

Effects Marshall Nurseries

34-15-12

PROJECT NO. _____

TRACT NO. _____

BOOK 502 PAGE 307

EASEMENT

THIS INDENTURE, made this 5th day of April, 1971

between RITUMS 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 value

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 and drainage easement for the right to use, construct, build, lay, maintain, repair and replace a sanitary or storm sewer pipe or drainage way for the passage of sewer water and sewage or surface water, together with all appurtenances, wires, lines, poles, structures, and other appliances and equipment pertaining to any sewer, or drainage facility, in, through, over and under the land described as follows, to-wit:

A strip of land 10 feet in width, South of and adjacent to the following described property: Commencing at a point 68.3 feet North of and .7 feet East of the Southwest 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., Douglas County, Nebraska; thence North 83 degrees, 29 minutes East, 437.0 feet to the point of beginning; thence 89 degrees, 31 minutes East, 323.49 feet to the point of ending.

No. buildings, improvements, or structures, shall be placed in, on, over or under the easements by undersigned, his or their successors and assigns without express approval of the City of Omaha. Any trees, grass, and shrubbery placed on said easement shall be maintained by said Grantor(s), his or their heirs, successors and assigns.

Said City shall cause any trench made on aforesaid realty to be properly regraded and shall cause grass seed to be sown over said trench, and shall cause the premises to be kept in neat and orderly condition. This easement is also for the benefit of any contractor, subcontractor, employee and representative of the City and any of said construction work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said City and its assigns, that he or they, she or she or are well seized in fee of the above described property and that he or they have the right to grant and convey this easement in the manner and form aforesaid, and that he or she and his or their heirs, executors and administrators, shall warrant and defend the title to said City and its assigns against the lawful claims and demands of all persons. This easement runs with the land.

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

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



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... day of April, 1971, before me, a Notary Public, in and ... personally came the above named:

Retuma and Norma Neddlermeyer

... personally known to me to be the identical person(s) whose name(s) is (are) affixed ... and acknowledged the instrument to be his, her (their) voluntary act and ... therein stated.

... hand and Notarial Seal the date aforesaid.

Elizabeth C. ...
Notary Public

Expires Nov 24, 1974

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... day of _____, 19____, before me, the undersigned, a Notary ... said County, personally came _____

... President of _____ a _____ Corporation,

..., Secretary of said Corporation, to me personally known ... and Secretary respectively of said Corporation and the identical persons whose ... the foregoing instrument, and acknowledged the execution thereof to be their ... act and deed as such officers and the voluntary act and deed of said Corpo- ... Seal of said Corporation to be thereto affixed by its authority.

... hand and Notarial Seal at Omaha in said County the day and year last above writ-

Notary Public

REGISTERED
PROPERTY
COUNTY NUMBER

... Numerical Index and filed ... in the office of the Register of ... County and recorded in ... of ...

D. Harold Ostler
Register of Deeds

Deputy

John J. ...

34-15-12 C.P.M.P.S.
Fee \$ 3.50

34-15-12

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WITNESS

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