# EASEMENT

THIS INDENTURE, made this 10th day of Oct. 19 57, between

Martha A. Walther, also known as Martha A. Bashnick

parties of the first part, and The City of Omaha, Nebraska, a Municipal Corporation, party of the second part, WITNESSETH:

That said parties of the first part in consideration of the sum of One Dollar ($1.00) and other valuable consideration, to them in hand paid by said party of second part, the receipt whereof is hereby acknowledged, doth hereby grant, sell, convey and confirm unto said party of the second part and their assigns forever, the right to use, construct, build, lay and maintain a 24" Sanitary or Storm Sewer pipe for the passage of sewer water and soil in, through and under the parcel of land described as follows, to-wit:

10' in width, the center line of which is described as follows:

Beginning at a point on the South line of Lot 209, Benson Gardens Addition, an addition to the City of Omaha, which point is 32' Westerly from the Southeast corner of said lot; thence Northerly for a distance of 150'; thence Northeasterly for a distance of 9' to a point on the North line of said lot, which point is 144' from the Northeast corner of said lot.

Said easement is granted upon the expressed condition that if any changes, repairs or alterations are necessary to be made at any time or if any portion of said sewer need to be reconstructed after the lots are filled or improved, the City shall make good to the owner or owners of such lot or lots as hereinbefore set forth any and all damage that may be done by said changes, alterations, repairs or reconstruction, in the way of damage to trees, grounds, buildings or other improvements thereon including crops, vines, gardens and lawns, during construction and thereafter.

Said party of the second part agrees to pay all costs of construction of said storm or sanitary sewer, and fill in the trench with mechanically compacted material and sow grass seed over said trench and generally leave the premises in a neat and orderly condition.

Said parties of the first part for theirselves and their heirs, executors and administrators do confirm with the said party of the second part and its assigns, that they, the parties of the first part, are well seized in fee of the lot and premises aforesaid and that they have the right to grant and convey this easement in the manner and form aforesaid, and that they will, and their heirs, executors and administrators, shall warrant and defend this easement to said party of the second part and its assigns against the lawful claims and demands of all persons.

IN WITNESS WHEREOF said parties of the first part have hereunto set their hands and seals the day and year first above written.

In the presence of

Michael J. Pero

Martha A. Walther

Martha A. Bashnick

STATE OF ~~NEBRASKA~~ California )
) ss
COUNTY OF ~~DOUGLAS~~ Alameda )

On this 10th day of Oct., A.D. 1957, before me Robert D. Craig, a Notary Public in and for said County, personally appeared the above named Martha A. Walther also known as Martha A. Bashnick, party of the first part, who are personally known to me to be the identical persons whose names are affixed to the above easement as parties thereto, and they severally acknowleged the instrument to be their voluntary act and deed.

WITNESS my Hand Oct. 10, 1957 the day aforesaid.

NOTARY PUBLIC ALAMEDA COUNTY CALIFORNIA

Robert D. Craig
NOTARY PUBLIC

The above easement and all provisions thereof accepted by the City of Omaha, Nebraska, this 4 day of, March 1958

Attest: M J Cannon
City Clerk

CITY OF OMAHA
BY: John Rowness Mayor

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.
30 7 DAY March 1958 AT 2:01 P M. THOMAS J. O'CONNOR, REGISTER OF DEEDS. 2.75