

## DEED RECORD No. 355.

REC'D BY OMAHA PRINTING CO., OMAHA - 77714

5. Deed )  
 Balthas Jetter et al )  
 to )  
 Union Pacific Rd. Co. )

WHEREAS, on the twenty-fifth day of September A.D. 1906 Balthas Jetter and Bertha Jetter, his wife, made, executed and delivered to Union Pacific Railroad Company a certain warranty deed conveying right of way therein described, which deed was recorded on the 26th day of September 1906 at page 411 in Book 292 of Deeds of the Records of Douglas County, Nebraska; and

Whereas, on the twelfth day of June A.D. 1907 the said Balthas Jetter and Bertha Jetter, his wife, made, executed and delivered to Jetter Brewing Company of South Omaha, a warranty deed conveying certain lands therein described, which deed was recorded on the 12th day of June 1907 at page 452 of Book 306 of Deeds of the records of Douglas County, Nebraska, and

Whereas, the right of way so conveyed, to Union Pacific Railroad Company by the aforesaid deed dated September 25th, 1906, is situated partly within and partly outside of the boundaries of the tract of land conveyed as aforesaid to the Jetter Brewing Company, and

Whereas, it has been found that the description contained in the aforesaid deed dated September 25th, 1906, from Balthas Jetter and Bertha Jetter, his wife, to Union Pacific Railroad Company, is not correct and is not in accordance with the intentions of either the grantors or the grantee therein.

Now therefore, know all men by these presents, that Balthas Jetter and Bertha Jetter, his wife, of the City of South Omaha, County of Douglas and State of Nebraska, and Jetter Brewing Company, a corporation of the State of Nebraska, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations, in hand paid, do hereby grant, bargain sell, convey and confirm unto Union Pacific Railroad Company, a corporation of the State of Utah, for right of way and for operating its railway only, the following described real estate situated in the City of South Omaha, in Douglas County, and State of Nebraska, to wit:

A strip, piece or parcel of land Thirty (30) feet in width being Fifteen (15) feet in width on each side of the center line of the main spur track of Union Pacific Railroad Company, known as the Jetter Brewery Track, as the same has been surveyed, staked out and located and constructed, by said Union Pacific Railroad Company through, upon, over and across that portion of tax lot No. 10, situated in the Southwest Quarter of the Northeast Quarter (S.W.  $\frac{1}{4}$  of N.E.  $\frac{1}{4}$ ) of Section No. Nine (9) east of the Sixth Principal Meridian, said center line of the Jetter Brewery track commencing at a point in the center line of 27th Street Six hundred and sixty-three (663) feet north of the east and west center line of said Section No. Nine (9) running thence southwestwardly Ten Hundred and thirty-four and one-tenth (1034.1) feet along a line, which if extended would intersect the East and West center line of said Section No. Nine (9) at a point Two Hundred and ninety-seven and three tenths (297.3) feet east of the center of said Section No. Nine (9) thence Southwestwardly Two hundred and seventy-nine (279) feet more or less, along a curve to the right with a radius of seven hundred and sixty four and five-tenths (764.5) feet to the intersection with the said East and West center line of said Section No. Nine (9) at a point Two hundred and three (203) feet, more or less east of the center of said Section No. Nine (9)

Also

A strip piece or parcel of land Thirty (30) feet in width, being Fifteen (15) feet in width on each side of the center line of the projected spur track of Union Pacific Railroad Company, as the same has been or may be surveyed, staked out and located by the Chief Engineer of said Union Pacific Railroad Company, through, upon, over and across that portion of Tax lot No. Ten (10) situated in the southwest quarter of the Northeast quarter (S.W.  $\frac{1}{4}$  of N.E.  $\frac{1}{4}$ ) of said Section No. Nine (9) said center line beginning in the center line of the Jetter Brewery Track hereinbefore described at a point ten Hundred and thirty four and one-tenth (1034.1) feet southwestwardly from

the center line of 27th Street when measured along the center line of said Jetter Brewery Track and extending thence southwesterly One hundred and ninety-three (193) feet along a continuation of the center line of the said Jetter Brewery Track to a point in the east and west center line in said section No. Nine (9) two hundred and ninety-seven and three tenths (297.3) feet east of the center of said Section No. Nine (9).

Also

All that portion of said tax lot No. Ten (10) extending from the said east and west center line of said section No. Nine (9) northeasterly and lying between the two strips of land hereinbefore described.

Also

A strip, piece or parcel of land Twenty-five (25) feet in width being the North Twenty-five (25) feet of the Southwest quarter (SW $\frac{1}{4}$ ) of said section No. Nine (9).

