

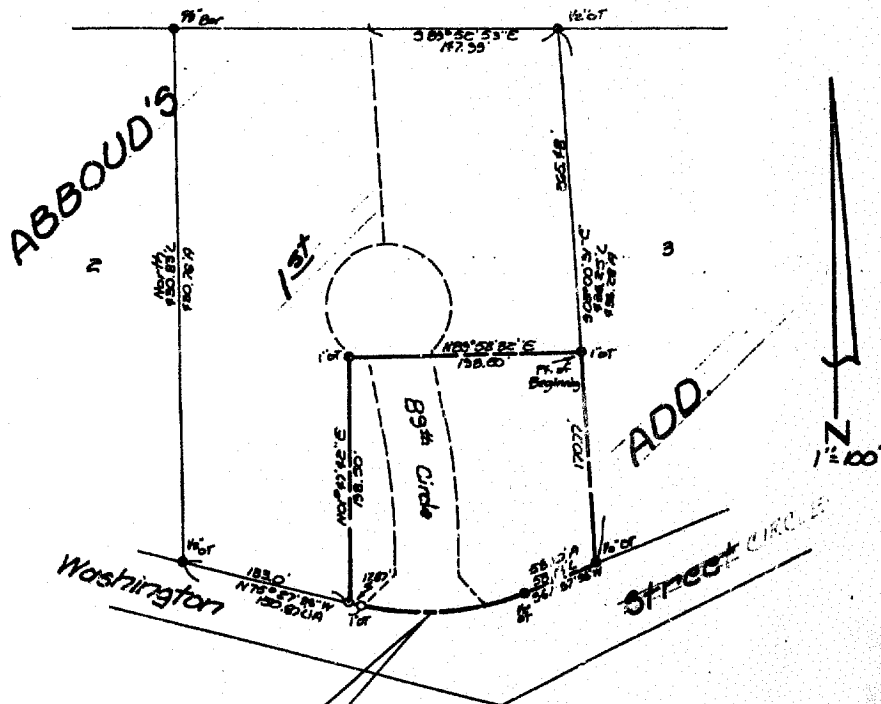
West of US

LAND SURVEYOR'S CERTIFICATE

BOOK 720 PAGE 321

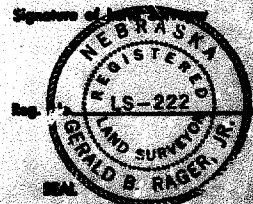
I hereby certify that this plot, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description That part of Lots 2 and 3 and vacated 89th Circle, all in ABBOD'S FIRST ADDITION, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as follows: Commencing at the Northwest corner of said Lot 3, ABBOD'S FIRST ADDITION; thence S89°52'53"E (the West line of Lot 2, ABBOD'S FIRST ADDITION assumed North-South) for 147.99 feet along the North line of said Lot 3; thence S3°00'31"E for 265.48 feet to the TRUE POINT OF BEGINNING; thence continuing S3°00'31"E for 170.77 feet to the North line of Washington Street; thence S67°37'36"W for 58.18 feet along said North line of Washington Street; thence along a curve to the right (having a radius of 211.65 feet and a long chord bearing S85°21'21"W for 127.04 feet) for an arc distance of 129.03 feet on said North line of Washington Street; thence N75°27'39"W for 17.87 feet along said North line of Washington Street; thence N1°47'42"E for 198.50 feet; thence N89°58'32"E for 182.54 feet to the TRUE POINT OF BEGINNING. Contains 0.866 acres.



Approval as a subdivision of land for the purpose of the City of Omaha, 1935. This subdivision approval is valid unless filed and returned with the County Register of Deeds within thirty (30) days of this date.

*Gerald B. Rager, Jr.*

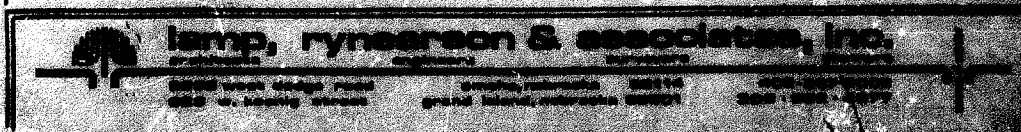


229 Date 10-5-84 Planning Director Date 7-16-84

OFFICIAL ADDRESS: 8834 WASHINGTON CIRCLE

BLDG. PERMIT NO.

