

BK 0974 PG 720-727



MISC 1991 16304

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EXHIBIT "D"

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Mod A
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EX 974 N _____ C/O _____ FEE 42⁵⁰
PG 720-727 N _____ DEL HL MC MD
OF Mod COMR R F/B M1-38918

Project No. _____
Tract No. _____
GEORGE L. ENGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

GRANT OF EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

This Indenture and Grant of Easement made this 26th day of June, 1991, between Construction Sciences, Inc.

hereinafter referred to as "Grantors", in favor of the City of Omaha, hereinafter referred to as "City".

WITNESSETH:

THAT, said Grantor(s) in consideration of the sum of _____
One _____ Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does or do hereby grant and confirm unto said City and it's successors and assigns, the right to enter upon and use for working space for the construction of Grading Improvements for Public Streets and appurtenances thereto, the parcel of land described as follows, to-wit:

See Exhibits A, B, C, D & E (Attached)

This easement runs with the land and terminates thirty (30) days after the improvement is completed in the area covered by the easement.

Said easement is granted upon the condition that the City will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, gardens, fences, utilities & landscaping within the easement area as necessary for construction of said improvement.

Said easement is also granted upon the condition that the city will, after construction of said improvements, cause the new grade to blend with the balance of the lot, and resod.

This easement is also for the benefit of any contractor, agent, employee, assignee or representative of the City of Omaha in any of said construction and work.

This instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings, and that GRANTOR in executing and delivering this instrument, has not relied upon promises, inducements, or representations of the City of Omaha or its agents or employees, except as are set forth herein.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said City and it's assigns, that Grantor(s) is or are well seized in fee of the lot and premises aforesaid and that he has or they have the right to grant this easement in the manner and form aforesaid, and that he or they will, and he or their heirs, executors and administrators shall warrant and defend this easement to said City and it's assigns against the lawful claims and demands of all persons.

The consideration recited includes damages for change of grade, if any, and 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(s) and seal(s) the day and year first above written.

[Signature]
John J. Smith, President
Construction Sciences, Inc.

STATE OF NEBRASKA)
) SS
COUNTY OF Douglas)

On this 26th day of June, 1991, before me, a Notary Public in and for said County, personally came John J. Smith, President of Construction Sciences, Inc. who is personally known to me to be the identical person whose name is affixed to the foregoing instrument and acknowledge the instrument to be his, voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.

