5707 Much

BK 870 N C/O FEE 17 PG 6/0 / FEE 17 PG 6/1-12 R DEL / H MC WC

OF/12 A COMP F/B 43-23870

referred to as "Grantee"

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BOOK 884 PAGE 521

41:11 HA 1- YAN ESCI

PERMANENT CHANNEL MAINTENANCE EASEMENTORGE LEGISLEWICZ
RESISTER OF DEEDS
This Indenture and Grant of Easement is madebited sound. AUGR
day of October, 1988 by Edward J. Sedlacek and
Marie Sedlacek, hereinafter referred to as "Grantor" in
favor of the City of Omaha, Nebraska, a Municipal
Corporation located in Douglas County, Nebraska, hereinafter

## WITNESSETH:

That Grantor, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, to Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, does hereby grant, sell, convey and confirm unto the Grantee, and its successors and assigns forever, a permanent channel maintenance easement for the construction, reconstruction, repair, and maintenance of Cole Creek and the area adjoining Cole Creek within the easement area so as to permit the proper flow of water through Cole Creek and to properly maintain in all respects the easement area, together with all appurtenances and structures relating to the Creek and easement area, along with the right to enter upon the easement area for the purpose of construction, reconstruction, maintenance, grading and repair of said Cole Creek and the area within the easement area, in, through, over and under the real property described as follows:

See Exhibit "A" for the description and tract plat of the "Easement Area".

No buildings, improvements, or structures shall be placed in, over, on or across said easement area by the undersigned, its successors or assigns, without the express approval of said Grantee. Any trees, grass and shrubbery placed on said easement shall be maintained by Grantor, its successors and assigns.

Said Grantee, upon completion of any construction, reconstruction, repair, grading or maintenance work within the easement area, shall put the easement area in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee or representative of the Grantee in any of said construction or work.

Said Grantor for itself, its heirs and assigns, does hereby confirm with the Grantee, and its assigns, that the Grantor is seized in fee of the above-described property and that it has the right to grant and convey this easement in the manner and form aforesaid, and that it shall warrant and defend this easement to such Grantee, and its assigns, against the lawful claims and demands of all persons. This easement runs with the land.

IN WITNESS WHEREOF, said Grantor has hereunto set their hands and seal the day and years first above written.

A CHEST BHAIL CAR & BANKS
PAN REDLACK
SEE By Come Dy Ages 8, 1992

GRANTOR:

Edward J. Seplacek

Marie Sedlacek

STATE OF NEBRASKA)

OUNTY OF DOUGLAS)

SS.

On this // day of October, 1988, EDWARD J. SEDLACEK personally appeared before me, a notary public in and for said county and state, and executed the foregoing Permanent Channel Maintenance Easement as his voluntary act and deed.

Notary Public

- The State of the

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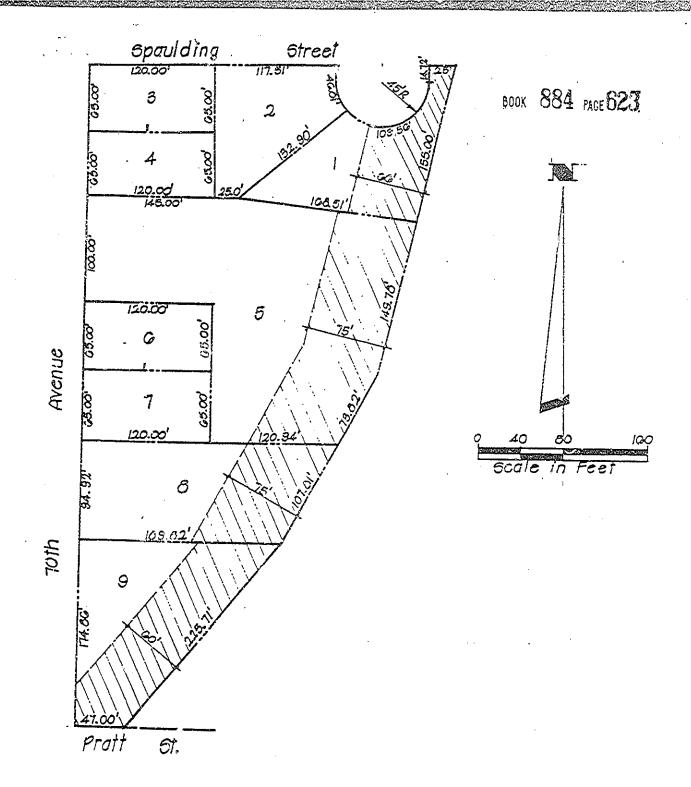
<u>L07</u>

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

On this //th day of Ortalia, 1988, MARIE SEDLACEK personally appeared before me, a notary public in and for said county and state, and executed the foregoing Permanent Channel Maintenance Easement as her voluntary act and deed.

A SEMERAL MOTARY-Stone of Marcala PAM SEDLACEK My Comm. Exp. April 8, 1992 Motary Public Public

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LEGAL DESCRIPTION OF EASEMENTS

LOT 1 The East GGCO feet in width of Lot 1, Marie's Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

LOT 5 The East 75.00 feet in width of Lot 5, Marie's Addition , a subdivision as surveyed , platted and recorded in Douglas County , Nebraska.

LOT 8: The East 15.00 feet in width of Lot 8, Marie's Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

LOT 9 The East 60.00 feet in width of Lot 9, Marie's Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

EXHIBIT "A"