

Pls. Return to:
Tim Benetti
Omaha Pub. Works
Right-of-Way



Project No. S.P. 89-9
Tract No. 5
Address: 9415 "F" Street
Omaha, NE 68127

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT Adrian J. Scribante, hereinafter referred to as GRANTOR, (whether one or more) for and in consideration of the sum of One Hundred Fifty and No/100 Dollars (\$150.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby grant and convey unto the CITY OF OMAHA, NEBRASKA, a Municipal Corporation, hereinafter referred to as CITY, and to its successors and assigns, an easement for the right to construct, maintain and operate an "F" Street improvement, and appurtenances thereto, in, through, and under the parcel of land described as follows, to-wit:

See attached Exhibit "A", Permanent Easement Legal Description.

TO HAVE AND TO HOLD unto said CITY, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining or operating said "F" Street improvement at the will of the CITY. The GRANTOR may, following construction of said "F" Street improvement continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the CITY to use the same for the purposes herein expressed.

It is further agreed as follows:

1. That no buildings, improvements, or other structures, shall be placed in, on, over, or across said easement strip by GRANTOR, his or their successors and assigns without express approval of the CITY. Improvements which may be approved by CITY include landscaping or road, street or parking area surfacing or pavement.
2. That CITY will replace or rebuild any and all damage to improvements caused by CITY exercising its rights of inspecting or maintaining said "F" Street improvement except that, damage to, or loss of, trees and shrubbery will not be compensated for by CITY.
3. This easement is also for the benefit of any contractor, agent, employee, or representative of the CITY and any of said construction and work.
4. That said GRANTOR for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said CITY and its assigns, that he or they, the GRANTOR is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors, and administrators, shall warrant, and defend this easement to said CITY and its assigns against the lawful claims and demands of all persons. This easement runs with the land.
5. That said easement is granted upon the condition that the CITY will remove or cause to be removed all presently existing improvements thereon, including but not limited to, crops, vines, trees within the easement area as necessary for construction.
6. The City reserves the absolute right to terminate this easement at any time prior to the payment of the above stated consideration, but in no event later than 60 days after the execution of this Easement Agreement.

RECEIVED

Nov 21 2 02 PM '94

GEORGE J. GOSLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

13623 59-477 56-20760
20.52
LEGAL PAID
COMP UP

7. That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings, except a Temporary Construction Easement if and as applicable, between the GRANTOR and the CITY or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the CITY or its agents or employees, except as are set forth herein.

IN WITNESS WHEREOF said GRANTOR has or have hereunto set his or their hand(s) this 14 day of November A.D., 1994.

INDIVIDUAL AND PARTNERSHIP

[Signature]

Date 11/14/94

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) SS
 COUNTY OF DOUGLAS)

On this 14 day of November, 1994, before me, a Notary Public, in and for said County, personally came the above named: Aderian J. Seibante

who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the above instrument and acknowledged the instrument to be his, her (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal at Omaha in said County the day and year last above written.



Connie J. Beavers
 NOTARY PUBLIC

My Commission expires _____ NOTARIAL SEAL AFFIXED REGISTER OF DEEDS.

ROW/8b:3950x

Exhibit "A"

Tract 5

Owner's Legal

The South 277.53 feet of the North 294.53 feet of Lot 3, Koch's Subdivision, except the East 30.00 feet thereof dedicated for 94th Street right of way, City of Omaha, Douglas County, Nebraska

~~New R O W Acquisition Legal~~

~~Beginning at the Northeast corner of Lot 3, Koch's Subdivision, as it now exists, which point is described as being 30.00 feet West and 50.00 feet South of the point of intersection of 94th Street and "F" Street center lines; thence South along the West line of 94th Street right of way a distance of 25.00 feet; thence Northwesterly along a line to a point on the South line of "F" Street, said point also being 12.00 feet West of the point of beginning, a distance of 27.93 feet; thence East along said South line of "F" Street a distance of 12.00 feet, to the point of beginning.~~

Permanent Easement Legal

Commencing at the Northeast corner of Lot 3, Koch's Subdivision, as it now exists, which point is described as being 30.00 feet West and 50.00 feet South of the point of intersection of 94th Street and "F" Street center lines; thence South along the West line of 94th Street right of way a distance of 27.00 feet to the point of beginning; thence continuing South along said West line of 94th Street a distance of 10.00 feet; thence West along a line parallel to the South line of "F" Street a distance of 12.00 feet; thence North along a line parallel to said West line of 94th Street a distance of 10.00 feet; thence East along a line parallel to the South line of "F" Street a distance of 12.00 feet, to the point of beginning.




~~Temporary Construction Easement Legal~~

~~Beginning at the Northeast corner of Lot 3, Koch's Subdivision, as it now exists, which point is described as being 30.00 feet West and 50.00 feet South of the point of intersection of 94th Street and "F" Street center lines; thence West along the South right of way line of "F" Street a distance of 229.07 feet; thence South along a line parallel to the West right of way line of 94th Street a distance of 28.00 feet; thence East along a line parallel to said South line of "F" Street a distance of 159.81 feet; thence North along a line parallel to said West line of 94th Street a distance of 21.00 feet; thence East along a line parallel to said South line of "F" Street a distance of 42.35 feet; thence South along a line parallel to said West line of 94th Street a distance of 46.04 feet; thence East along a line parallel to said South line of "F" Street a distance of 10.25 feet; thence Southeasterly along a line and to a point which is 10 feet West of said West line of 94th Street and 87.17 feet South of said South line of "F" Street a distance of 37.25 feet; thence East along a line parallel to said South line of "F" Street a distance of 10.00 feet and to a point on the West line of 94th Street, said point also being 87.17 feet South from point of beginning; thence North along said West line of 94th Street a distance of 87.17 feet, to the point of beginning, and excluding the new right-of-way acquisition legal and the permanent easement legal previously described.~~