Book 81-10 Page 5B



RECEIVED

OCT 10 1984

220  
10-10-84  
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West of US

LAND SURVEYOR'S CERTIFICATE

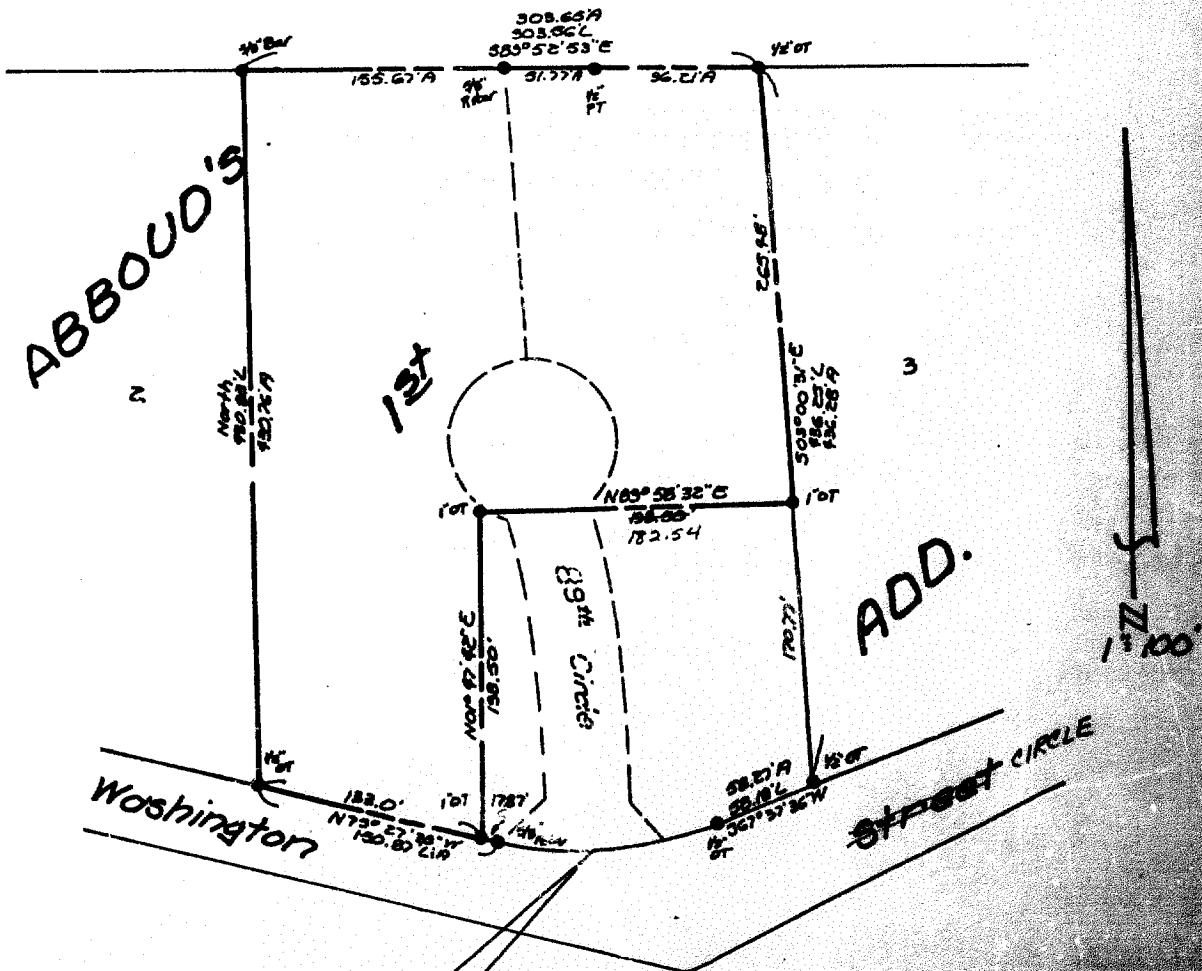
BOOK 720 PAGE 319

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description : That part of Lots 2 and 3 and vacated 89th Circle, all in ABBOUD'S FIRST ADDITION, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as follows:

(See attached page for complete Legal Description)

Plat to scale showing tract surveyed with all pertinent points.



radius - 211.65' vision of only two (2) lots with plat  
approx - 185.08' location 7.08 Home Rule  
requiring - 100' of 1/4" section  
L.C. bearing - 88° 51' 21" W  
Chamberlain City of Omaha, 1956. This subdivision

approval is void unless filed and recorded with the  
County Register of Deeds within thirty (30) days  
of this date.

