



DEED 2003165524



SEP 02 2003 14:15 P 4

Nebr Doc Stamp Tax
9-2-03
Date
\$ Ex 2
By JB

RICHARD N TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

RECEIVED

## SPECIAL WARRANTY DEED

## KNOW ALL MEN BY THESE PRESENTS:

THIS DEED, made this 26<sup>th</sup> day of August, 2003, AD, between the **CITY OF OMAHA**, a Municipal Corporation in the State of Nebraska, herein known as CITY, pursuant to Ordinance No. 36320 passed July 15, 2003, in consideration of the sum of Eighty Four Thousand Eight Hundred Forty Five and no/100 dollars (\$84,845.00) in hand paid, does hereby grant, bargain, sell, convey, and confirm for unto, **DEB DODGE, LLC**, an Arizona Limited Liability Company, hereinafter referred to "Grantee", the following described real estate, situated in the County of Douglas and State of Nebraska, to-wit:

## SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

TO HAVE AND TO HOLD the above described premises, together with all the tenements, hereditaments, and appurtenances thereunto belonging, unto said Grantee and its successors and assigns forever.

And the CITY, for itself and its successors, does hereby covenant and with the said Grantee, and its successors and assigns, that at the time of the execution and delivery of these presents it is lawfully seized of said premises, that it has good right and lawful authority to convey the same; that they are free from encumbrance; and party of the first part does hereby covenant for itself and its successors to warrant and defend the said premises against the lawful claims of all persons claiming the same by, through or under Grantor.

RESERVING unto the said CITY, its successors and assigns the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate now or hereafter installed water mains and gas mains, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances, on or below the surface of the ground for the purpose of serving the general public or abutting property; the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by the City or such other utility and to enter upon the premises to accomplish the above purposes at any and all times. All such reserved rights shall be only below ground but may also include uses flush with the ground such as manhole covers and grated inlets. That no buildings, improvements, or other structures shall be placed in, on, over or across said vacated right-of-way without express written approval of the CITY. All vegetation upon the premises, including but not limited to, trees, bushes, and crops and all surface structures upon the premises, including but not limited to, walls, fences, drives and walks as may be damaged or removed as necessary in the exercise of the rights herein reserved but shall be restored after the exercise of such reserved rights.

IN WITNESS WHEREOF, the CITY OF OMAHA, A Municipal Corporation, has caused these presents to be executed by its Mayor and its Corporate Seal to be affixed hereto this 26<sup>th</sup> day of August, 2003.

THE CITY OF OMAHA,  
A Municipal Corporation

(Corporate Seal)

By Mike Jahay  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

deed  
\$ 4 2  
FEE 21.00 45-06020  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ (COMP) \_\_\_\_\_  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

APPROVED AS TO FORM:

[Signature] 8/21/03  
CITY ATTORNEY

RETURN TO:  
FULENKAMP, DOYLE & JOBEUN  
11440 WEST CENTER ROAD  
OMAHA, NEBRASKA 68144-4482  
ATTN: LAJ

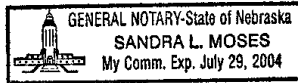
✓ 30123

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF DOUGLAS )

On this 24<sup>th</sup> day of August, 2003, before me, a Notary Public in and for said County, personally came Michael Fahey, Mayor of the City of Omaha, a Municipal Corporation, and Buster Brown, City Clerk, of said Corporation, to me personally known to be the respective officers 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 the day and year last above written.

Notary Seal:



Sandra L. Moses  
NOTARY PUBLIC

Street Vacation:

The south half of Douglas Street located between Block 4 and Block 5, in Cedarnole Addition, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows.

Beginning at a point 48.18 meters (158.07 feet) south and 23.02 meters (75.52 feet) east of the northwest corner of the SW 1/4 of the NW 1/4 of Section 24, thence along a curve to the left having a radius of 173.74 meters (570.00 feet) for an arc distance of 67.64 meters (221.92 feet), chord bearing S67°14'11"E a distance of 67.22 meters (220.54 feet); thence S02°09'56"E a distance of 18.55 meters (60.86 feet) to a point on a circular curve to the left and having a radius of 11.81 meters (38.75 feet) for an arc distance of 15.28 meters (50.13 feet); chord bearing N39°14'23"W a distance of 14.23 meters (46.69 feet) to a point on a circular curve to the right and having a radius of 182.88 meters (600.00 feet) for an arc distance of 55.84 meters (183.20 feet), chord bearing N67°34'02"W a distance of 55.63 meters (182.51 feet) to a point on a circular curve to the left and having a radius of 9.52 meters (31.23 feet) for an arc distance of 2.05 meters (6.73 feet), chord bearing N64°58'45"W a distance of 2.04 meters (6.69 feet); thence N02°03'33"W for a distance of 11.43 meters (37.50 feet) to the Point of Beginning and containing 630.91 square meters (6791.06 s.f.) more or less.

Scale = 1:500

48.18 (158.07')

NW COR.  
SW 1/4, NW 1/4  
SEC 24-15-12

# **CEDARNOLE ADDITION BLOCK 5**

LOT 3

LOT 2

R = 182.88 (600.00')  
ARC = 55.84 (183.20')  
CHORD = 55.63 (182.51')  
BEARING = N67°34'02"W

LOT 1

R = 11.81 (38.75')  
ARC = 15.28 (50.13')  
CHORD = 14.23 (46.69')  
BEARING = N39°14'23"W

18.55 (60.86')  
S02°09'56"E

DOUGLAS STREET

R = 173.74 (570.00')  
ARC = 67.64 (221.92')  
CHORD = 67.22 (220.54')  
BEARING = S67°14'11"E

11.43 (37.50')  
N02°03'33"W

23.02 (75.52')



STREET VACATION 630.91 (6791.06)



PERMANENT EASEMENT \_\_\_\_\_



TEMPORARY EASEMENT \_\_\_\_\_

LEGEND: S.M. (S.F.)

PROJECT NO. SP 86-23B

TRACT NO. 34A

DATE: April 4, 2003

OWNER: City of Omaha  
1819 Farnam  
Omaha, NE 68183

LEAD AGENCY:  
CITY OF OMAHA  
PUBLIC WORKS DEPARTMENT