Also

A strip piece or parcel of land thirty (30) feet in width being fifteen (15) feet in width on each side of the center line of the spur track of Union Pacific Railroad Company as the same is surveyed, staked out and located by the Engineer of said Union Pacific Railroad Company through, upon, over and across tax lot five (5) situated in the north half of the southwest quarter (N. $\frac{1}{2}$  of S.W. $\frac{1}{4}$ ) of Section No. Nine (9) township fourteen (14) north, range thirteen (13) east of the Sixth (6th) Principal Meridian more particularly described as follows:

Beginning at a point ninety (90) feet east of the center line of Thirty Second Street in the City of South Omaha, and seventeen (17) feet south of the east and west center line of said section No. Nine (9) thence southeasterly two hundred two and six tenths (202.6) feet on a curve to the right with a radius of four hundred sixtyone and seventy three one hundredths (461.73) feet thence two hundred seventeen and five tenths (217.5) feet on a curve to the left with a radius of five hundred fifty-five and twenty-three hundredths (555.23) feet to a point which is one hundred thirteen and seven hundredths (113.07) feet south of a point in the east and west center line of said section No. Nine (9) four hundred six and forty-seven hundredths (406.47) feet east of the place of beginning.

Also

A strip, piece or parcel of land seventeen (17) feet in width being eight and one half (8 $\frac{1}{2}$ ) feet in width on each side of the center line of the spur track mentioned above, and beginning at a point four hundred ninety-six and forty seven hundredths (496.47) feet east of the center line of Thirty Second Street in the City of South Omaha and one hundred thirteen and seven hundredths (113.07) feet south of the east and west center line of said section No. Nine (9) thence southeasterly four hundred thirty-three and two-tenths (433.2) feet to a point in the center line of Thirtieth Street, one hundred thirty-three and six-tenths (133.6) feet south of the center of said Section No. Nine (9)

Provided however, that should the said Union Pacific Railroad Company abandon for three years the use of the tracks constructed, or to be constructed, as a right of way and operating its railway thereon for moving freight, upon the land hereby conveyed, then the title to the land hereby conveyed shall revert to and become revested in the grantors herein, their heirs, executors administrators, successors and assigns, and

Provided further, that the Grantors reserve to themselves, their heirs, executors, administrators, successors and assigns, the right to open any north and south streets between Thirtieth and Thirty-sixth Streets across the North twenty-five (25) feet of the Southwest Quarter (S.W. $\frac{1}{4}$ ) of Section No. Nine (9) in Township No. Fourteen (14) North of Range No. Thirteen (13) east, above conveyed.

This deed is made for the purpose of correcting the descriptions contained in that certain

MEG. BY OMAHA PRINTING CO., OMAHA - 77714

warranty deed made, executed and delivered by Balthas Jetter and Bertha Jetter, his wife, two of the grantors herein, to Union Pacific Railroad Company, the grantee herein dated the 25th day of September A.D. 1906, and recorded the 26th day of September, 1906, at page 411 in Book 292 of Deeds of the records of Douglas County, Nebraska. And it is hereby mutually understood and agreed by and between the parties hereto, that upon the execution and delivery of this deed, theaforesaid deed dated September 25th, 1906, shall become null and void and of no further force or effect.

The grantors herein do hereby covenant with the said Union Pacific Railroad Company, and its successors and assigns, that they are lawfully seized of said premises, that they are free from encumbrances, that they have good right and lawful authority to sell the same, and they hereby covenant to warrant and defend the title of the premises hereby conveyed against the lawful claims of all persons whomsoever, except as against the rights of way for 27th Street and 30th Street in the City of South Omaha.

And the said Bertha Jetter her-eby relinquishes all her dower right and claims of every kind and nature in and to the premises herein described.

In witness whereof, the said Balthas Jetter and Bertha Jetter, his wife, have hereunto set their hands and seals, and the said Jetter Brewing Company has caused these presents to be signed by its President and its corporate seal to be hereunto affixed and attested by its Secretary on this 19th day of July A.D. 1912.

Witnesses:

J.M.Jetter  
A.J.Suchy

Balthas Jetter  
Bertha Jetter

Attest J.M.Jetter,  
Secretary

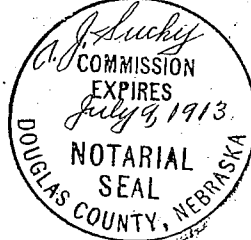


Jetter Brewing Company  
By B. Jetter,  
President

State of Nebraska )  
County of Douglas ) SS

On this 19th day of July A.D. 1912 before me, A.J Suchy, a Notary Public duly appointed and qualified for and residing in said County, personally came Balthas Jetter and Bertha Jetter, his wife, to me personally known to be the identical persons described in, and who executed the foregoing conveyance as grantors, and acknowledged said instrument to be their voluntary act and deed.