- O - CORNERS SET
- - CORNERS FOUND
- A - ACTUAL DIMENSIONS
- P - PLAT DIMENSIONS
- L - Legal Dimensions
- PT - Pinch Top
- OT - Open Top

70-5-14  
Date  
Planning Director

Shelley B. B. J.

Signature of Land Surveyor



DATE RECEIVED

Date 10-1-88

OFFICIAL ADDRESS 8716 WASHINGTON CIRCLE

BLDG. PERMIT NO.

Complete Legal Description for ABBOUD'S ADDITION:

That part of Lots 2 and 3 and vacated 89th Circle, all in ABBOUD'S FIRST ADDITION, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as follows: Beginning at the Northwest corner of said Lot 3; thence S 89°52'53"E (the West line of Lot 2, ABBOUD'S FIRST ADDITION assumed North-South) for 147.99 feet along the North line of said Lot 3; thence S 03°00'31"E for 436.25 feet to the North line of Washington Street; thence S 67°37'36"W for 58.13 feet along said North line of Washington Street; thence along a curve to the right (having a radius of 211.65 feet and a long cord bearing S 85°21'21"W for 127.04 feet) for an arc distance of 129.03 feet on said North line of Washington Street; thence N 75°27'39"W for 150.87 feet along said North line of Washington Street; thence North for 430.83 feet to the North line of Lot 2, ABBOUD'S FIRST ADDITION; thence S 89°52'53"E for 155.57 feet to the Point of Beginning, except that part of said Lots 2 and 3 and vacated 89th Circle, more particularly described as follows: Commencing at the Northwest corner of said Lot 3, ABBOUD'S FIRST ADDITION; thence S 89°52'53"E (the West line of Lot 2, ABBOUD'S FIRST ADDITION assumed North-South) for 147.99 feet along the North line of said Lot 3; thence S 3°00'31"E for 265.48 feet to the TRUE POINT OF BEGINNING; thence continuing S 3°00'31"E for 170.77 feet to the North line of Washington Street; thence S 67°37'36"W for 58.13 feet along said North line of Washington Street; thence along a curve to the right (having a radius of 211.65 feet and a long cord bearing S 85°21'21"W for 127.04 feet) for an arc distance of 129.03 feet on said North line of Washington Street; thence N 75°27'39"W for 17.87 feet along said North line of Washington Street; thence N 1°47'42"E for 198.50 feet; thence N 89°58'32"E for 182.54 feet to the TRUE POINT OF BEGINNING.

RECORDED  
JUN 10 1910  
RECORDS SECTION

Book 720  
Page 319  
of 319

Fee 14.00  
Index 1  
Compd 1  
85-211



Not US.  
West of US.

82

BOOK 527 PAGE 65

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 31st day of July, 1973, between James J. Kleager and Mary E. Kleager, husband and wife, and Fred and Bonny R. Abboud, husband and wife, hereinafter referred to as Grantors, and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as Grantee, WITNESSETH:

That the Grantors, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, an easement and right of way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and water, and all appurtenances thereto, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

Several strips of land lying in Lots Two (2), Three (3), and Four (4) of Abboud's First Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, being more particularly described as follows:

A strip of land lying in Lot Two (2), said strip being Ten (10) feet wide running along and parallel to the Westerly right-of-way line of 89th Circle and extending Northeasterly from the North right-of-way line of Washington Street a distance of Thirty-six and Twenty-two One-hundredths (36.22) feet, said distance being measured along the right-of-way line of 89th Circle;

A strip of land lying in Lot Two (2), said strip being Five (5) feet wide running along and parallel to the circular portion of the right-of-way line of 89th Circle for a distance of One Hundred Thirty-seven and Thirty-five One-hundredths (137.35) feet; said distance being measured along the right-of-way line of 89th Circle;

A strip of land lying in Lot Three (3), said strip being Ten (10) feet wide running along and parallel to the Easterly right-of-way line of 89th Circle and extending Northwesterly from the North right-of-way line of Washington Street a distance of Thirty-six and Eighteen One-hundredths (36.18) feet, said distance being measured along the right-of-way line of 89th Circle;

