



DEED 2004097163




JUL 22 2004 10:00 P 4

Mort Doc  
 Stamp Tax  
 7-22-04  
 Date  
 \$ 9.02  
 By *CL*

FEE 20.50 FB 01-60000 SESK  
 BKP 31-15-11 C/O \_\_\_\_\_ COMP \_\_\_\_\_  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

QUITCLAIM DEED

Received - RICHARD TAKECHI  
 Register of Deeds, Douglas County, NE  
 7/22/2004 10:00:16.74  
  
 2004097163

After Recordation, Return To:

Douglas County Engineer  
 15505 West Maple Road  
 Omaha, NE 68116-5173  
 ATTN: Marv Olson

STATE OF NEBRASKA

COUNTY OF DOUGLAS

THIS INDENTURE, made this 7<sup>th</sup> day of JULY, 2004, from AT&T CORP., formerly known as American Telephone and Telegraph Company, (hereinafter referred to as "Grantor") unto DOUGLAS COUNTY, (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors, legal representatives and assigns where the context permits or requires).

WITNESSETH:

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), Grantor does hereby remise, release and forever QUITCLAIM to Grantee, its successors and assigns, all of its right, title and interest, if any, in and to that real property located in the City of Omaha, County of Douglas, State of Nebraska including any improvements thereon, more particularly described on Exhibit "A" attached hereto and incorporated by reference herein:

GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY REVOKES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTEES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OR LACK OF REPAIR OF THE PROPERTY, OR (H) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY; AND SPECIFICALLY, GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS, OR REQUIREMENTS, INCLUDING THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY, OF ANY HAZARDOUS MATERIALS OR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ANY SUBSTANCES OR MATERIALS WHICH ARE NOW OR

RETURN TO  
 Tom Doyle  
 15505 WEST MAPLE RD  
 OMAHA NE 68116

HEREAFTER MAY BE CLASSIFIED OR CONSIDERED TO BE HAZARDOUS OR TOXIC UNDER ANY FEDERAL, STATE OR MUNICIPAL STATUTES, REGULATIONS, RULES, ORDINANCES, ORDERS, DECREES, OR ANY OTHER MANDATE, IN ANY FORM WHATEVER, HAVING THE FORCE AND EFFECT OF LAW, INCLUDING BUT NOT LIMITED TO THE COMMON LAW OR ANY OTHER APPLICABLE RULES OF LAW, TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY IS MADE "AS IS" AND WITH ALL FAULTS.

GRANTOR RESERVES UNTO ITSELF, a perpetual easement and right-of-way for the benefit of Grantor, its Affiliates<sup>1</sup> and its and their respective transferees, successors and assigns, for the purpose of installing, operating, maintaining, repairing, removing and replacing underground telecommunication cables and conduits of Grantor, its Affiliates and its and their respective transferees, successors and assigns, together with manholes, markers and surface testing terminals and any regeneration huts or other above-surface improvements upon, over and under the east twenty (20) feet of the Property described on Exhibit A hereto.

IN WITNESS WHEREOF, this Quitclaim Deed has been executed by Grantor as of the day and year first above written.

AT&T CORP.

By: *T. F. Schauble*

Print name: *Thomas F. Schauble*

Title: *for Global Real Estate*  
*Vice President*

<sup>1</sup> Affiliates. Shall mean, with respect to any person or entity, any other person or entity that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such first person or entity. As used in this definition, "control" (including, with correlative meanings, "controlled by" and "under common control with") shall mean possession, directly or indirectly, of the power to direct or cause the direction of management or policies (whether through ownership of securities or partnership or other ownership interests, by contract or otherwise).

ACKNOWLEDGMENT

STATE OF New Jersey )  
COUNTY OF Essex ) ss.

BEFORE ME, the undersigned authority, on this 7 day of July, 2004, personally appeared Thomas Schable known to me to be the person whose name is subscribed to the foregoing instrument as a Global Media Center, Inc. of AT&T Corp., and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of the corporation.

(SEAL)

Marcia Z. Montgomery  
Notary Public for the State of

Print Name:

Residing at: 105 Calloway Hill Rd, Basking Ridge, NJ

Commission date:

My commission expires:

**MARCIA Z. MONTGOMERY**  
Notary Public of New Jersey  
My Commission Expires Jan. 15, 2008

EXHIBIT A

That part of the Southeast Quarter of the Southwest Quarter of Section 31,  
Township 15 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows:

Beginning at the southeast corner of the said Southwest Quarter of Section 31;

Thence South 02°22'27" West (bearings referenced to the Final Plat of COPPERFIELDS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska) for 33.00 feet along the east line of the said Southwest Quarter of Section 31 to the TRUE POINT OF BEGINNING;

Thence South 87°20'12" West for 100.04 feet parallel with and thirty-three foot (33') north of the south line of the said Southwest Quarter;

Thence North 02°39'51" West for 17.00 feet along the extended east line of Lot 9, COPPERFIELDS to the southeast corner thereof;

Thence North 87°20'12" East for 100.29 feet parallel with and fifty foot (50') north of the south line of the said Southwest Quarter of Section 31 to the east line thereof;

Thence South 02°22'27" East for 17.00 feet along said east line to the Point of Beginning, containing approximately 1704 square feet, more or less.