

EASEMENT AND MODIFICATION AGREEMENT

WHEREAS, CARL W. RENSTROM owns the following described real property:

The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26, Township 15 North, Range 12 East, Douglas County, Nebraska, except that portion dedicated or taken for streets and highways and except the portion thereof hereinafter referred to as "Parcel B".

and which Renstrom property is hereinafter referred to as "Parcel A", and

WHEREAS, IRVING B. EPSTEIN, TRUSTEE, owns the following described real property:

That part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26, Township 15 North, Range 12 East of the 6th P.M., more particularly described as follows (East line of said Northeast Quarter of Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26 assumed North-South in direction): Beginning at a point which is North 89° 54' 40" West, 418.04 feet from the Southeast corner of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) and 68.0 feet North 0° 05' 20" East (Measured perpendicular to the South line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), thence North 300.00 feet; thence West 173.0 feet; thence South 228.39 feet along the East line of dedicated street; thence South 20° 06' 02" East, 76.30 feet along the East line of dedicated street; thence South 89° 54' 40" East, 146.78 feet along a line 68.0 feet North of and parallel with the South line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26 to point of beginning, in Douglas County, Nebraska,

hereinafter referred to as "Parcel B", and

WHEREAS, Sanitary Improvement District No. 102 of Douglas County, Nebraska has been annexed by the City of Omaha, a Municipal Corporation, and said City is entitled to all rights, duties and obligations of said Sanitary Improvement District No. 102 of Douglas County, Nebraska, and

WHEREAS, an easement agreement was entered into on September 27, 1962, which agreement is recorded in Book 388, page 54, Miscellaneous Records, office of Register of Deeds, Douglas County, Nebraska, and said agreement provides for permanent easements and sewer lines presently located, in part, upon Parcel B, and which agreement provides at paragraph 4(c) thereof that easements and sewer lines thereon may be re-located provided that the new location is approved by the City of Omaha,

NOW, THEREFORE, in consideration of One Dollar and other valuable consideration, it is agreed as follows:

- 1. Permanent easement for sewer lines granted in Easement Agreement of September 27, 1962 above referred to, is hereby amended:

(a) To delete therefrom a strip of land 10 feet wide which center line is described as follows:

Beginning at a point 61' 6" South of the North-east property line of Parcel B; thence West 17' to point of beginning; thence South 99' to point of termination.

(b) To add thereto a strip of land 10 feet wide which center line is described as follows:

Beginning at a point 61' 6" South of the North-east property line of Parcel B; thence West 17' to point of beginning; thence Southeast 45°, 24' to a point on the East property line of Parcel B; thence South 65'; thence Southwest 45°, 24' feet to point of termination.

2. Existing sewer line is to be relocated to center line of amended easement area and all cost thereof shall be borne by owner of Parcel B.

3. This agreement shall take effect upon appropriate approval by the City of Omaha.

7 IN WITNESS WHEREOF, this instrument has been executed this 7 day of July, 1969.

Carl W. Renstrom
Carl W. Renstrom

Irving B. Epstein, Trustee
Irving B. Epstein, Trustee

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

On this 7 day of July, 1969, before me, the undersigned, a Notary Public, duly commissioned and qualified for said County, personally came CARL W. RENSTROM, to me known to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed.

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

Edward G. Rowley
Notary Public

My commission expires Dec. 12, 1970.

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

On this 7 day of July, 1969, before me, the undersigned, a Notary Public, duly commissioned and qualified for said County, personally came IRVING B. EPSTEIN, TRUSTEE, to me known to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed.

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

Charlotte M. Rice
Notary Public

My commission expires Dec. 6, 1969.