

3-4-12 Pl. 438
EASEMENT FOR DRAINAGE SYSTEM

KNOW ALL MEN BY THESE PRESENTS, That the CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY, a corporation organized and existing under the laws of the State of Illinois, and THE EAST OMAHA DRAINAGE DISTRICT, a drainage corporation organized and existing under the laws of the State of Nebraska, hereinafter sometimes referred to as GRANTORS, for and in consideration of the sum of \$1.00, paid to each of them, receipt whereof is hereby acknowledged, and for other good and valuable considerations, the GRANTORS do hereby grant to THE QUAKER OATS COMPANY, its successors and assigns, hereinafter sometimes referred to as GRANTEE, an easement in perpetuity and right of way subject to the terms and conditions hereinafter set out to construct, maintain, and repair a drainage system for the purpose of conveying waters from the GRANTEE'S lands to the Hickory Street Pumping Station, over, across, through, and under the following described lands, part of Blocks 438 and 443 and part of Pine and Hickory Street vacated, Grandview addition to the City of Omaha, and situated in County of Douglas, State of Nebraska, to wit:

A strip of land 20 feet in width, the center line of which is a line described as follows:

To locate the point of beginning of said line, commence at a point 495 feet North of the T Rail on the North line of Hickory Street and 3.7 feet West of the North and South 1/2 Section line of Section 26, Township 15 North, Range 13 East;

Thence North 87° 38' East for a distance of 204.5 feet to the point of beginning;

From said point of beginning of said center line proceed South 15° 42' East, a distance of 105.95 feet to a manhole on the 21 inch pipe sewer;

Thence South 17° 42' East for a distance of 412.3 feet to a junction with the sewer running along Hickory Street to the Hickory Street Pumping Station.

The GRANTORS do not represent nor warrant that they are the legal owners of all of the properties described herein, and it is the intention of the GRANTORS that no rights herein granted shall bind the GRANTORS to an extent greater than the right, title, and interest now owned or hereafter acquired by the GRANTORS in the properties described herein.

TO HAVE AND TO HOLD the premises covered by said easement unto the GRANTEE, its successors and assigns forever for the purposes and subject to the conditions hereinbefore specified.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on this 8th day of October, 1956, by their respective officers, duly authorized to act, and their Corporate Seal to be affixed and attested.

CHICAGO, BURLINGTON & QUINCY
RAILROAD COMPANY

ATTEST:

AD Mc Lane
Secretary

By

F. K. Kautheiser
Vice President

EAST OMAHA DRAINAGE DISTRICT

ATTEST:

W. D. Marshall

By

Harry R. [Signature]

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APPROVED	
As To Form	<u>Raymond E. Skon</u> Law Dept.
As To Property Interests	<u>J. W. Wiley</u> Land Dept.
As To Description	<u>R. W. Lued</u> Engineering Dept.

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I Rudolph Harrer, a Notary Public, do hereby certify that on the 6th day of March, 1959, F. L. Kartheiser, Vice President and A. D. McLane Secretary of the Chicago, Burlington & Quincy Railroad Company, personally appeared before me and being first duly sworn by me severally acknowledged that they signed the foregoing document in the respective capacities therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and the year before written.

My Commission Expires:

February 28, 1962

Rudolph Harrer

Notary Public

STATE OF NEBRASKA }
COUNTY OF DOUGLAS } SS

On this 8th day of October, 1956, before me Rosemary Connolly, a Notary Public, personally came the above named Harry Reed, President and H. D. Marshall, Secretary of the East Omaha Drainage District who are personally known to me to be the identical persons whose names are affixed to the above instrument as President and Secretary of said corporation, and acknowledged the instrument to be their voluntary act and deed and the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of October, 1956.

My Commission Expires:

May 27, 1961

Rosemary Connolly

Notary Public

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