

C. D. No. 38994-13

D E E D

from

SAFEWAY STORES, INCORPORATED,

to

UNION PACIFIC RAILROAD COMPANY

Dated June 13, 1958.

Covering slope easement
in
Douglas County, Nebraska.

KNOW ALL MEN BY THESE PRESENTS, that SAFEWAY STORES, INCORPORATED, a corporation existing under and by virtue of the laws of the State of Maryland, Grantor, in consideration of One Dollar (\$1.00), the receipt of which is hereby acknowledged, does, by these presents, grant, bargain, sell and convey unto UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, Grantee, its successors and assigns, an EASEMENT for the grading, maintenance, repair, renewal, reconstruction and relocation of cuts, slopes, embankments, and drainage ditches (in connection with the construction, operation, maintenance, repair, renewal, reconstruction and relocation of railroad trackage on adjoining land) over and across that certain parcel of land in Douglas County, Nebraska, described as follows, to wit:

A wedge shaped strip of land situated in the Northeast Quarter (NE 1/4) of Section Two (2), Township Fourteen (14) North, Range Twelve (12) East of the Sixth Principal Meridian, in Douglas County, Nebraska, bounded and described as follows:

Beginning at a point 53 feet distant south, at right angles, from the north line of said Section 2, and 33 feet distant west, at right angles, from the east line of said section;

thence west parallel with the north line of said Section 2 a distance of 687.21 feet;

thence south at right angles a distance of 8.0 feet;

thence easterly along a straight line to a point 29 feet distant south from the point of beginning, measured along a line parallel with and 33 feet distant west, at right angles, from the east line of said section;

thence north along said parallel line a distance of 29 feet to the point of beginning;

containing an area of 0.29 of an acre, more or less;

together with the right of ingress and egress to, from and upon the above-described parcel of land and adjacent lands of the Grantor for the purpose of exercising the rights herein granted.

It is expressly made a condition of this easement that if the Grantee, its successors and assigns, shall abandon the premises of the Grantor in the location above described for the purposes of this easement, then, and in that event all the rights herein granted shall cease and determine and the title to said premises shall be free from the burden of said easement.

TO HAVE AND TO HOLD the above-mentioned easement unto the said Union Pacific Railroad Company, and to its successors and assigns, forever, and the said Grantor, for itself and its successors and assigns, does covenant with the said Union Pacific Railroad Company, and with its successors and assigns, that it is lawfully seized of said premises in fee simple; that they are free from encumbrance; that it has good right and lawful authority to sell the same, and that it will, and its successors and assigns shall, warrant and defend said easement unto the said Union Pacific Railroad Company, and its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said Safeway Stores, Incorporated has caused these presents to be signed by its Assist. Vice President and Assistant Secretary, and its corporate seal to be hereunto affixed this 13 day of June, 1958.

Witness:

SAFEWAY STORES, INCORPORATED,

By John A. Hall
Assistant Vice President

Attest:

By Paul W. Manser
Assistant Secretary

[Signature]
Assistant Secretary

(Seal)

Approved as to form

[Signature]
Asst. Western General Counsel

Approved as to execution:

E. L. Bizzler
Asst. General Attorney

Neb. Corp.

STATE OF CALIFORNIA)
COUNTY OF ALAMEDA) ss

On this 13th day of June

A. D. 1958, before me, a Notary Public duly commissioned and qualified in and for said County, personally came

JOHN E. HALL, Assistant Vice President

and PAUL W. MOUSER, Assistant Secretary, of SAFEWAY STORES, INCORPORATED

who ^{are} ~~is~~ personally known to me to be the identical persons whose names ^{are} ~~is~~ affixed to the foregoing instrument as Assist. Vice President / & Assist. Secretary of said SAFEWAY STORES,

INCORPORATED and acknowledged said instrument to be ^{their} ~~his~~ voluntary act and deed and the voluntary act and deed of said SAFEWAY STORES, INCORPORATED.

WITNESS my hand and notarial seal at Oakland,

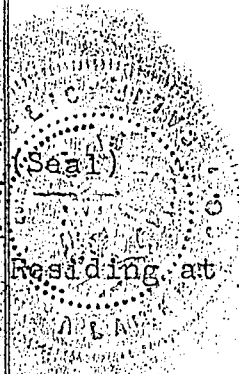
California in said County, on the day and

year above mentioned.

My commission expires January 28, 1962.

M. J. Quinn
Notary Public

Residing at San Leandro, California.



3.75

15 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA. 7 DAY July 1958 AT 10:45 A.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS.

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