

PARTIAL RELEASE OF EASEMENTS AND BILL OF SALE

WHEREAS, upon October 10, 1895, one Alvin Saunders conveyed to Ellis L. Bierbower and Alonzo B. Hunt, receivers under the mortgage foreclosure in the case of the Farmers Loan & Trust Company vs. The American Water Works Company, et al, and to their successors or purchasers under the mortgage sale to be made in said case, an easement which is recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Deed Book 200, Page 12, for a right-of-way for a 30-inch water main on the line of the continuation of 27th Street to Boulevard Street over, across and through Tax Lot 14, in Section 33, Township 15, Range 13, in Douglas County, Nebraska; and

WHEREAS, on October 24, 1895, the Fred Krug Brewing Company granted and conveyed to Ellis L. Bierbower and Alonzo B. Hunt, receivers under the mortgage foreclosure in the case of the Farmers Loan & Trust Company vs. The American Water Works Company, et al, and to their successors or the purchasers under the mortgage sale to be made in said case, an easement which is recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Deed Book 200, Page 11, for a right-of-way for a 30-inch water main on the line of the continuation of 27th Street to Boulevard Street over, across and through Lot 96, Sherman Addition in Douglas County, Nebraska; and

WHEREAS, the Metropolitan Utilities District is the successor to the American Water Works Company referred to in said easements and now is the owner of all right, title and interest conveyed by said easements, and that the "Boulevard Street" referred to in said easements was the street dedicated to the public in the original plat and dedication of Sherman's Addition to the City of Omaha, Douglas County, Nebraska, recorded January 28, 1887, which addition has twice since been replatted, the last time on September 2, 1911, and in said replat, now known as the second replat of Sherman's Addition, the street designated as "Boulevard Street" in said original plat was renamed Krug Avenue, but its boundaries remained the same as said "Boulevard Street," and

WHEREAS, the Falstaff Brewing Corporation is the successor to the Fred Krug Brewing Company and the present owner in fee of the premises described in said easements; and

WHEREAS, the parties hereto entered into a written contract on June 14, 1946, relating to changes in, and the relocation of, certain of the existing subsurface installations of said District on the said premises of Falstaff Brewing Company, including a portion of the then existing right-of-way occupied by said 30-inch water main as described in said easements;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises of the Falstaff Brewing Corporation, a corporation organized under the laws of the State of Delaware and authorized to do business in the City of Omaha, Douglas County, Nebraska, and the Metropolitan Utilities District of Omaha, a quasi municipal corporation of the State of Nebraska, contained in said written contract, dated June 14, 1946, and in performance thereof:

The Metropolitan Utilities District of Omaha hereby releases and forever quit claims to the Falstaff Brewing Corporation, its successors, assigns, and grantees that part only of the premises now occupied by said 30-inch water main described in said easements, and each of them as shown by plat Exhibit A hereto attached and made a part hereof, described as follows:

Beginning at a point 88 feet west of the West line of 25th Street, 21 feet south of the North property line of vacated Krug Avenue, formerly known as Boulevard Street, thence running west parallel to the North property line of said vacated Krug Avenue, a distance of 681 feet, to a point which is 1 foot east of the West property line of Lot 8, Block 2, second replat of Sherman Addition, thence south at right angles and parallel to the West line of said Lot 8, a distance of 208 feet, to a point which is 10 feet north of the South property line of said Lot 8, and 1 foot east of the West property line thereof, all in the southeast quarter of the northeast quarter of Section 33, Township 15, North Range 13, east of the 6 P. M., in the City of Omaha, Douglas County, Nebraska.

Said original easements of record, as hereinabove first described, to remain in full force and effect except as partially released hereby.

The Metropolitan Utilities District of Omaha hereby sells and assigns to the Falstaff Brewing Corporation the following cast iron pipe:

1. The abandoned 30-inch cast iron water main pipe now in the above described premises released from said easements.
2. The 12-inch cast iron water service pipe running from the existing water main in Deer Park Boulevard south in vacated 26th Street to the point in vacated Krug Avenue where same formerly connected with the 30-inch water main referred to in Paragraph 1 above, together with valves, metering equipment and other incidental appurtenances thereto. Same to be available as a service pipe to supply water service from said District's main to said Falstaff Brewing Corporation upon compliance by it with all the rules and regulations of said Metropolitan Utilities District governing the use thereof for said purpose.
3. The existing 4-inch cast iron gas main pipe from its point of connection to the gas main in 25th Street west in vacated Krug Avenue, a distance of 140 feet, more or less. Same to be available as a service pipe to supply gas service from said District's main to said Falstaff Brewing Corporation upon compliance by it with all the rules and regulations of the Metropolitan Utilities District governing its use for said purpose.