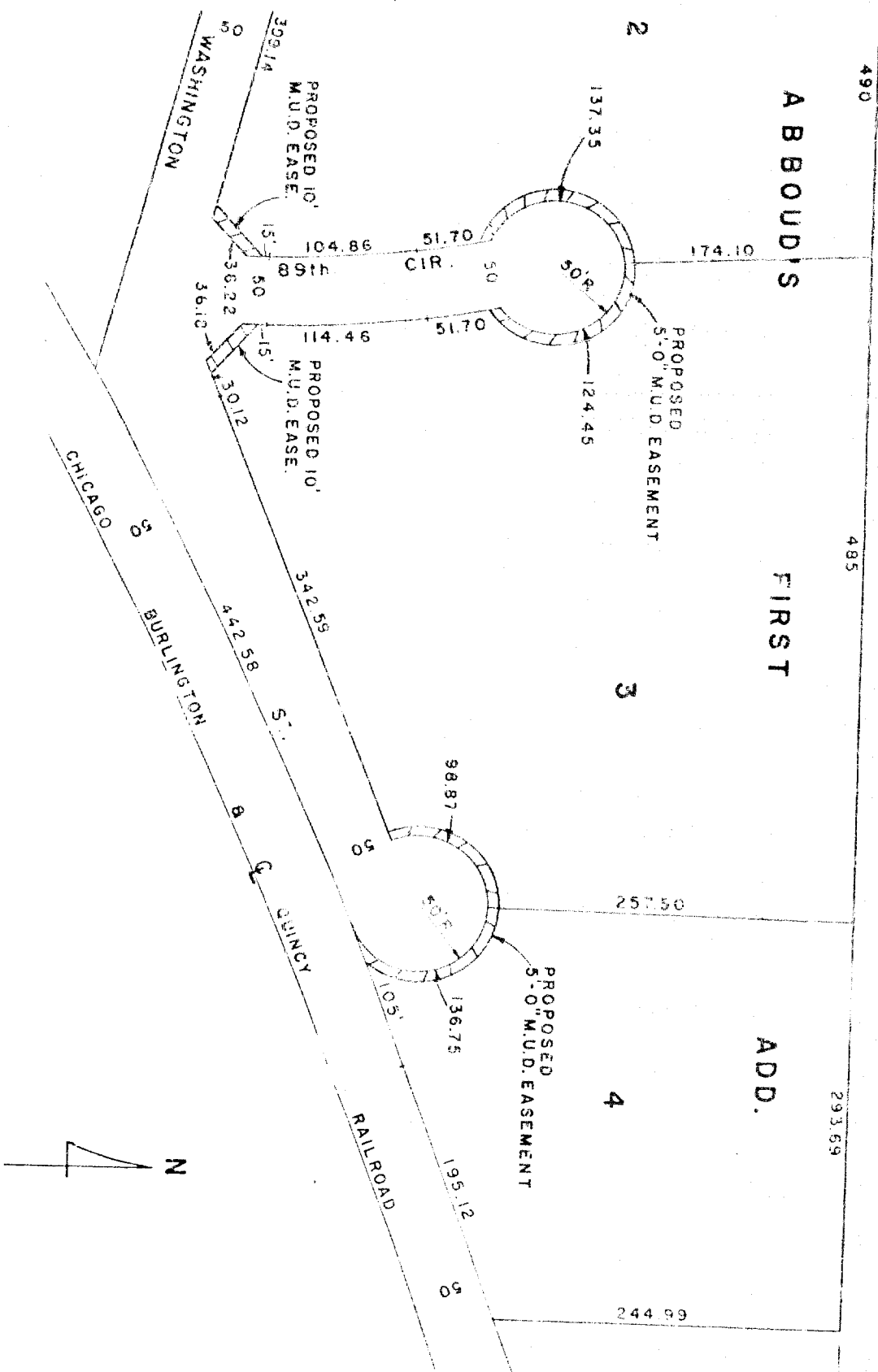
A strip of land lying in Lot Three (3), said strip being Five (5) feet wide running along and parallel to the circular portion of the right-of-way line of 89th Circle for a distance of One Hundred Twenty-four and Forty-five One-hundredths (124.45) feet, said distance being measured along the right-of-way line of 89th Circle;

A strip of land lying in Lot Three (3), said strip being Five (5) feet wide running along and parallel to the circular portion of the right-of-way line of Washington Street for a distance of Ninety-eight and Eighty-seven One-hundredths (98.87) feet, said distance being measured along the right-of-way line of Washington Street;

A strip of land lying in Lot Four (4), said strip being Five (5) feet wide running along and parallel to the circular portion of the right-of-way line of Washington Street for a distance of One Hundred Thirty-six and Seventy-five One-hundredths (136.75) feet, said distance being measured along the right-of-way line of Washington Street;

All these strips containing a total of Seven One-hundredths (0.07) acre, more or less, all as shown on the plat attached hereto and made a part hereof.





ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
 DAY OF March 1913 AT 3:50 P. M. C. HAROLD OSTLER, REGISTER OF DEEDS

METROPOLITAN  
 UTILITIES  
 DISTRICT  
 OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR W.C.C. 4706

LAND OWNER  
JAMES J & MARY E KLEAGER  
FRED & BONNY R. ABBODD

ACRE PERMANENT 0.07

LEGEND

N. BUDGE CONTEST DATE 4-24-73  
ED BY LL DATE 5-7-73  
MOVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
FID BY \_\_\_\_\_ DATE \_\_\_\_\_  
HID BY \_\_\_\_\_ DATE \_\_\_\_\_

not us

West of us.

540-456

CITY OF OMAHA

COUNCIL CHAMBER

121  
122  
August 6,

1974

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, the Douglas County Board of Commissioners has requested the vacation of 89th Circle from Washington Street North; and,

WHEREAS, the subject vacation is outside the corporate limits of the City of Omaha, but is within the zoning jurisdiction of the City of Omaha; and,

WHEREAS, the Revised Statutes of Nebraska, 1943, Section 23.106, 1971 Supplement, requires that a City Council recommendation concerning such vacation shall be received by this County Board, prior to the County Board taking action on any vacation petition; and,

WHEREAS, the City Planning Board of the City of Omaha and the Public Works Department of the City of Omaha have recommended the vacation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, they recommend to the Douglas County Board of Commissioners the vacation of 89th Circle from Washington Street North.

627/5

I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.

AUG 6 1974

Councilman

BY

DEPUTY CITY CLERK

City Clerk

City Clerk

Mayor

8/8/74

Abounds 1 pt add  
X to 2-3

RECEIVED

18/4 AUG 13 AM 10:49

CLERK OF DISTRICT COURT  
DOUGLAS COUNTY, NEBR.

STATE OF NEBRASKA  
Douglas County

Entered in Numerical Index and filed  
in the office of the Register of  
Deeds of said County and recorded in

540-456

Clifford Oster

Register of Deeds

Deputy

City of Omaha  
City Clerk

G.P.A.G.

Fee 3.50

Compared



# BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

BOOK 550 PAGE 159

Resolved

82 - 121 / 122

Motion by Green; Seconded by Buglewicz

## WHEREAS:

- a) This Board has received a request to vacate 89th Circle from Washington Street to the Cul-de-Sac, located in Abboud's 1st Addition, a platted and recorded subdivision in Douglas County, Nebraska,
- b) The County Surveyor-Engineer has submitted a written report this day to this Board recommending said vacation,
- c) A public hearing is necessary in order that the adjacent landowners of such street may be heard concerning the recommendation for the vacation.

## I THEREFORE MOVE THAT:

- 1) A public hearing is hereby declared and designated to be held on the 18th day of June, 1974, at 10:00 A.M. in Room 301, Douglas County Court House, 17th & Farnam Street, Omaha, Nebraska.
- 2) At such public hearing any interested landowner who may be affected by this vacation of street specifically described in Paragraph 3 of this resolution by reason of the fact that such owner in fact owns land which abuts or is adjacent to such street to be vacated, may appear to present his viewpoint concerning whether or not such street shall in fact be vacated.
- 3) The exact description of the street proposed to be vacated is as follows:  
Lots 2 and 3

That part of Abboud's 1st Addition platted as 89th Circle from Washington Street to the Cul-de-Sac, in the NW corner of the SE 1/4, Section 10, R 12 E of the 6th P.M., Douglas County, Nebraska.

## I FURTHER MOVE THAT:

- 1) A certified copy of this resolution be presented to the Daily Record Newspaper of this County with the direction that it be published in its entirety once a week for three consecutive weeks, and that such newspaper's officers be requested to furnish an affidavit evidencing the fact that such publication was in fact accomplished.
- 2) This Board's Chairman cause to be sent by certified mail an exact copy of this resolution to the owners of land which abuts or is adjacent to the street which is under consideration for vacation, such mailing notice to be made no later than June 4, 1974.