[Signature]
Notary Public

My Commission Expires:
April 30, 1995

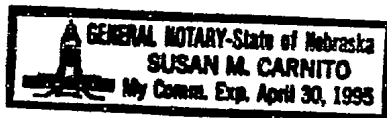
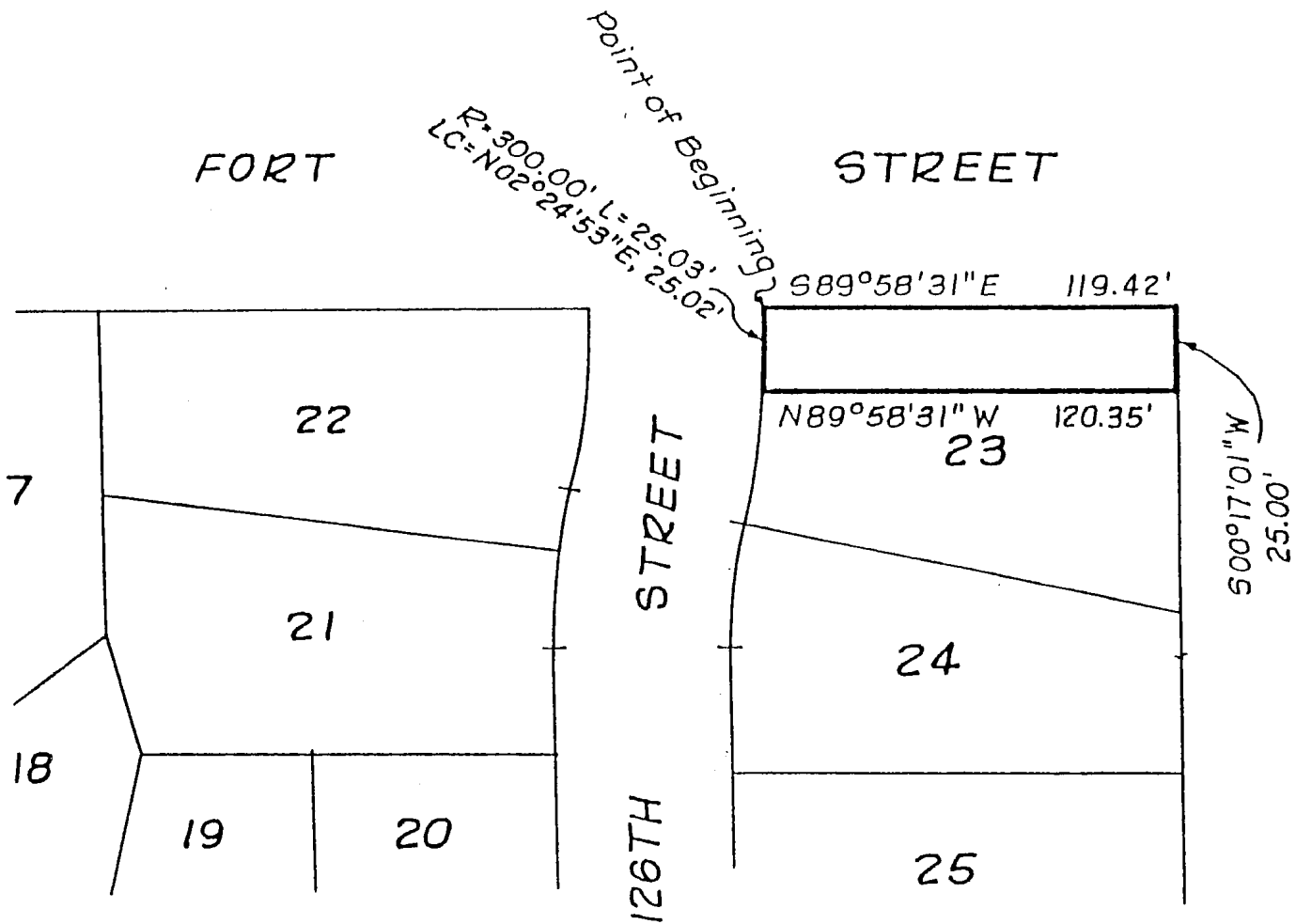


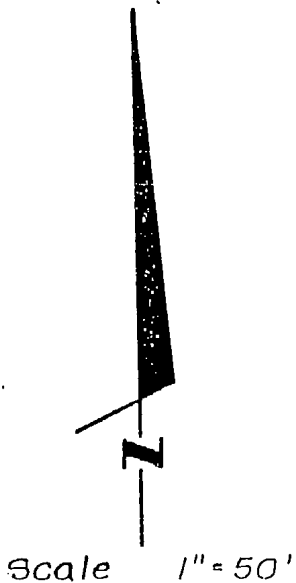
EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT

LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT

THE NORTH 25.00 FEET OF LOT 23, TRANQUILITY VIEW 2ND ADDITION, A SUBDIVISION LOCATED IN THE W1/2 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.