Executed this 1st day of April, 1949.

METROPOLITAN UTILITIES DISTRICT
OF OMAHA

By W. S. Byrne
General Manager and
Secretary

(Law does not provide
for corporate seal)

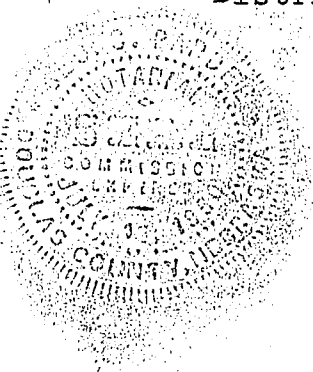
Attest:

Dana VanDusen
Vice General Manager and
Assistant Secretary

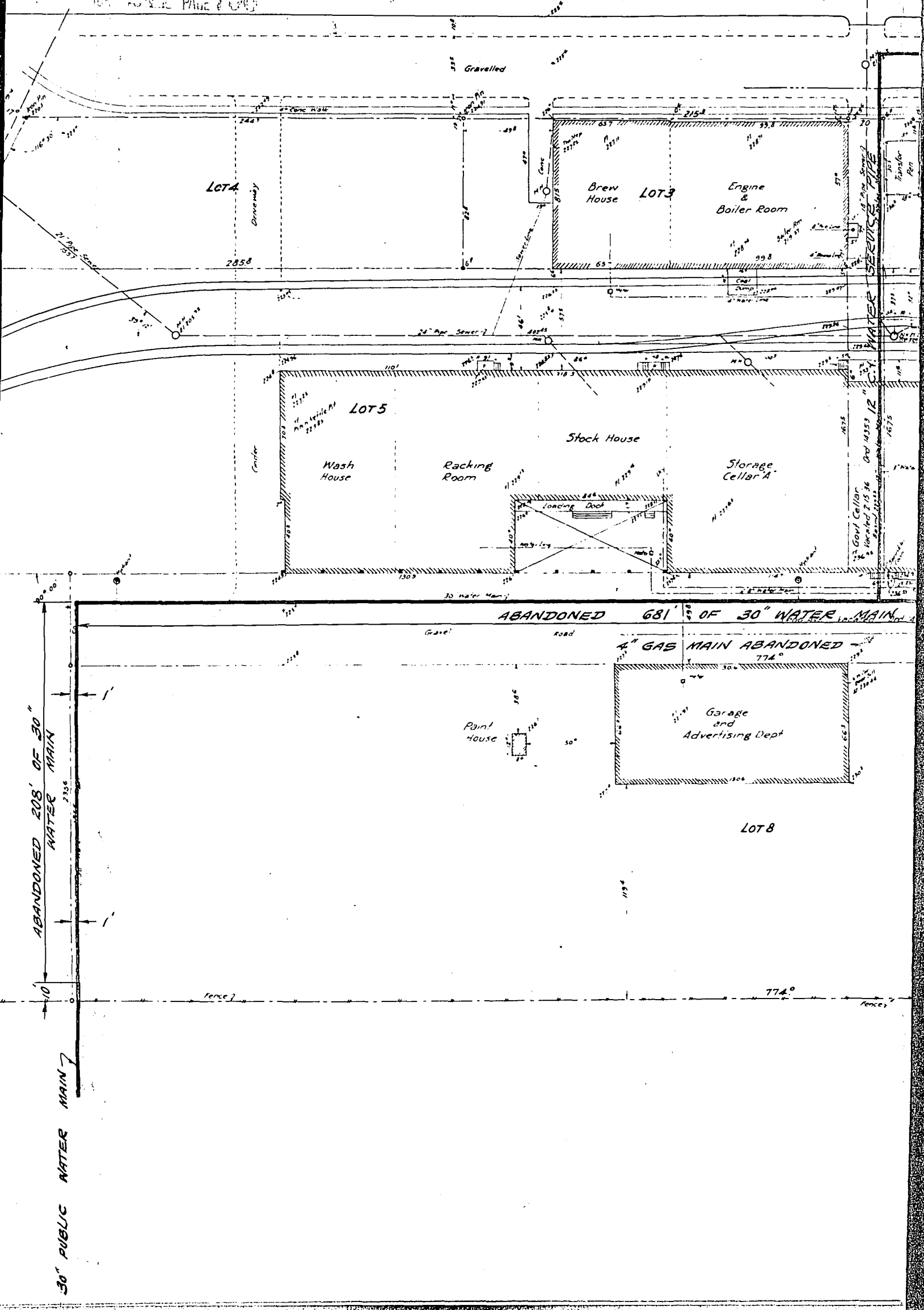
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 1st day of April, 1949, personally appeared before me, a Notary Public in and for Douglas County, Nebraska, the above named W. S. Byrne and Dana VanDusen, who are personally known to me to be respectively the General Manager and Secretary, and Vice General Manager and Assistant Secretary, of the Metropolitan Utilities District of Omaha, and who executed the foregoing quit claim deed in my presence and acknowledged the same to be their voluntary act and deed and the voluntary act and deed of said Metropolitan Utilities District of Omaha.

