

PARTIAL RELEASE OF EASEMENT

WHEREAS, the undersigned acquired through the exercise of the power of eminent domain, a permanent right-of-way easement, one hundred (100') feet in width, for the purpose of constructing an outfall sewer line, a portion of which easement is located in the East one-half (E $\frac{1}{2}$ ) of the East one-half (E $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Ten (10), Township Fourteen (T14N) North, Range Twelve (R12E) East of the 6th P.M., in Douglas County, Nebraska, the centerline of said easement in said tract being described as follows, to-wit:

Commencing at a point on the West line of the East one-half (E $\frac{1}{2}$ ) of the East one-half (E $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section Ten, which said point is fifty feet (50') North of the Northerly right-of-way line of the C.B. & Q. Railroad; thence in a Northeasterly direction on a line fifty feet North of and parallel to said Northerly right-of-way line of said C.B. & Q. Railroad to a point on the East line of said Section Ten;

and

WHEREAS, said real estate has been platted and subdivided as Park Eighty-Four, and the above-described portion of said easement now comprises the Southerly one hundred feet of Lot Six (6), said Park Eighty-Four, a subdivision, and

WHEREAS, said outfall sewer has been constructed in the Southerly twenty-five feet of said easement and said twenty-five feet is adequate for future maintenance and repair of said sewer,

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, receipt of which is herewith acknowledged, Sanitary and Improvement District No. 73 of Douglas County, Nebraska, hereby releases, quitclaims and abandons the permanent easement rights acquired in, on, over and under the Southerly one hundred feet of said Lot 6, Park Eighty-Four, a subdivision, in condemnation proceedings in the County Court of Douglas County, Nebraska, entitled "In the Matter of the Application of Sanitary and Improvement District No. 73 of Douglas County, Nebraska, to acquire certain lands in Douglas County, Nebraska, by Eminent Domain to be owned and used by the Condemner for its corporate purposes, Condemner, vs. Margaret Catherine Sime, Trustee, et al., Condemnees," indexed in Condemnation Docket C-2 at Page 183, and the certified copy of the Appraisers Report therein filed on March 27, 1962, in Book 378 of the Miscellaneous Records at Page 247 in the office of the Register of Deeds, except that said Sanitary and Improvement District No. 73 of Douglas County, Nebraska hereby specifically reserves and preserves said permanent easement rights over, under and upon the Southerly twenty-five feet of said Lot Six (6), Park Eighty-Four, a subdivision in Douglas County, Nebraska, more particularly described as follows:

Commencing at a point on the West line of said Lot Six (6), Park Eighty-Four, which said point is 25 feet North of the Northerly right-of-way line of the C.B. & Q. Railroad; thence in a Northeasterly

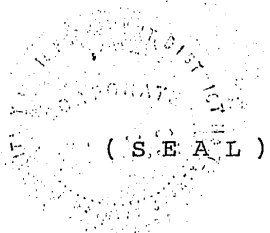
direction on a line 25 feet North of and parallel to said Northerly right-of-way line of said C.B. & Q. Railroad to the East line of said Lot Six (6); thence South 25 feet; thence Southwesterly along the Northerly right-of-way line of said C.B. & Q. Railroad to the West line of said Lot Six (6); thence North along the West line of said Lot Six (6) 25 feet to the point of beginning.

EXECUTED this 7<sup>th</sup> day of April, 1969.

SANITARY AND IMPROVEMENT DISTRICT NO. 73 OF DOUGLAS COUNTY, NEBRASKA

By: Louis A McFarling  
Chairman

Attest: Conrad  
Clerk



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

On the day and year last-above written, before me, the undersigned a Notary Public in and for said County, personally appeared Louis A McFarling and Conrad, Chairman and Clerk, respectively, of Sanitary and Improvement District No. 73 of Douglas County, Nebraska, to me personally known to be the Chairman and Clerk and the identical persons whose names are affixed to the foregoing Partial Release of Easement, and acknowledged the execution thereof to be their voluntary act and deed as such Chairman and Clerk and the voluntary act and deed of the said District.

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

Louis A McFarling  
Notary Public

My Commission expires June 2, 1972.

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CHIEF CLERK  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

THE STATE OF NEBRASKA  
I, Conrad, Clerk of the Register of Deeds of Douglas County, Nebraska, do hereby certify that the foregoing is a true and correct copy of the original as recorded in my office on April 7, 1969.

Conrad

Register of Deeds  
Deputy  
78-263  
G.P.M.P.C.  
350

Overland  
#07 Baw  
28  
261