

Tract 15

Storm Sewer No. 2436  
96th - Harney to Capitol

EASEMENT

THIS INDENTURE, made this 16 day of October 1961 between  
CLYDE F. CLAUS and EDITH M. CLAUS, 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 ~~storm sewer~~ 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 East Ten (10) feet of Lot Eleven (11), 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.

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

\_\_\_\_\_  
STATE OF NEBRASKA)      Clyde F. Claus  
                          )      Edith M. Claus  
                          )      SS  
COUNTY OF DOUGLAS)

On this 16 day of October, A.D. 1961, before me, the undersigned, a Notary Public in and for said County, personally appeared the above named CLYDE F.

CLAUS AND EDITH M. CLAUS

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. Kubal  
NOTARY PUBLIC

MY COMMISSION EXPIRES: June 30 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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THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

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 Mrs.  
Page 645

*Thomas J. O'Connor*  
Register of Deeds

BY \_\_\_\_\_  
MAIL \_\_\_\_\_  
City of \_\_\_\_\_  
62/562  
Companion \_\_\_\_\_  
Fee \_\_\_\_\_