ADOPTED: May 28, 1974

YEAS: Buglewicz, Green,  
Morgan, Lynch

ABSENT: Cavanaugh

CERTIFIED COPY)  
F. E. Keyport  
CHIEF DEPUTY COUNTY CLERK

Certified copy to: County Clerk,  
County Commissioners, Surveyor,  
Ed Abboud, James Kleager, Daily Record.



# BOARD OF COUNTY COMMISSIONERS

BOOK 550 PAGE 160

DOUGLAS COUNTY, NEBRASKA

## Resolved

### WHEREAS:

- a) This Board of Commissioners of Douglas County, Nebraska, received a petition to vacate 89th Circle from Washington Street to the Cul-de-Sac, located in Abboud's 1st Addition, a platted and recorded subdivision in Douglas County, Nebraska.
- b) The Douglas County Surveyor-Engineer made a study of the use being made of the above-described property and under the date of May 21, 1974, reported that since the subdivision is undeveloped, the vacating was recommended as requested.
- c) The Board of Commissioners of Douglas County, Nebraska, on May 28, 1974, adopted a resolution fixing Tuesday, June 18, 1974, at 10:00 A.M., in the County Board Room of the Douglas County Courthouse, as the time, date and place for a public hearing thereon.
- d) The Board of Commissioners of Douglas County, Nebraska, caused such resolution to be published once a week for three consecutive weeks in the Daily Record, a legal newspaper in Douglas County, Nebraska; and further caused a copy of the resolution fixing the time, date and place of said public hearing to be served upon the owners of land abutting on or adjacent to the property to be vacated by mailing the same by certified mail, to the last known address of the owners, more than two weeks in advance of the hearing.
- e) Said street does not lie within a township in a county operating roads on a township basis.
- f) A public hearing was held on June 18, 1974, at 10:00 A.M. in the County Board Room of the Douglas County Courthouse, and at said hearing no objections were voiced, and at the conclusion of said hearing the Board of Commissioners of Douglas County, Nebraska, determined that the public good, convenience and necessity required the vacation of said street.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Douglas County, Nebraska, that that part of Abboud's 1st Addition platted as 89th Circle, from Washington Street to the Cul-de-Sac, in the NW corner of the SE 1/4, Section 10, T 14 N, R 12 E of the 6th P.M., Douglas County, Nebraska, be and the same is hereby vacated to conform to the plat attached hereto, marked Exhibit "A" and incorporated herein by reference; and that the above-described street shall revert to and become the property of those owners or their prior grantors in the same proportion as was originally contributed to the public way now being vacated, subject to the condition and limitation that there is reserved to the Metropolitan Utilities District of the City of Omaha, the Omaha Public Power District, Northwestern Bell Telephone Company, or any other public utilities, the right to construct, maintain, repair, renew and operate presently existing or hereafter installed water mains, pole lines, conduits and other similar services or equipment above, on and below the surface of the ground for the purpose of serving the general public or abutting property owner; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the County; and to enter upon the premises to accomplish the above purpose at any and all times.

BE IT FURTHER RESOLVED that the above-described vacation shall become effective simultaneously with the issuance of a resolution from the City of Omaha recommending said vacation, and at that time the Douglas County Surveyor-Engineer be and is hereby authorized and directed to correct the

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BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

BOOK 550 PAGE 161

Resolved

Page 2.

records, profiles and plats accordingly, and that the petitioner shall file a copy of this resolution and a copy of the resolution from the City of Omaha in the Office of the Register of Deeds, cost for same to be charged to the petitioner.

DATED this 25th day of June, 1974.

*Paul A. Lynch*  
*William Green*  
*James Morgan*  
*James Buglewicz*  
*James Cavanaugh*  
BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

