



MISC 2016001631



JAN 08 2016 09:53 P 4

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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
1/8/2016 09:53:57.72



2016001631

AFTER RECORDING RETURN TO:
Omaha Public Works Department
1819 Farnam Street, Ste. 600
Omaha NE 68183

PUBLIC ACCESS EASEMENT

IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, COLUMBO, LLC, a Nebraska limited liability company ("Grantor") hereby creates, establishes, grants and conveys to the CITY OF OMAHA, NEBRASKA, a municipal corporation ("Grantee"), for the benefit of the public, ("Third Party Beneficiary") a non-exclusive permanent Public Access Easement for vehicular ingress and egress traffic (but not parking) in, over, through and across the particular portion of property depicted and legally described on Exhibit A attached hereto.

Grantor may, and reserves the right to, use the surface and subsurface of the easement area for other purposes, subject to right of the Grantee and Third Party Beneficiary to use the same for the purposes described herein.

No party to this agreement shall restrict or impede the others reasonable use of the Public Access Easement at all times.

The Grantor agrees to indemnify and hold harmless the Grantee, employees, invitees, visitors and agents, from and against any and all liability, cause of action, claims, and expenses for personal injury or property damage arising out of or occasioned by negligence in whole or in part, by Grantor, any of its contractors, successors or assigns.

The Public Access Easement shall run with the land and shall be binding upon and inure to the benefit and burden of the successors and assigns of the Grantor and the City of Omaha, Nebraska.

Public Works Department
Right-of-Way Section, Suite 604
Omaha/Douglas Civic Center
1819 Farnam Street
Omaha, Nebraska 68183

4832-4354-8713.2

IN WITNESS WHEREOF, the said party of the first part has hereunto and these presents to be signed by its respective member(s) this 4th day of December, 2015.

COLUMBO, LLC, a Nebraska limited liability company

By [Signature]
Name John Hughes
Title Manager

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

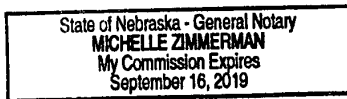
On this 4 day of December, 2015

before me, a Notary Public in and for said County, personally came John Hughes

the Manager of Columbo, LLC, a Nebraska limited liability company, to me personally known to be the respective member(s) of said limited liability company and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such member and the voluntary act and deed of said Limited Liability Company.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



[Signature]
NOTARY PUBLIC

CITY OF OMAHA, a Municipal Corporation

ATTEST:

By [Signature] 1/7/16

Buster Brown
City Clerk, City of Omaha

By [Signature] 1/7/16

Jean Stothert
Mayor, City of Omaha

APPROVED AS TO FORM:

[Signature]
ASSISTANT CITY ATTORNEY

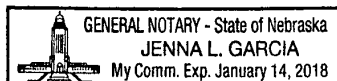
Imprinted Seal

STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

On this 7th day of January, 2016, before me, a Notary Public in and for said County, personally came Buster Brown, City Clerk of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his respective voluntary act and deed as City Clerk and the voluntary act and deed of said Municipal Corporation. WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



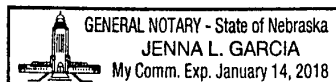
Jenna L. Garcia
NOTARY PUBLIC

STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

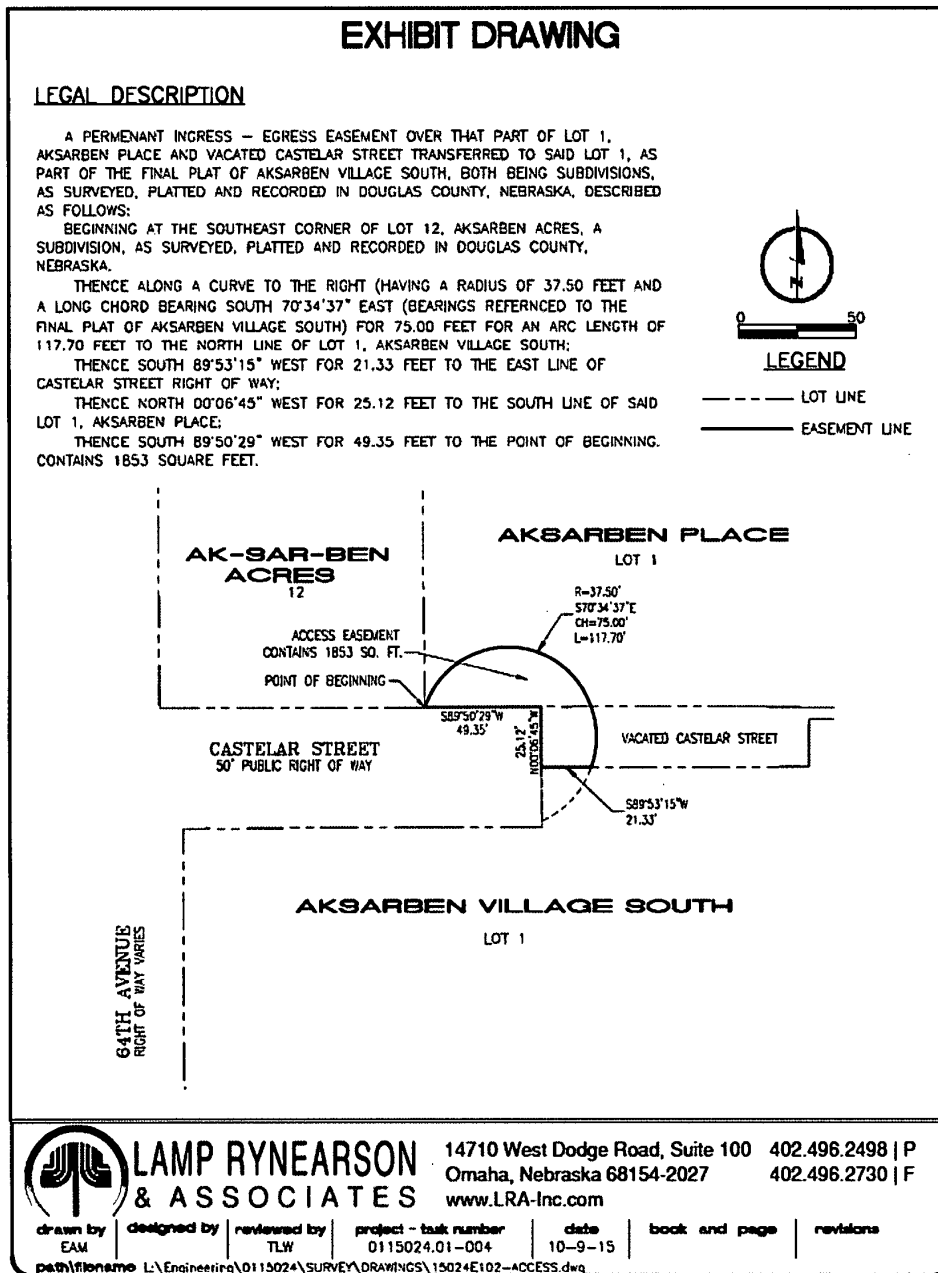
On this 7th day of January, 2016, before me, a Notary Public in and for said County, personally came Jean Stothert, Mayor of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her respective voluntary act and deed as City Clerk and the voluntary act and deed of said Municipal Corporation. WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



Jenna L. Garcia
NOTARY PUBLIC

EXHIBIT A
PUBLIC ACCESS EASEMENT



4832-4354-8713.2