ELLIOTT & ASSOCIATES
5316 SO. 132nd ST.
OMAHA, NE 68137



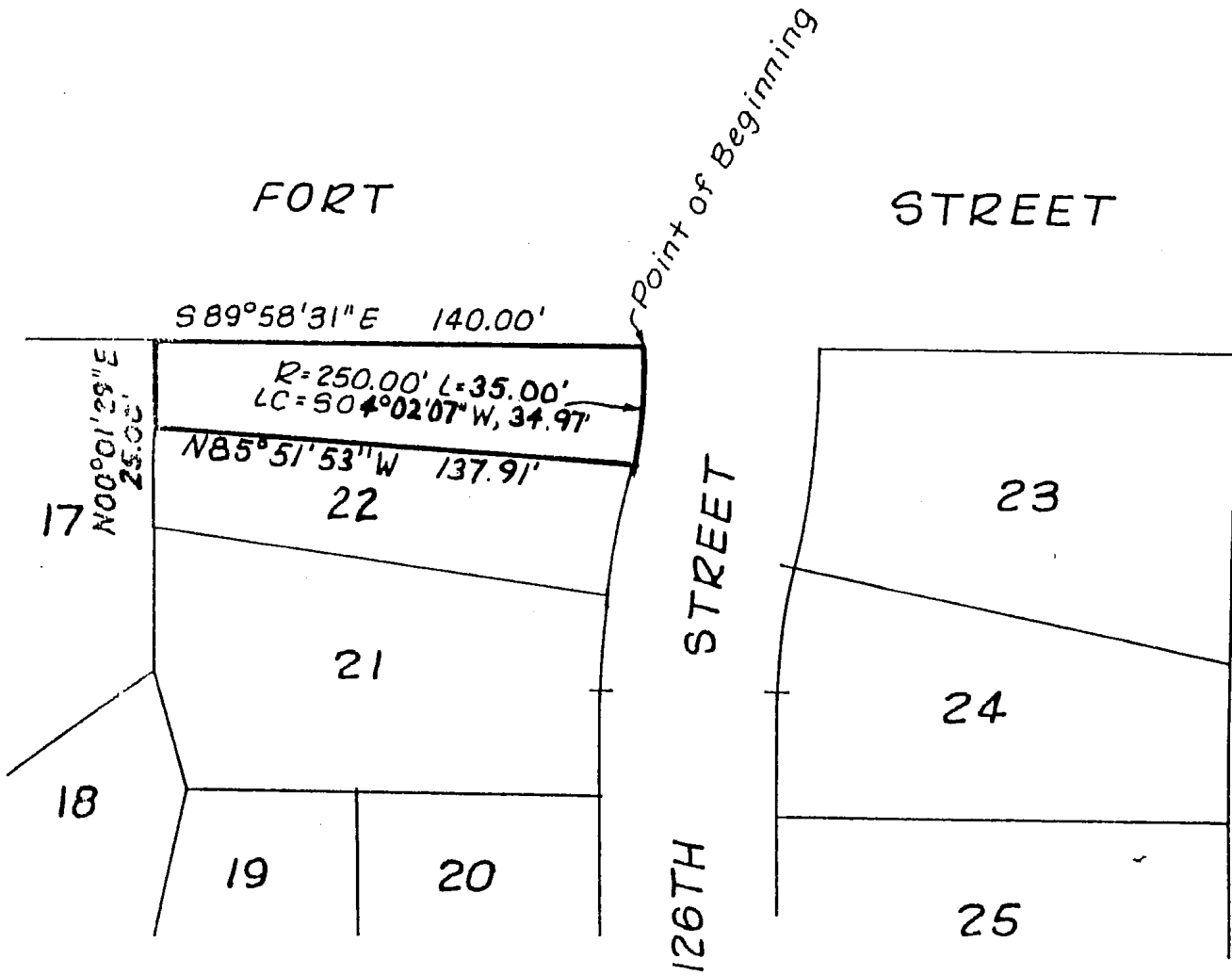
10-25-90

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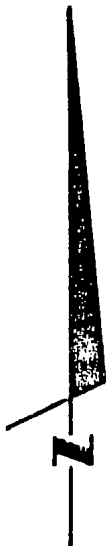
EXHIBIT B TEMPORARY CONSTRUCTION EASEMENT

BOOK 974 PAGE 723

Legal Description: See Attached Sheet



ELLIOTT & ASSOCIATES
5316 SO. 132nd ST.
OMAHA, NE 68137



Scale 1" = 50'

6-17-9

#89023.1

LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

BOOK 974 PAGE 724

Part of Lot 22, Tranquility View 2nd Addition, a subdivision located in the W 1/2 of Section 6, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

