

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Gottlieb F. Kroeger (otherwise known as G. F. Kroeger) and Otto J. Steffen, Trustees, in consideration of \$25,000.00 and other valuable consideration in hand paid, do hereby grant, bargain, sell, convey and confirm unto Upland Homes, Inc., a Nebraska corporation of Omaha, Nebraska, the following described real estate, situate in the County of Douglas, State of Nebraska, to-wit:

All that part of Tax Lot 5 lying in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Nine (9), Township Fourteen (14), North of Range Thirteen (13), East of the 6th P. M. in Douglas County, Nebraska

Except: That part conveyed to Jetter Brewing Company which part is described as follows: Commencing at a point 33 feet West and 25 feet South of the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Nine (9), Township Fourteen (14), Range Thirteen (13), East of the 6th P. M., thence West 467 feet, thence South 285 feet, thence East 467 feet, thence North 285 feet to point of beginning;

Also Except: Morningsun Addition which is described as follows: Beginning at a point 33 feet East and 25 feet South of the Northwest Corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 9, Township 14, Range 13; being the Southeast corner of the intersection of 36th Street and Y Street, thence East along the South line of Y Street 125 feet, thence South 600 feet, thence West 125 feet to the East line of 36th Street; thence North along the East line of 36th Street, 600 feet to place of beginning.

And subject to the right of way of Union Pacific Railroad Company over and upon the North 25 feet of said part of said Tax Lot 5 beginning 467 feet west of the west side of 30th Street to 1346.4 feet west of said west side of 30th Street,

subject, however, to a perpetual easement in favor of Jetter Brewing Company, a Nebraska corporation of Omaha, Nebraska, its successors and assigns, to maintain, repair and use a certain reservoir now situated on said premises, the center of the said reservoir being 297 ft. south of the south line of Y Street in the City of Omaha, Nebraska, and 413 ft. west of the west line of 30th Street in Omaha, Nebraska; also the right to maintain, repair and use pipe or pipe lines leading directly from said reservoir to property now belonging to the Jetter Brewing Company situated in the northeast corner of the aforescribed part of said Tax Lot 5; also the right to use the water from certain underground springs situated in the above demised property at distances within a radius

of 400 ft. east and south of said center of said reservoir and within a radius of 275 ft. west of said center of said reservoir, together with the right to maintain, repair and use pipe lines now constructed under the surface of the ground from said springs to said reservoir, said pipe lines now being used for the purpose of collecting water from said springs and conducting said water to said reservoir; provided, however, that the aforesaid easement shall be used and enjoyed only in such manner as will not interfere with the full use and enjoyment by the grantee named herein, its successors or assigns, of any and all parts of the property above demised;

Together with all the tenements, hereditaments, and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said grantors 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 Upland Homes, Inc. and to its successors and assigns forever, and we the said grantors, individually and as Trustees, for ourselves and our heirs, executors, and administrators, do covenant with said Upland Homes, Inc. and with its successors and assigns, that we are lawfully seized of said premises, that they are free from encumbrance, that we have good right and lawful authority to sell the same and that we will and our heirs, executors, and administrators shall warrant and defend the same unto the said Upland Homes, Inc. and its successors and assigns, forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF we have hereunto set our hands this 14<sup>th</sup> day of August, 1941.

In presence of:

*Gene Gathman*

*Scottie J. Krouse*  
*W. J. [unclear]*

STATE OF NEBRASKA )  
                                  ) SS  
COUNTY OF DOUGLAS )

On this 4<sup>th</sup> day of August, 1941, before me, a Notary

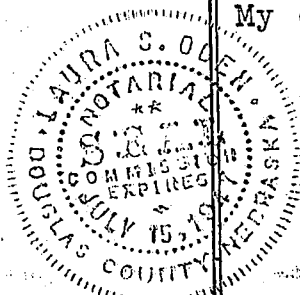


Public in and for said County, personally came the above named  
Gottlieb F. Kroeger (otherwise known as G. F. Kroeger) and Otto  
J. Steffen, who are personally known to me to be the identical  
persons whose names are affixed to the above instrument as grantors,  
and they acknowledged said instrument to be the voluntary act  
and deed of each of them individually, and they acknowledged  
said instrument to be their voluntary act and deed as Trustees.

WITNESS my hand and Notarial Seal the date last afore-  
said.

*Laura S. Oden*  
Notary Public

My commission expires on the 15<sup>th</sup> day of *July*, 1947.



27 Entered in Numerical Index and Recorded in the Register of Deeds Office in Douglas County, Nebraska  
5 day *August* 1947 at 3:33 P.M. Thomas J. O'Connor, Register of Deeds.