8144v

CITY OF OMAHA Public Works Department

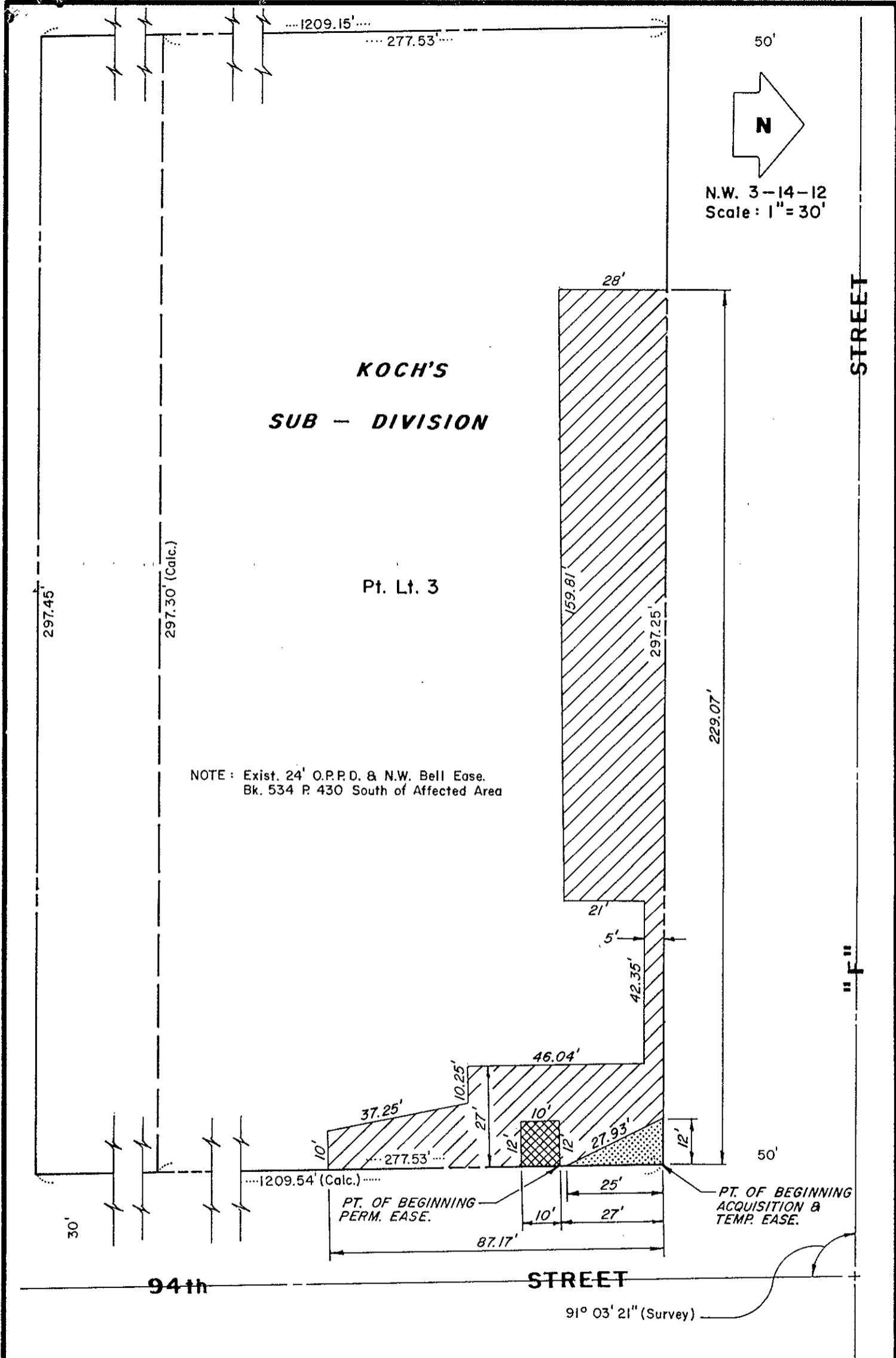
Owner(s) Adrian J. Scribante
9415 "F" Street
Address Omaha, NE 68127

	Land Acquisition	<u>150</u>	S.F.
	Permanent Easement	<u>120</u>	S.F.
	Temporary Easement	<u>6,110</u>	S.F.

Project No. S.P. 89-9
Tract No. 5

Date Completed 08/15/94
Revision Date _____
Revision Date _____

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**KOCH'S
SUB - DIVISION**

Pt. Lt. 3

NOTE: Exist. 24' O.P.R.D. & N.W. Bell Ease.
Bk. 534 P. 430 South of Affected Area

50'
N
N.W. 3-14-12
Scale: 1" = 30'

STREET




"F"

94th

STREET

91° 03' 21" (Survey)

CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

	LAND ACQUISITION	150	S.F.
	PERMANENT EASEMENT	120	S.F.
	TEMPORARY EASEMENT	618	S.F.

PROJECT NO. S.P. 89-9
M 5028 (2)

TRACT NO. 5