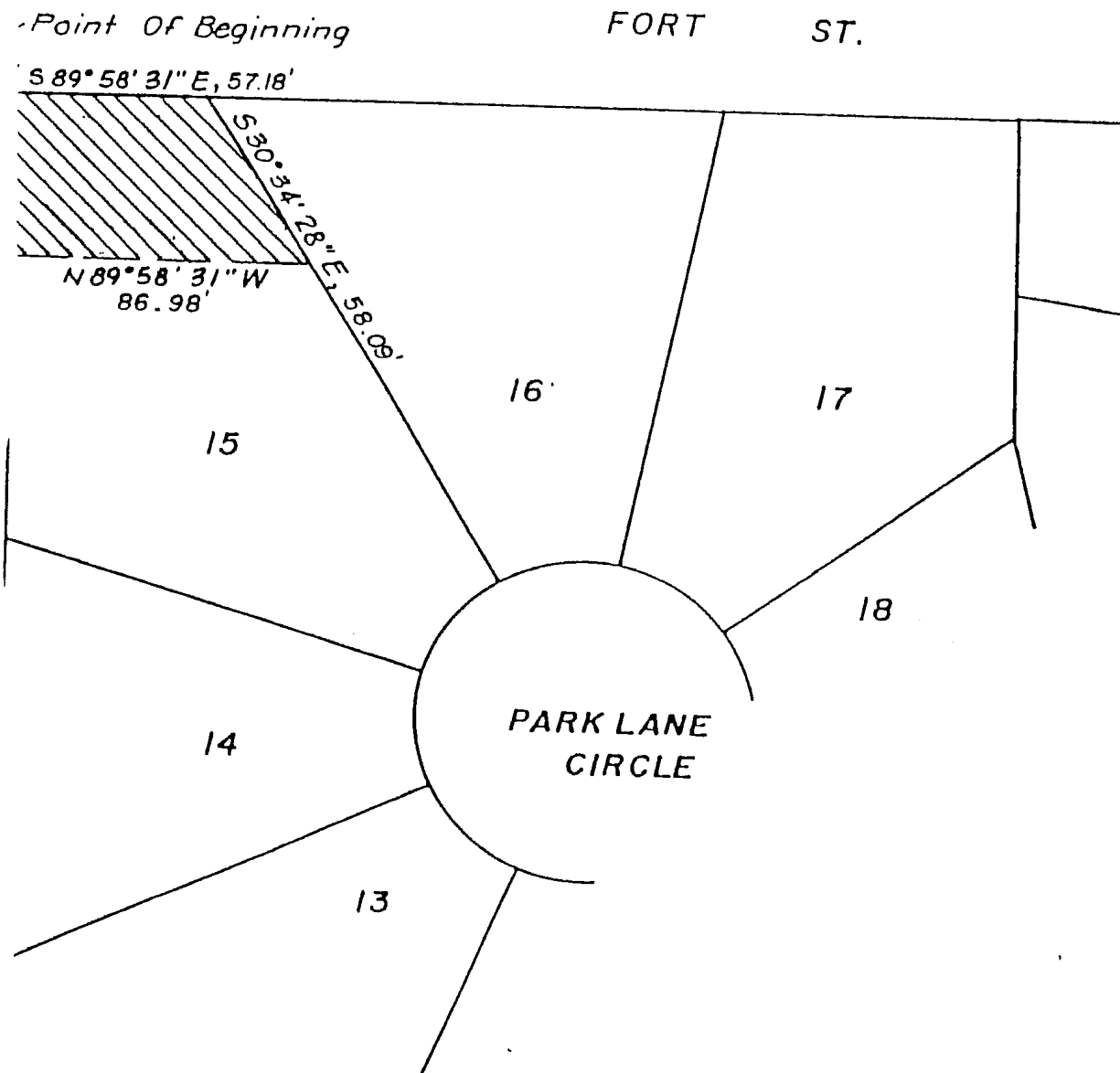
Beginning at the Point of Intersection of the South right-of-way line of Fort Street and the West right-of-way line of 126th Street, said point also being the Northeast corner of said Lot 22, Tranquility View 2nd Addition; thence Southerly along said West right-of-way line of 126th Street on a curve to the right with a radius of 250.00 feet, a distance of 35.00 feet; said curve having a long chord which bears S04°02'07"W (assumed bearing), a distance of 34.97 feet; thence N85°51'53"W, a distance of 137.91 feet to a point on the West line of said Lot 22, Tranquility View 2nd Addition; thence N00°01'29"E, along said West line of Lot 22, Tranquility View 2nd Addition, a distance of 25.00 feet to the Northwest corner of said Lot 22, Tranquility View 2nd Addition; thence S89°58'31"E, along said South right-of-way line of Fort Street, a distance of 140.00 feet to the Point of Beginning.

Said part of Lot 22, Tranquility View 2nd Addition, contains an area of 0.096 acres, more or less.

