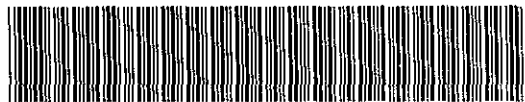


BK 1416 PG 280-283



MISC 2001 21984

RICHARD N TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

01 DEC 31 PM 1:02

RECEIVED

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 FEE 24.00 FB 10-90580  
 4 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP 802  
 8 DEL \_\_\_\_\_ SCAN CB FV \_\_\_\_\_

RETURN TO:  
 PAUL J. LaPUZZA  
 275 North 115th Street  
 Omaha, NE 68154

-20773

## GRANT OF RIGHT TO USE WALL ADJOINING

THIS INDENTURE, made this 11<sup>th</sup> day of December, 2001, by and between W. L. Gayer, Party of the First Part and Wilfred M. Looby and William L. Gayer, Parties of the Second Part;

WITNESSETH:

WHEREAS, the Party of the First Part is the owner of certain real property situated in the City of Omaha, Douglas County, Nebraska, legally described as follows, to-wit:

That part of the abandoned Missouri Pacific Railroad right-of-way lying within Lots 17, 18, 19 and 20 in Block 10, Walnut Hill, an addition to the City of Omaha as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Beginning at the SW corner of said Lot 17, said corner being on the West line of said abandoned railroad; thence S89°56'14"E (assumed bearing) 124.43 feet on the South line of said Block 10 to the East line of said abandoned railroad; thence N26°13'11"E 166.55 feet on the East line of said abandoned railroad to the South line of the vacated alley running through said Block 10; thence N89°58'44"W 197.63 feet on the South line of said vacated alley to the NW corner of said Lot 17; thence S00°08'51"W 149.35 feet on the West line of said Lot 17 to the point of beginning; and

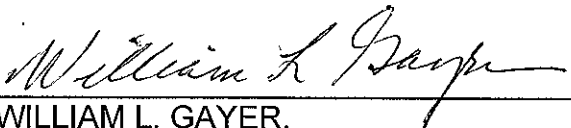
WHEREAS, the Parties of the Second Part are the owners of certain real property situated in the City of Omaha, Douglas County, Nebraska, legally described as follows, to-wit:

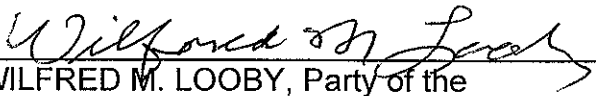
That part of the abandoned Missouri Pacific Railroad right-of-way lying within Lots 1, 2, 3 and 4 in Block 10, Walnut Hill, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska together with part of the vacated alley lying within said Block 10, all more particularly described as follows: Beginning at the NW corner of said Lot 3 said corner being on the West line of said abandoned railroad; thence East (assumed bearing) 128.75 feet on the North line of said Block 10 to the East line of said abandoned railroad; thence S26°13'11"W 184.75 feet on the East line of said abandoned railroad to the South line of said vacated alley; thence N89°58'44"W 197.63 feet on the South line of said vacated alley to the NW corner of Lot 17 in said Block 10; thence N00°08'51"E 8.00 feet on the Northerly extension of the West line of said Lot 17 to the centerline of said vacated alley; thence S89°58'44"E 99.94 feet on the centerline of said vacated alley to a point on the Southerly extension of the West line of said Lot 4; thence N00°04'46"W 8.00 feet to the SW corner of said Lot 4; thence N26°48'47"E 111.72 feet to a point on the East line of said Lot 4 said point being 50.00 feet South of the NE corner of said Lot 4; thence N00°11'19"E 50.00 feet on the East line of said Lot 4 to the point of beginning; and

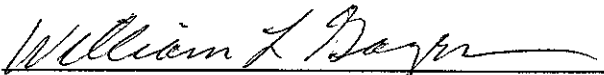
WHEREAS, there has been erected on the said land of the Parties of the Second Part a building, the southern wall whereof adjoins and abuts the said land of the Party of the First Part which has erected a building thereon, which building has attached to said wall and now employs the same as what is commonly known as a party wall;

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the Parties of the Second Part hereby grant to the Party of the First Part, its successors and assigns, the right to use said wall as and for the northern wall of its said building and to that end to insert and retain in said wall the necessary beams, joists or other connectors, and to so maintain the same so long as the Parties of the Second Part, their successors or assigns, shall see fit to leave said wall standing.

IN WITNESS WHEREOF, the parties hereto have executed this grant the date first above written.

  
\_\_\_\_\_  
WILLIAM L. GAYER,  
Party of the First Part

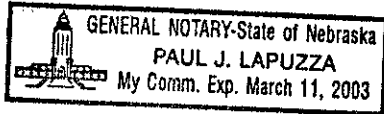
  
\_\_\_\_\_  
WILFRED M. LOOBY, Party of the  
Second Part

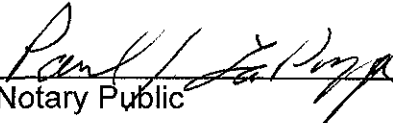
  
\_\_\_\_\_  
WILLIAM L. GAYER, Party of the  
Second Part

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

Before me, a Notary Public, qualified for said county, personally appeared William L. Gayer, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal this 11<sup>th</sup> day of December, 2001.

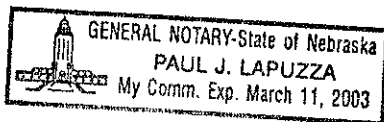


  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

Before me, a Notary Public, qualified for said county, personally appeared Wilfred M. Looby, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal this 11<sup>th</sup> day of December, 2001.



  
\_\_\_\_\_  
Notary Public