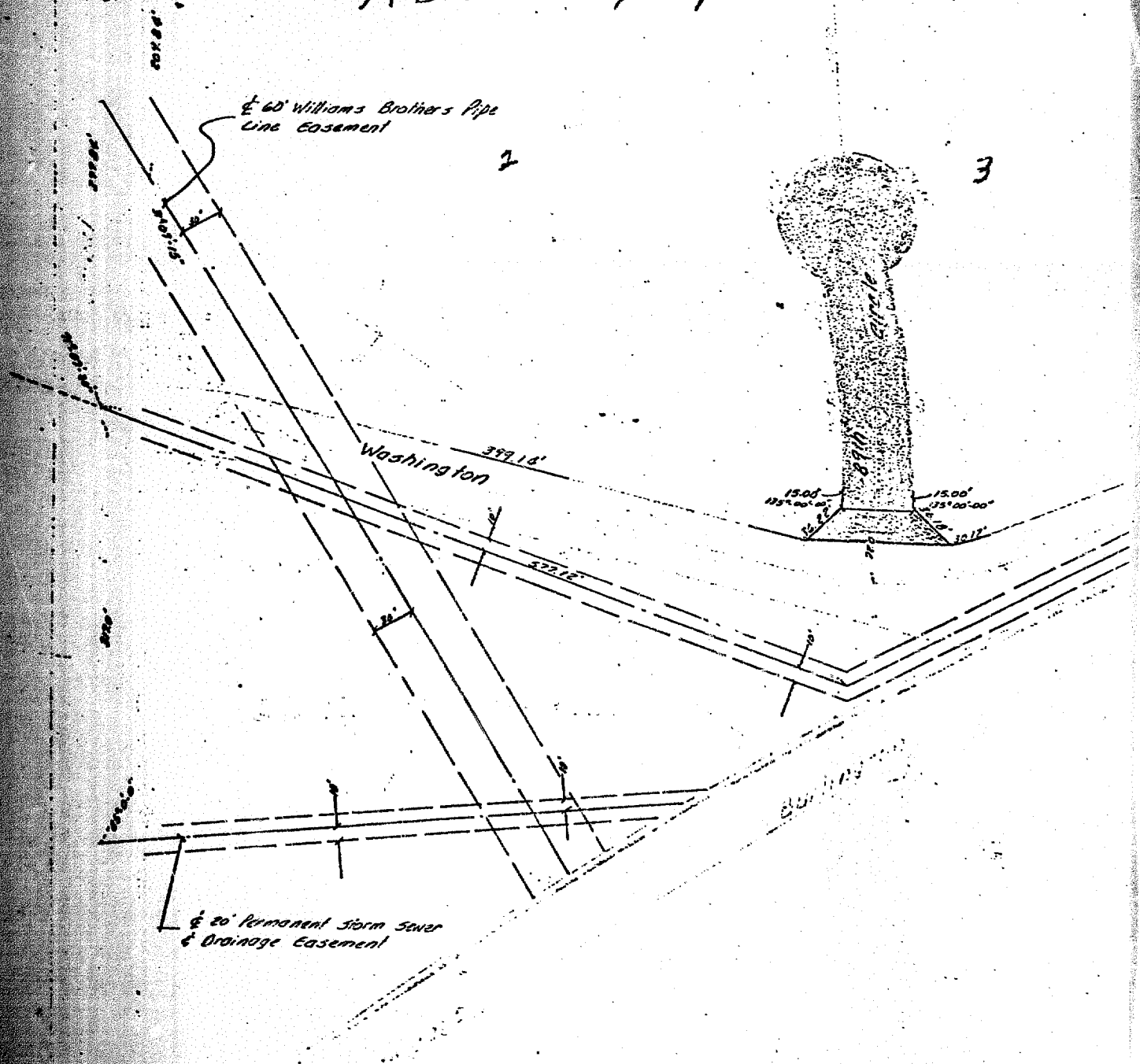
Motion by Buglewicz; Seconded by Morgan  
I move the adoption of the resolution.  
ADOPTED: June 25, 1974  
YEAS: Buglewicz, Cavanaugh, Green,  
Morgan, Lynch

(CERTIFIED COPY)

*Lloyd W. Kelmer*  
COUNTY CLERK

Certified copy to: County Clerk,  
County Commissioners, Surveyor,  
Fred Abboud, James Kleager, M.U.D.,  
O.P.P.D., Northwestern Bell Tele. Co.,  
City Planning.

# ABBOD'S 1ST ADDITION



30  
 CONTAINED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA

23 DAY OF April 1975 AT 1:01 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS

1250



EASEMENT AND RIGHT-OF-WAY

JANUARY, 1985

THIS INDENTURE, made this 3 day of ~~December~~, 1984, between LUIS F. BURIANEK and ARLENE P. BURIANEK, husband and wife, hereinafter referred to as "Grantors", and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, hereinafter referred to as "Grantee",

WITNESSETH:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, an easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, a pipeline for the transportation of gas and all appurtenances thereto, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

A tract of land in Lot Three (3), Abboud's First Addition, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as follows:

A ten (10) feet wide generally east-to-west parcel which abuts the north line of Washington Street on the south and which abuts on the east the following described line:

Commencing at the Northwest Corner of said Lot Three (3); thence S. 89°52'53" E. (the west line of Lot Two (2), Abboud's First Addition, assumed North-South) for 147.99 feet along the North line of said Lot 3; thence S. 3°00'31" E. for 265.48 feet to the True Point of Beginning; thence continuing S. 3°00'31" E. for 170.77 feet to the North line of Washington Street.