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6-17-91

EXHIBIT "C"

TEMPORARY CONSTRUCTION EASEMENT



LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT

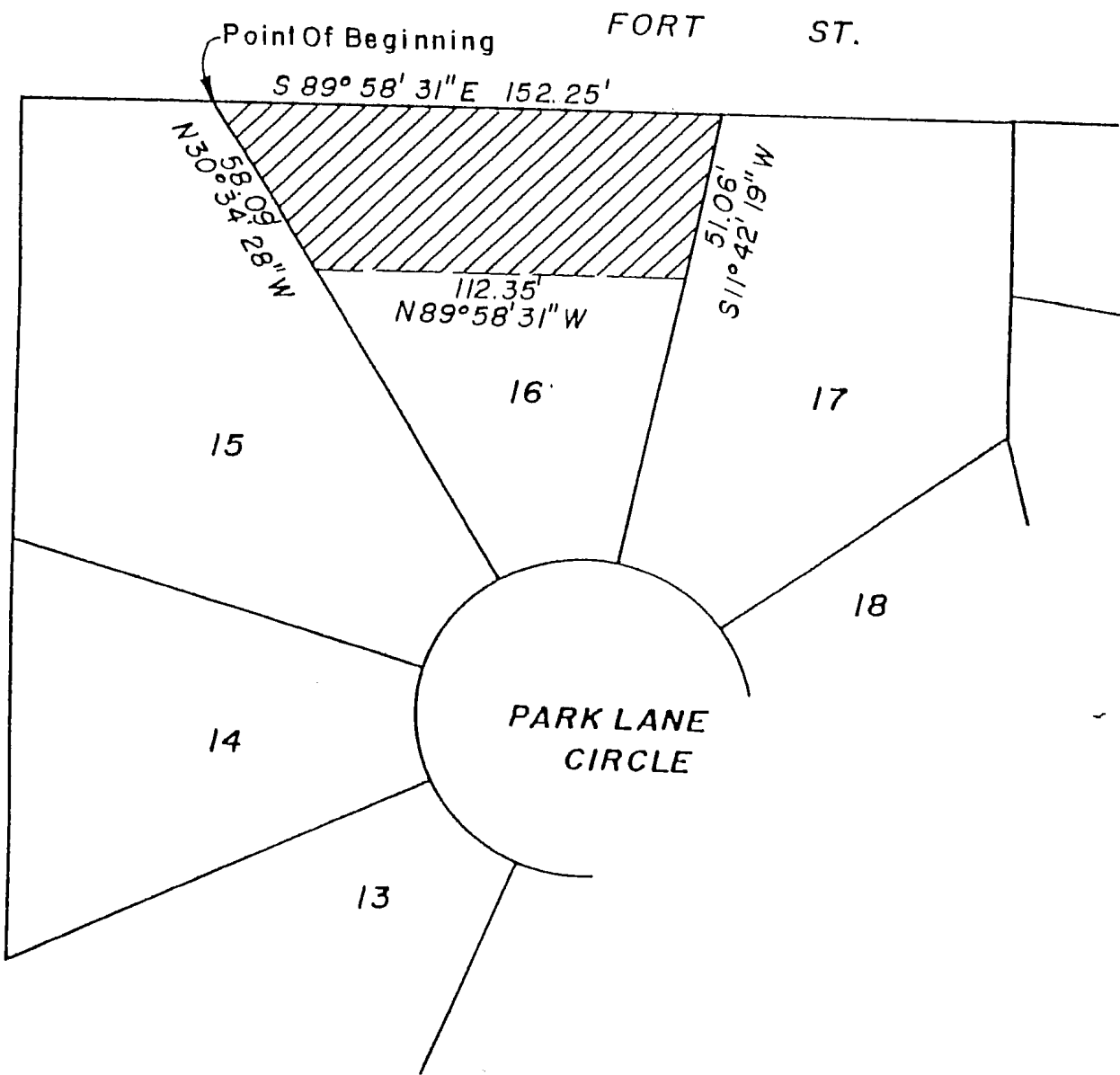
THE NORTH 50.00 FEET OF LOT 15, TRANQUILITY VIEW 2ND ADDITION, A SUBDIVISION LOCATED IN THE W1/2 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.

EXHIBIT "D"

TEMPORARY CONSTRUCTION EASEMENT



Scale: 1"=50'



LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT

THE NORTH 50.00 FEET OF LOT 16 , TRANQUILITY VIEW 2ND ADDITION, A SUBDIVISION LOCATED IN THE W1/2 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.

