

MISCELLANEOUS RECORD No. 128

10. Easement

The Penn Mutual Life Ins. Company
to
Celia Freeman & Hsb.

THIS INSTRUMENT, executed in duplicate, by and between
The Penn Mutual Life Insurance Company, a corporation of
Philadelphia, Pennsylvania, Party of the First Part, and

Celia Freeman and Joseph H. Freeman, wife and husband, Parties of the Second Part, WITNESSETH:

WHEREAS the Party of the First Part is the owner of Lot Nineteen (19), Block One Hundred Thirty-five (135), in Dundee Place, an addition to the City of Omaha, Douglas County, Nebraska, and Parties of the Second Part are the owners of Lot Twenty (20) in Block One Hundred Thirty-five (135), in said Dundee Place, and

FOR CANCELLATION SEE
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WHEREAS there is now constructed upon the line separating said properties a party driveway extending from the front line of said properties to the two garages situate upon said several properties as shown by the blue-print plat attached hereto, and

WHEREAS it is the desire of the parties each to grant to the other an easement over said driveway upon the following terms:

IT IS AGREED by and between the parties hereto that each of the parties does, in respect to such portion of said driveway as is situated upon the property of said party in consideration of these mutual agreements, hereby grant to the other party hereto an easement of right-of-way over and upon said driveway, for ingress and egress, for themselves, their tenants, agents, servants, guests and tradesmen for all proper purposes of a driveway: PROVIDED that such easement shall apply only to such portion of said driveway as shall be necessary to permit proper approach to the garage located upon the property owned by such grantee, and that said portion shall be maintained at the joint and equal expenses of the parties hereto, and that no automobile or other vehicle shall be parked upon said portion but the same shall be kept unobstructed at all times.

IT IS FURTHER UNDERSTOOD AND AGREED that the easements herein granted shall run with the land and that the agreements herein set forth shall be binding upon the undersigned and each of them and upon the heirs, representatives, successors and assigns of each of them.

IN WITNESS WHEREOF the said Party of the First Part has caused this instrument to be executed by its duly authorized officers this 7th day of December, 1937, and the said Parties of the Second Part have hereunto set their hands this ° day of ° 1937.

In Presence of:

J.H. Clark

Vera Kelly



THE PENN MUTUAL LIFE INSURANCE COMPANY

By George S. Moffett
Assistant to the President

Attest: Sydney A. Smith Secretary

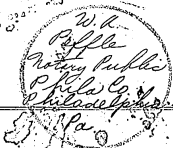
Celia Freeman

Joseph H. Freeman

Commonwealth of Pennsylvania)
City and County of Philadelphia) ss.

On this 8th day of December 1937, before me, W.A. Peffle, a Notary Public within and for the City and County of Philadelphia and Commonwealth of Pennsylvania personally appeared George S. Moffett and Sydney A. Smith to me personally known, who being by me duly affirmed, did say that they are respectively the Assistant to the President and Secretary of The Penn Mutual Life Insurance Company, a corporation of the State of Pennsylvania having its principal office in the City of Philadelphia, Pennsylvania, Party of the first part in the within and foregoing instrument; that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said Company by the authority of its Board of Trustees and the said George S. Moffett and Sydney A. Smith acknowledged the execution of said instrument to be the voluntary act and deed of said The Penn Mutual Life Insurance Company, by each of them voluntarily executed.

My commission expires March 2, 1939



W.A. Peffle
Notary Public

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State of Nebraska }
County of Douglas) ss

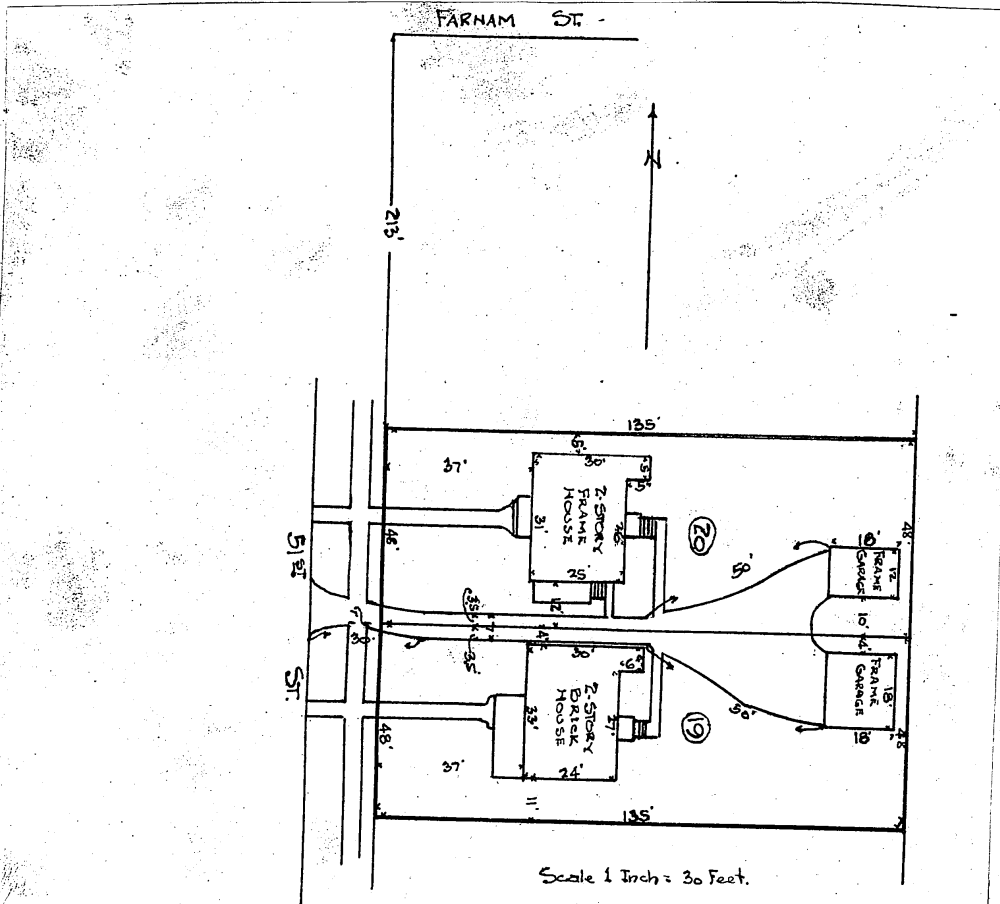
On this 8th day of June A.D. 1938, before me, a Notary Public in and for said County, personally came the above named Celia Freeman and Joseph H. Freeman, wife and husband, who are personally known to me to be the identical persons whose names are affixed to the above instrument, and they acknowledged said instrument to be their voluntary act and deed.

Witness my hand and Notarial Seal the date last aforesaid.



Vera Kelly
Notary Public

My commission expires on the 19 day of May, 1940



I hereby certify this to be a true and correct Survey showing the location and Dimensions of the Houses and Other Improvements on Lots 19 and 20, Block 135, Dundee Place. Known as 309 and 311 South 51st Street.

Omaha Neb.
Nov. 9, 1937.

W. J. Kelly
Surveyor.

State of Nebraska }
County of Douglas) ss.

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County, the 9th day of June, A.D., 1938, at 1:49 o'clock, P.M.
Thomas J. O'Connor,

Register of Deeds.

Compared by D&T