Witness my hand and Notarial seal the day and year last above written. My commission expires July 9-1913.



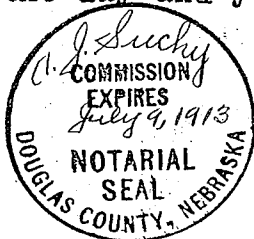
A.J.Suchy  
Notary Public

State of Nebraska )  
County of Douglas ) SS

On this 19th day of July A.D. 1912 before me, A.J.Suchy, a Notary Public duly appointed and qualified for and residing in said County, came Jetter Brewing Company by B.Jetter its President, to me personally known to be the identical person whose name is subscribed to the foregoing conveyance as said President, and acknowledged said instrument to be his voluntary act and deed, and the voluntary act and deed of said Company.

Witness my hand and notarial seal the day and year last above written.

My commission expires July 9-1913.



A.J.Suchy  
Notary Public

The State of Nebraska )  
Douglas County )

Entered on Numerical Index and filed for Record,  
in the Register of Deeds Office of said County,  
the 23rd day of July 1912 at 11.00 o'clock A.M.

Frank W. Bandle,

Register of Deeds,

Compared by F. & T.

\*\*\*\*\*

6. Warranty Deed (Special) )  
Kenwood Realty Company )  
to )  
Elizabeth L. Gerke )

KNOW ALL MEN BY THESE PRESENTS, that the Kenwood Realty Company  
a corporation organized under the laws of the State of Nebraska,  
in consideration of One hundred twenty and No/100 Dollars in hand  
paid, does hereby grant, bargain, sell, convey and confirm unto  
Elizabeth L. Gerke the following described real property, situate  
in the County of Douglas and state of Nebraska, to wit: Lots two hundred twenty one (221) in Ken-  
wood Addition, an addition to the City of Omaha, as surveyed, platted and recorded, subject to any  
special taxes levied since January 3, 1908, together with all the tenements hereditaments and ap-  
purtenances to the same belonging, and all the estate, title, claim or demand whatsoever of the  
said Kenwood Realty Company of, in, or to the same or any part thereof. To have and to hold the  
above described premises, with the appurtenances, unto the said Elizabeth L. Gerke and to her heirs  
and assigns forever. And the said Kenwood Realty Company for itself and its successors, does coven-  
ant with the said Elizabeth L. Gerke and with her heirs and assigns, that it is lawfully seized of  
said premises, that they are free from incumbrance, except as above stated, that it has good right  
and lawful authority to sell the same, and that it will, and its successors shall warrant and de-  
fend the same unto the said Elizabeth L. Gerke and her heirs and assigns forever against the law-  
ful claims and demands of all persons whomsoever, claiming by, through or under grantor.

In Witness whereof, the Kenwood Realty Company has caused its name and corporate seal  
to be hereto attached by its officers by order of its Board of directors, which appears upon its  
records this 16 day of July A.D. 1912.

In presence of  
Willard H. Dressler



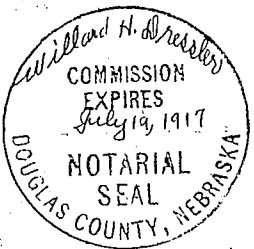
Kenwood Realty Company  
By Paul W. Kuhns, President  
Attest B.E. McCague, Secretary

State of Nebraska )  
County of Douglas ) SS

On this 16 day of July A.D. 1912 before me, a Notary Public, duly commissioned  
and qualified in and for said County personally came the above named Paul W. Kuhns, President and  
B.E. McCague, Secretary, of the Kenwood Realty Company, who are personally known to me to be the  
identical persons whose names are affixed to the above deed as President and Secretary of said  
Corporation, and they acknowledged the instrument to be their voluntary act and deed, and the  
voluntary act and deed of said corporation.

Witness my hand and official seal at Omaha, Nebraska, in said County, the date aforesaid.

Willard H. Dressler  
Notary Public



State of Nebraska )  
Douglas County )

Entered on Numerical Index and filed for Record,  
in the Register of Deeds Office of said County,  
the 23rd day of July A.D. 1912 at 11.36 o'clock AM

Frank W. Bandle,

Register of Deeds,

Compared by F. & T.