made under my supervision.



*Thomas L. Jordan*  
 Thomas L. Jordan L.S. 178

BENJAMIN & ASSOCIATES, INC., - ENGINEERS & SURVEYORS - P.O. BOX 339 - GRAND ISLAND, NEBRASKA

Scale 1" = 20'

MAY 5, 1983

EXHIBIT "A"

Entered as Document No.

83-002353

1232

Grantor                       
 Grantee                       
 Number                       
 1 2 3 4  
 STATE OF NEBRASKA )  
 COUNTY OF HALL ) SS

'83 MAY 11 AM 9 51

*James Fisher*  
 REG OF DEEDS

*West Hill Bank!*  
*Stewart & Thompson*  
*Trust Dept*  
*Br-11768*