

*North of our property*

*34-15-12*

PROJECT NO. \_\_\_\_\_  
TRACT NO. \_\_\_\_\_  
BOOK 502 PAGE \_\_\_\_\_

**EASEMENT**

THIS INDENTURE, made this 5th day of April, 1931.

between RITWIS REALTY, INC.

hereinafter referred to as "Grantor(s)", and the City of Omaha, Nebraska, a Municipal Corporation hereinafter called "City",

**WITNESSETH:**

That said Grantor(s) in consideration of the sum of \_\_\_\_\_

Dollars (\$ \_\_\_\_\_) and other

consideration, to Grantor(s) in hand paid by said City, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said City and its assigns forever a right of way and drainage easement for the right to use, construct, build, lay, maintain, repair and replace any sanitary or storm sewer pipe or drainage way for the passage of sewer water and storm water, together with all appurtenances, wires, lines, poles, structures, and other appurtenances and equipment pertaining to any sewer, or drainage facility, in, through, over and under the land described as follows, to-wit: (SEE DESCRIPTION ATTACHED WHICH IS PART OF THIS EASEMENT)

**LEGAL DESCRIPTION:** The part of the Northeast 1/4 of the Northwest 1/4 of Section 34, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska description as follows: Beginning at the Southeast corner of said Northeast 1/4 of the Northwest 1/4 of Section 34; thence North 0 degrees, 11 minutes, 20 seconds East, 484.95 feet to the centerline of Big Papillion Creek; thence North 46 degrees, 55 minutes, 40 seconds West, 676.27 feet along centerline of Big Papillion Creek; thence North 40 degrees, 53 minutes, 40 seconds West, 213.37 feet along centerline of said creek to South Right-of-Way line on Center Street; thence South 80 degrees, 18 minutes, 30 seconds West, 95.43 feet along South Right-of-Way line of Center Street; thence South 38 degrees, 54 minutes, 55 seconds East, 159.14 feet to a point of curve to the right; thence along curve to the right (radius being 608.0 feet) for an arch length of 350.36 feet; thence South 5 degrees, 53 minutes, 55 seconds East, 37.88 feet to a point of curve to the right; thence along curve to the right (radius being 233.0 feet) for an arc length of 175.05 feet; thence South 37 degrees, 08 minutes, 50 seconds West, 563.72 feet; thence North 89 degrees, 54 minutes, 45 seconds East, 878.56 feet along South line of Northeast 1/4 of Northwest 1/4 of said Section 34 to the point of beginning. (North line of Northwest 1/4 assumed East-West)

**PERMANENT EASEMENT:** A strip of land 40 feet in width, 30 feet of which is North of and 10 feet which is South of the following described line: Commencing at the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of section 34, Township 15 North, Range 12 East of the 6th P.M.; thence North 0 degrees, 11 minutes, 20 seconds East, 484.95 feet to the centerline of Big Papillion Creek; thence North 46 degrees, 55 minutes, 40 seconds West, along the centerline of said Big Papillion Creek, 187.76 feet; thence South 89 degrees, 54 minutes, 45 seconds West, a distance of 73.09 feet to the point of beginning; thence West along the last described course, for a distance of 283.46 feet to the East line of Paddock Road and the point of ending.

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*34-15-12*

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...improvements, or structures, shall be placed in, on, over or across said ... his or their successors and assigns without express approval of the City ... grass, and shrubbery placed on said easement shall be maintained by Grantor ... successors and assigns.

...shall cause any trench made on aforesaid realty to be properly refilled, and ... to be sown over said trench, and shall cause the premises to be left in a ... This easement is also for the benefit of any contractor, agent, em- ... of the City and any of said construction work.

... Grantor(s) for himself or themselves and his or their heirs, executors and admin- ... confirm with the said City and its assigns, that he or they, the Grantor(s) ... in fee of the above described property and that he or they has or have the ... this easement in the manner and form aforesaid, and that he or they will ... executors and administrators, shall warrant and defend this easement to ... against the lawful claims and demands of all persons. This easement

... consideration recited includes damages for change of grade, if any, and any and all ... arising from change of grade or grading are hereby waived.

... WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and ... year first above written.

\_\_\_\_\_  
\_\_\_\_\_

*[Signature]* Name of Corporation President  
*Thomas E. Madernigan - President* Secretary

(Acknowledgment on Reverse Side hereof)

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STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS)

On this 6<sup>th</sup> day of April, 1921, before me, a Notary Public, in and for said County, personally came the above named:

John R. Adams and Norma Weddermeyer

who is (are) personally known to me to be the identical person(s) whose name(s) is (are) subscribed to the above instrument and acknowledged the instrument to be his, her (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.



Elizabeth E. Vingers  
Notary Public

My Commission Expires July 24, 1924

STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS)

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public in and for said County, personally came \_\_\_\_\_

\_\_\_\_\_ President of \_\_\_\_\_  
\_\_\_\_\_ a \_\_\_\_\_

and \_\_\_\_\_, Secretary of said Corporation, together with \_\_\_\_\_ to be the President and Secretary respectively of said Corporation and the names are affixed to the foregoing instrument, and acknowledged the execution of the same as 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 \_\_\_\_\_

WITNESS my hand and Notarial Seal at Omaha in said County the day and year first above written.

Notary Public

My Commission Expires \_\_\_\_\_

RECEIVED  
APR 19 AM 10 21

RECORDS  
COUNTY CLERK  
DOUGLAS COUNTY

and this  
is the  
number of  
pages in  
this instrument