Said tract, as shown on the plat attached hereto and made a part hereof by this reference, contains .039 of an acre, more or less.

TO HAVE AND TO HOLD said easement and right-of-way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantors agree that neither they nor their successors or assigns will at any time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, and they will not give anyone else permission to do so.

2. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

3. Nothing herein contained shall be construed as a waiver of the rights of the Grantors, or duties and powers of the Grantee, concerning the ownership, use, operations, extensions and connections of the pipeline constructed and maintained hereunder.

It is further agreed the Grantors have lawful possession of the land and have good right and lawful authority to make such conveyance. They and their executors, administrators, successors and assigns shall defend the same and will indemnify and hold the Grantee forever against the claims of all persons claiming any right, title or interest prior to the date of this agreement.

IN WITNESS WHEREOF, the Grantors have caused this Easement and

Right-of-Way to be signed and executed on the day and year first above written.

LUIS F. BURIANEK and ARLENE P. BURIANEK, husband and wife,  
Grantors

ATTEST:

*Martha J. Fackler*

*Luis F. Burianek*  
Luis F. Burianek

*Arlene P. Burianek*  
Arlene P. Burianek

ACKNOWLEDGEMENT

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

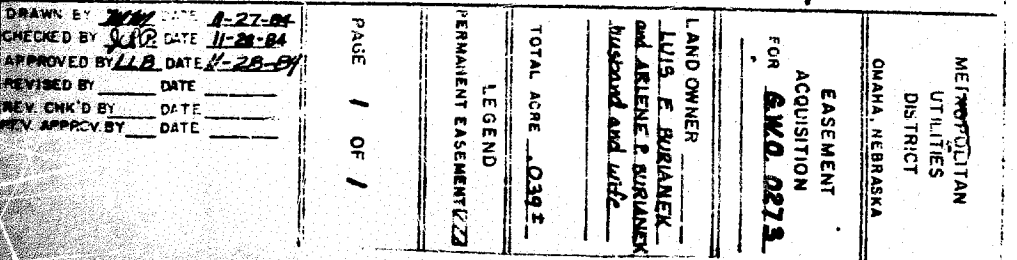
On this 3 day of January, 1985, before me, the undersigned, a Notary Public in and for said State and County, personally came Luis F. Burianek and Arlene P. Burianek, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution of this instrument to be their voluntary act and deed as individuals and as husband and wife.

WITNESS my hand and Notarial Seal the day and year last above written.



*Patricia J. Stamm*  
Notary Public

My Commission Expires: April 9, 1987



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GEORGE J. BUECHNER  
REGISTER OF DEEDS  
JAN 25 1965

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Page 538  
of 2112

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85-1  
Comped 111  
MCB 51



West of us

8/2/83

RIGHT-OF-WAY EASEMENT

I, LEROY AND MARY ANN JOHNSON Owner(s)  
We, of the real estate described as follows, and hereafter referred to as "Grantor",

That part of Lot Three (3), Abbouds First Addition, an addition to Douglas County, Nebraska, as surveyed, platted and recorded, and more particularly described as follows: Beginning at an iron pipe on the North line of Lot Three (3), Abbouds First Addition, said pipe being a distance of One Hundred Twenty-eight and thirty-five hundredths feet (128.35') Westerly of the Northwest corner of the Easterly One Hundred Five feet (105') of said Lot Three (3); thence S03°04'35"E a distance of Three Hundred Ninety-four and two hundredths feet (394.02'), more or less, to the Northwesterly right of way of Washington Street; thence Southwesterly along said right of way line a distance of One Hundred Ten feet (110'); thence N03°04'35"W a distance of Four Hundred Thirty-six and twenty-four hundredths feet (436.24'), more or less, to a point on the North line of said Lot Three (3); thence Easterly on said North line a distance of One Hundred Three and ninety-six feet (103.96') to the point of beginning.

in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, referred to as "Grantee", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

A strip of land Sixteen feet (16') in width, lying adjacent to and parallel to the East line of the above described property.

CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least twelve feet (12').
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same way be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (e) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her its/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 3 day of November, 19 83.

Leroy Johnson  
Mary Ann Johnson