4-3-91

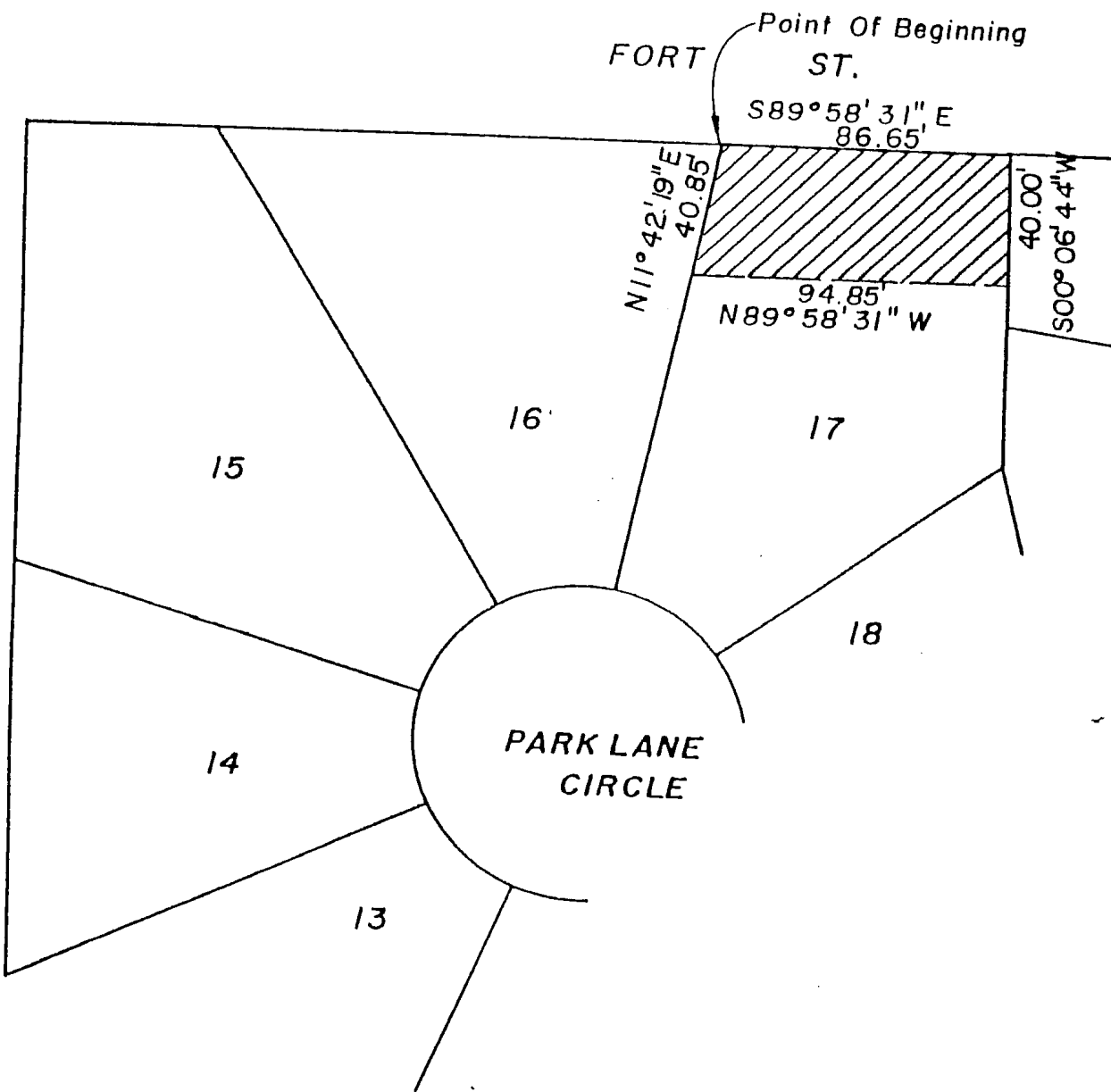
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EXHIBIT "E"

TEMPORARY CONSTRUCTION EASEMENT



Scale: 1"=50'



LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT

THE NORTH 40.00 FEET OF LOT 17, TRANQUILITY VIEW 2ND ADDITION, A SUBDIVISION LOCATED IN THE W1/2 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.

4-3-91

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