Les. E. Funder
Notary Public

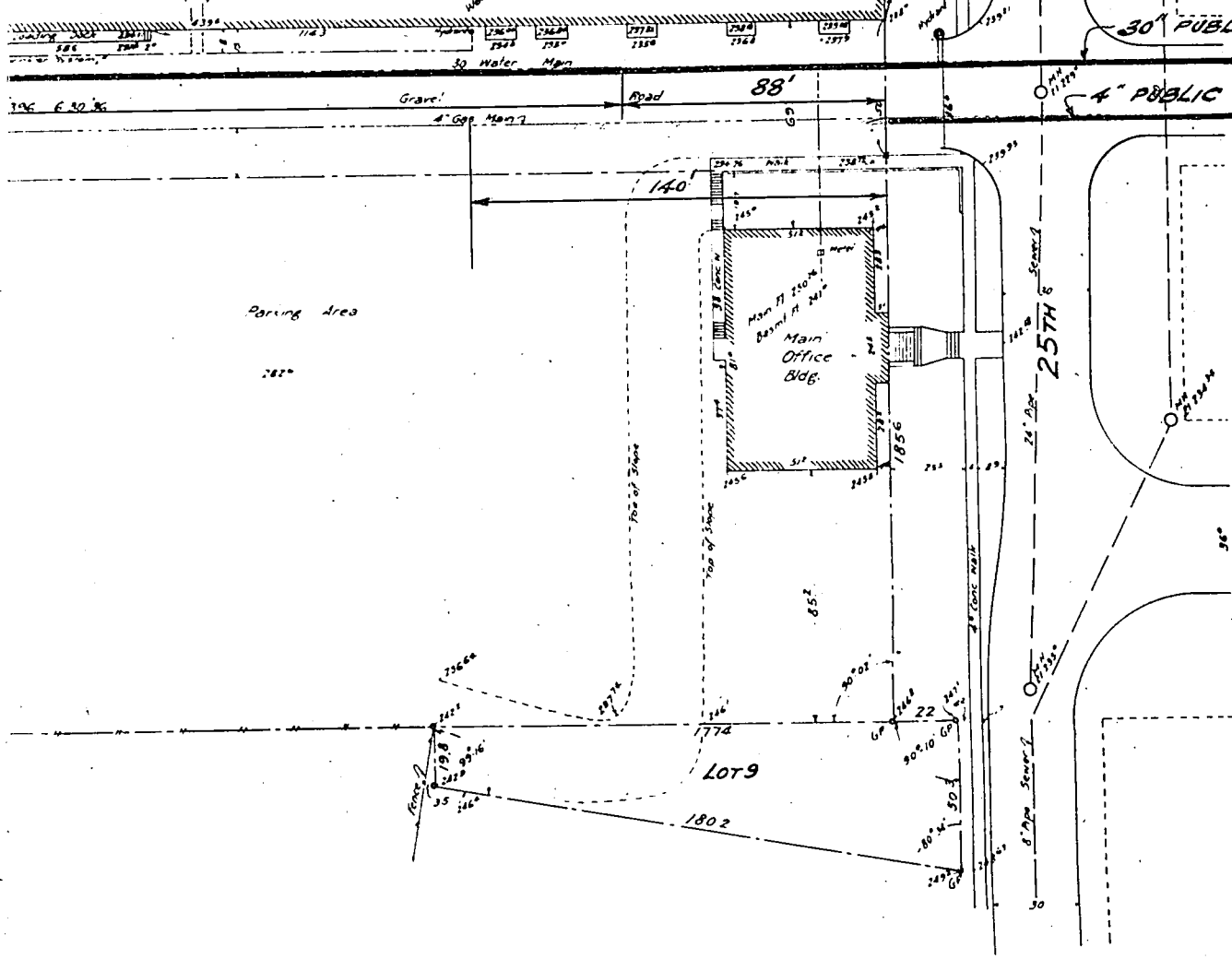
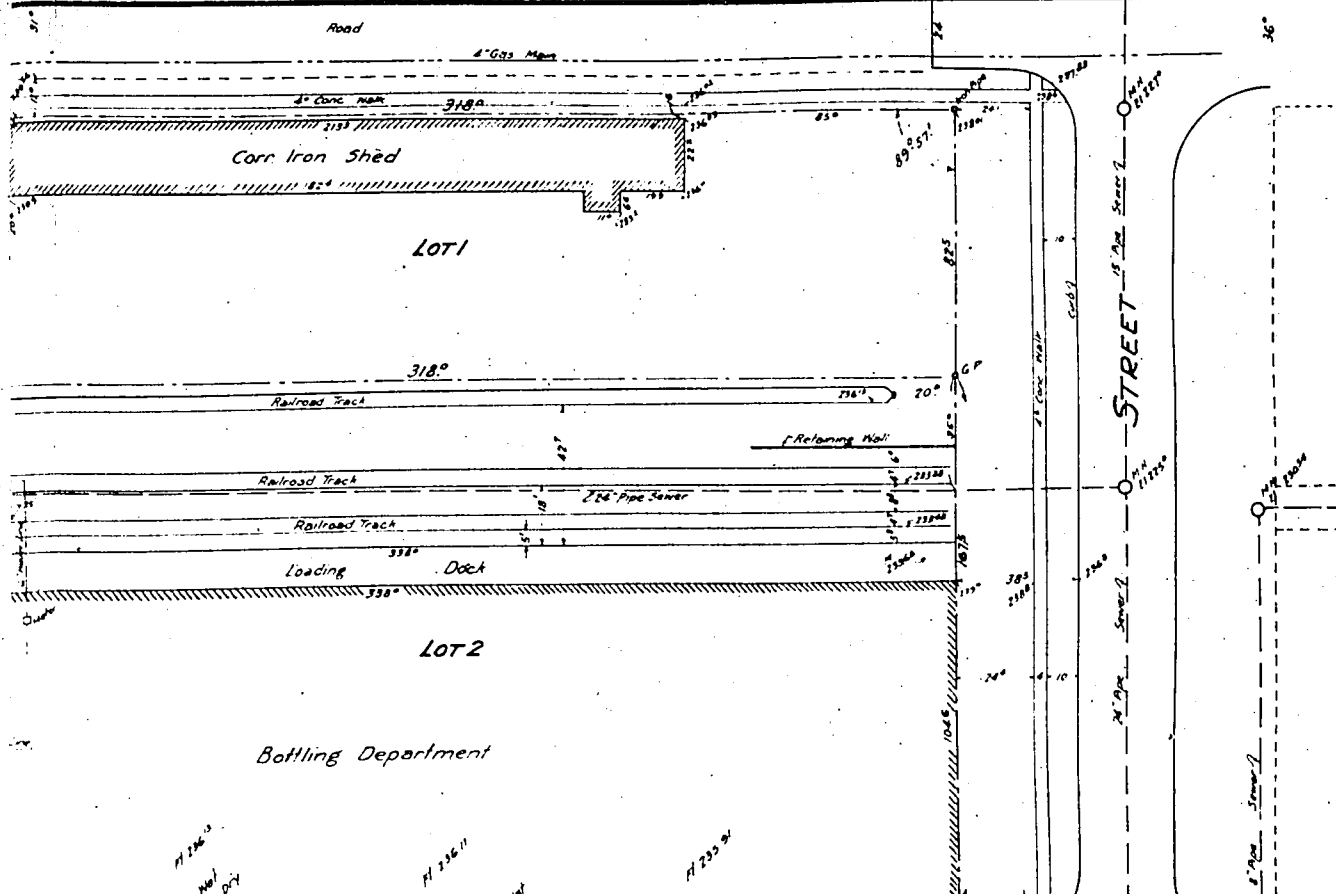


DEER'S PARK



BOULEVARD

12" PUBLIC WATER MAIN



OMAHA, NEBRASKA
FALSTAFF BREWING CORPORATION
 BUILDINGS AND IMPROVEMENTS
 Scale 1" = 30 Ft. July, 1945
 Book 641 Page 36
 Howard F. Thomas
 Licensed Engineer & Surveyor

EXHIBIT A

10. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
 7 DAY April 1949 AT 2:38 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS

3.75