

Tract 3

Sewer District No. 1393

45th Street - Marinda to Frances

Rev. -11-16-1961.

EASEMENT

THIS INDENTURE, made this 5th day of MARCH 1962 between PHIL A. MONACO and LOUISE MONACO, husband and wife,

parties of the first part, and the City of Omaha, Nebraska, a Municipal Corporation, hereinafter called City, 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 City, the receipt whereof is hereby acknowledged, doth hereby grant, sell, convey and confirm unto said City and its assigns forever, the right to use, construct, build, lay and maintain a sanitary or storm sewer pipe for the passage of sewer water and soil in, through, over and under the parcel of land described as follows, to-wit: The East Ten (10) feet of Lot Three (3), Block Thirty-two (32), Ambler Place, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

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 City shall cause any trench made on foresaid realty to be properly re-filled, and shall cause grass seed to be sown over said trench, and shall cause the premises to be left in a neat and orderly condition.

Said parties of the first part for themselves 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 City 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

Phil A Monaco
Louise M. Monaco

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 5th day of MARCH, A.D. 1962, before me, the undersigned, a Notary Public in and for said County, personally appeared the above named

PHIL A MONACO AND LOUISE M. MONACO 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 acknowledge the instrument to be their voluntary act and deed.

WITNESS my Hand at Omaha, Nebraska the day aforesaid.



Joseph J. Kubat
NOTARY PUBLIC

MY COMMISSION EXPIRES: June 9 1967

State of Nebraska, County of Douglas, ss.

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this _____ day of _____, 19____, before me, the undersigned, a notary public in and for said County, personally came _____ President of _____ a Corporation, and _____ Secretary of _____ Corporation, to me personally known to be the President and Secretary respectively of said Corporation, and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said Corporation, and the Corporate Seal of said Corporation to be thereto affixed by its authority.

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

NOTARY PUBLIC

My Commission Expires _____

City of Omaha
12-462
Notary Public
3 00

[Handwritten Signature]
Notary of Deeds

THE STATE OF NEBRASKA
Douglas County
Entered in Numerical Index and filed
for Record in the office of the Register of
Deeds of said County and recorded in
Book 377 of Meas.
Page 433

THOMAS J. O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1962 MAR 8 AM 11 41

RECEIVED

15/1
Mitchell