

Tract 8

Storm Sewer No. 2436
96th - Harney to Capitol

EASEMENT

THIS INDENTURE, made this 17th day of OCTOBER 1961 between
EDD H. BAILEY and MABEL L. BAILEY, 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, over and under the parcel of land described as follows, to-wit: The West Fifteen (15) feet of Lot Five (5), Block One (1), Westchester Second (2nd) 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. SOD

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

Edd H. Bailey
Mabel L. Bailey

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 17th day of OCTOBER, A.D. 1961, before me, the undersigned, a Notary Public in and for said County, personally appeared the above named EDD H. BAILEY

AND MABEL L BAILEY

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 be their voluntary act and deed.

WITNESS my Hand at Omaha, Nebraska the day aforesaid.

Joseph J. Kubat
NOTARY PUBLIC



MY COMMISSION EXPIRES: June 6 1967

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this _____ day of _____, 19____, before me, the undersigned, a notary public in and for said County, personally came _____ President of _____

_____ a Corporation, and _____, Secretary of 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 foregoing 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.

NOTARY PUBLIC

My Commission Expires _____

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RECEIVED

1961 OCT 31 PM 1 05

THOMAS J. O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

D

THE STATE OF NEBRASKA }
Douglas County } ss:

Entered in Numerical Index and filed for Record in the office of the Register of Deeds of said County and recorded in Book 371 of _____

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Thomas J. O'Connor
Register of Deeds

BY _____
MAIL *City of Omaha* Deputy
James H. ...
N 62/566
Compared Fee 3.00