

EASEMENT

THIS INDENTURE, made this 21st day of October 19 59 between

DURWARD N. SIMS and IMOGENE J. SIMS, husband and wife

parties of the first part, and The City of Omaha, Nebraska, a Municipal Corporation, party of the second part, WITNESSETH:

That said parties of the first part in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to them in hand paid by said party of second part, the receipt whereof is hereby acknowledged, doth hereby grant, sell, convey and confirm unto said party of the second part and their assigns forever, the right to use, construct, build, lay and maintain a sanitary or Storm Sewer pipe for the passage of sewer water and soil in, through and under the parcel of land described as follows, to-wit: The West Ten (10) of the South One Hundred Seven (107) feet and the West Thirty Four (34) of the North Forty (40) feet of Lot Three (3), Block Fourteen (14), Sunset Hills Addition, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County Nebraska.

Said easement is granted upon the expressed condition that if any changes, repairs or alterations are necessary to be made at any time or if any portion of said sewer need to be reconstructed after the lots are filled or improved, the City shall make good to the owner or owners of such lot or lots as hereinbefore set forth any and all damage that may be done by said changes, alterations, repairs or reconstruction, in the way of damage to trees, grounds, buildings or other improvements thereon including crops, vines, gardens and lawns, during construction and thereafter.

Said party of the second part agrees to pay all costs of Construction of said storm or sanitary sewer, and fill in the trench with mechanically compacted material and sow grass seed over said trench and generally leave the premises in a neat and orderly condition.

Said parties of the first part for themselves and their heirs, executors and administrators do confirm with the said party of the second part and its assigns, that they, the parties of the first part, are well seized in fee of the lot and premises aforesaid and that they have the right to grant and convey this easement in the manner and form aforesaid, and that they will, and their heirs, executors and administrators, shall warrant and defend this easement to said party of the second part and its assigns against the lawful claims and demands of all persons.

IN WITNESS WHEREOF said parties of the first part have hereunto set their hands and seals the day and year first above written.

IN THE PRESENCE OF

Joseph D. Kutlary
Notary Public
Douglas County, Nebraska

Durward N. Sims
Imogene J. Sims

On this 21st day of October, A.D. 19 59, before me, the undersigned, a Notary Public in and for said County, personally appeared the above named Durward N. Sims & Imogene J. Sims, husband & wife, who are personally known to me to be the identical persons whose names are affixed to the above easement as parties thereto, and they severally acknowledged the instrument to their voluntary act and deed.

WITNESS my Hand at Omaha, Nebraska the day aforesaid.

Joseph D. Kutlary
NOTARY PUBLIC

MY COMMISSION EXPIRES: October 20, 1963

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss

On this 24th day of December, 1959
before me, the undersigned, a notary public in and for said County,
personally came John Rosenblatt, President Mayor
of City of Omaha, a Corporation, and M. J. DINEEN, JR.
City of Omaha, Secretary of said Corporation, to me
personally known to be the President and Secretary respectively of said
Corporation, and the identical persons whose names are affixed to the fore-
going instrument, and acknowledged the execution thereof to be 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
its authority.

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

Mary J. [Signature]
Notary Public

My Commission Expires March 14, 1963

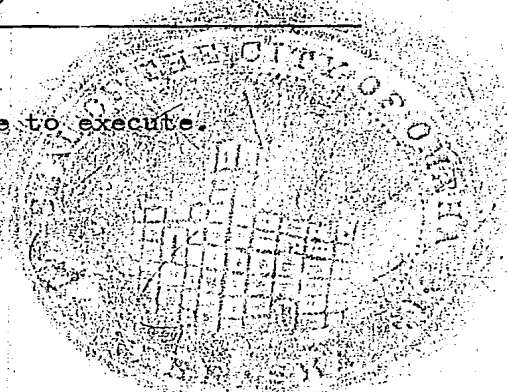
The above easement and all provisions thereof accepted by the City of
Omaha, Nebraska this 24 day of December 1959.

BY [Signature]
MAYOR

ATTEST:

[Signature]
City Clerk

NOTE: Husband and wife are to execute.



5. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
4 DAY JAN. 1960 AT 12:24 P. M. THOMAS J. O'CONNOR, REGISTER OF DEEDS 350