

PROJECT NO. S.D. 1458  
BOOK 463 PAGE 561  
TRACT NO. 2

EASEMENT

THIS INDENTURE, made this May 16 day of May, 1968

between UPDIKE LUMBER AND FUEL COMPANY, a Nebraska Corporation  
hereinafter referred to as "Grantor(s)", and the City of Omaha, Nebraska, a Municipal Corporation  
hereinafter called "City",

WITNESSETH:

That said Grantor(s) in consideration of the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) and other valuable consideration, to Grantor(s) in hand paid by said City, the receipt whereof is hereby acknowledged does or do hereby grant, sell, convey and confirm unto said City and its assigns forever, a sewer and drainage easement for the right to use, construct, build, lay, maintain, repair and construct sanitary or storm sewer pipe or drainage way for the passage of sewer water and sewage or storm water, together with all appurtenances, wires, lines, poles, structures, and other applicable equipment pertaining to any sewer, or drainage facility, in, through, over and under the parcel of land described as follows, to-wit:

The North ten (10) feet of the South forty-three (43) feet of the West sixty-five (65) feet of the East Eight Hundred forty-four point six (844.6) feet of the Southeast Quarter (S.E.1/4) of the Southeast Quarter (S.E.1/4) of Section thirty-five (35), Township fifteen (15) North, Range twelve (12) East of the 6th Principal Meridian, as surveyed, platted and recorded in Omaha, Douglas County, Nebraska.

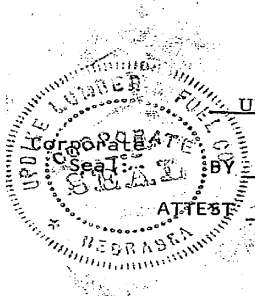
No buildings, improvements, or structures, shall be placed in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of the City of Omaha. Any trees, grass, and shrubbery placed on said easement shall be maintained by Grantor (s), his or their heirs, successors and assigns.

Said City shall cause any trench made on aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said trench, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the City and any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said City and its assigns, that he or they, the Grantor(s) is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will and his or their heirs, executors and administrators, shall warrant and defend this easement to said City and its assigns against the lawful claims and demands of all persons. This easement runs with the land.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and seal(s) the day and year first above written.



UPDIKE LUMBER & FUEL CO.  
Name of Corporation

W.H. Sudd President  
William E. Caughier Secretary

(Acknowledgment on reverse side hereof)

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STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS)

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public, in and for said County, personally came the above named:

\_\_\_\_\_ who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the above instrument and acknowledged the instrument to be his, her (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.

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

My Commission Expires \_\_\_\_\_

STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS)

On this 16th day of May, 1968, before me, the undersigned, a Notary Public in and for said County, personally came \_\_\_\_\_

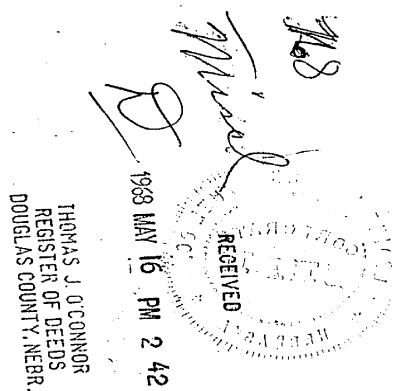
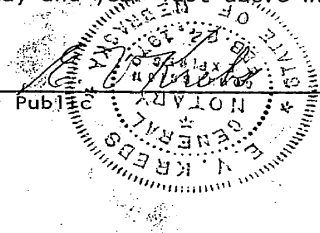
W. H. Guild Jr. President of Uplike Lumber & Fuel Co.,  
a Nebraska Corporation, and \_\_\_\_\_

William T. Caniglia, Secretary of said Corporation, to me personally known to be the President and Secretary respectively of said Corporation and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said Corporation, and the Corporate Seal of said Corporation to be thereto affixed by its authority.

WITNESS my hand and Notarial Seal at Omaha in said County the day and year last above written

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

My Commission Expires Feb. 24, 1972



THE STATE OF NEBRASKA )  
Douglas County ) ss.  
Entered in Numerical Index and filed  
for Record in the office of the Register of  
Deeds of said County and recorded in  
Book 463 of Maps  
Page 561

*James J. O'Connor*  
Register of Deeds

*W. H. Guild Jr.*  
President of Uplike Lumber & Fuel Co.

35-15-12  
35-15-12  
325  
G.P.L.P. Co.

35-15-12