

RELEASE OF EASEMENT

WHEREAS, on the 21st day of October, 1940, George Warren Smith, Inc. granted and conveyed unto the American Telephone and Telegraph Company of Nebraska, its associated and allied companies, its and their respective successors, assigns, lessees and agents, a right of way and easement to construct, operate, maintain, replace and remove a communication system consisting of one or a pair of underground cables and such wires and splicing boxes and such service and testing terminals, repeaters and markers, and such other appurtenances as the grantees may from time to time require upon, across, over and under the land which the said George Warren Smith, Inc. owned or had any interest, in Section 2, Township 14 North, Range 12 East, County of Douglas, State of Nebraska, more particularly described as the Northwest Quarter of the Northeast Quarter of the aforesaid Section; which said easement was recorded on October 31, 1940, in Book 150 of Miscellaneous Records, at Page 137 in the records of Douglas County, Nebraska, and

WHEREAS, the said communications system hereinabove referred to has been installed, located and fixed over and across a portion of said Northwest Quarter of the Northeast Quarter of said Section 2, but does not extend or traverse over, across or under that portion of the property hereinafter described; and

WHEREAS, the undersigned, American Telephone and Telegraph Company, a New York corporation, successor in interest to American Telephone and Telegraph Company of Nebraska, claims no right or interest under and by virtue of the aforesaid easement dated October 21, 1940, granted by George Warren Smith, Inc. to said American Telephone and Telegraph Company of Nebraska, to enter upon for any purpose whatsoever, that portion of the Northwest Quarter of the Northeast Quarter of said Section 2, Township 14 North, Range 12 East more specifically hereinafter described;

NOW, THEREFORE, in consideration of the premises, and of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the undersigned, American Telephone and Telegraph Company, a New York corporation, does

hereby for itself, its associated and allied companies, its and their respective successors and assigns, disclaim and release all right, title and interest which they have or may claim to have by virtue of the said grant of right of way and easement dated October 21, 1940, granted by George Warren Smith, Inc. to American Telephone and Telegraph Company of Nebraska in and to the following described property, to-wit:

To a tract of land located in the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the Sixth P. M., in Douglas County, Nebraska, described as follows: Commencing at the Northwest Corner of the Northeast Quarter of said Section 2, which point is on the centerline of "F" Street; thence South 0°17' East along the West line of said Northeast Quarter for a distance of 1155 feet to the point of beginning; thence continuing South 0°17' East along said Quarter line for approximately 332.9 feet to the Centerline of the Big Papillion Creek; thence South 21°24' East for 72.4 feet more or less along centerline of said Creek; thence North 89°59' East for approximately 276.4 feet; thence North 23°13' West for 103.61 feet; thence South 47°05' East for 139.82 feet; thence North 89°59' East for 643.02 feet to a point on the West line of 76th Street as platted and dedicated; thence North 0°10' West for 400.00 feet along said West line; thence due West 1007.89 feet to the point of beginning, containing 9.17 acres more or less. In this description, the North line of the Northeast Quarter of Section 2 (centerline of "F" Street) is assumed to run due East and West.

Reserving, however, unto American Telephone and Telegraph Company, its associated and allied companies, its and their respective successors and assigns, all right, title and interest which they have or may have by virtue of said easement dated October 21, 1940, in and to the remaining lands herein not specifically disclaimed.

IN WITNESS WHEREOF, the undersigned, American Telephone and Telegraph Company has caused this instrument to be executed this 26th day of February,



JM
AMERICAN TELEPHONE AND TELEGRAPH COMPANY

By *JW Hawthorne*
Right of Way Superintendent

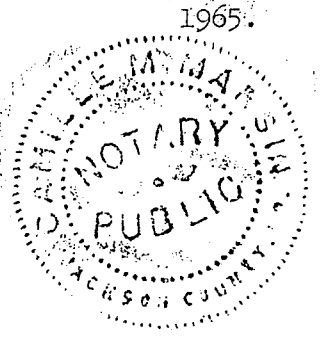
WITNESS:

C E Spencel

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

Before me a notary public, qualified for said county, personally came P. W. Forsythe, Right of Way Superintendent of American Telephone and Telegraph Company, a corporation, known to me to be the Right of Way Superintendent and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such Right of Way Superintendent and the voluntary act and deed of said corporation and its corporate seal was affixed thereto by its authority.

Witness my hand and notarial seal this 8th day of March, 1965.



Camille M. Marsen
Notary Public

Will

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

MAR 11 AM 9 23

RECEIVED

THE STATE OF NEBRASKA } ss.
Douglas County }
Entered in numerical index and filed
for Record in the office of the Register of
Deeds of said County and recorded in
Book 423 of Misc
Page 271

James J. Kennedy

By James J. Kennedy Deputy

MAIL DE
attn Mr. Kennedy
N. 1502 City Hotel Bldg. 475

Compared Fee
= 2-14-12

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2-14-12