

EASEMENT

THIS INDENTURE, Made this 9th day of July, 1969, by and between the CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY, a corporation, party of the first part, and the CITY OF LINCOLN, a Municipal Corporation of the State of Nebraska, party of the second part:

WITNESSETH: That the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) to the party of the first part in hand paid by the party of the second part, the receipt whereof is hereby confessed and acknowledged, does hereby grant unto the said party of the second part, its successors and assigns, an easement for the sole purpose of constructing, maintaining and operating water mains and sanitary sewers, hereinafter called utilities together with the right to grant to third parties private service connections upon and over the following described premises located and being in the County of Lancaster, State of Nebraska, to-wit:

TRACT A

A Strip of land 120 feet in width over and across the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of Section Four (4), Township Ten (10) North, Range Seven (7) East of the Sixth Principal Meridian, Lancaster County, Nebraska, described as follows:

Beginning at a point on the West line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), 1008.35 feet South of the East and West center line of said Section Four (4), said West line of Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) being coincident with the East line of Touzalin Avenue in Havelock, produced North; thence Northeasterly on a straight line making an angle of 25 degrees 20 minutes with said West line of Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of 871.11 feet, to a point of curvature; thence Northeasterly on a 7699.49 foot radius curve to the right (the initial tangent of which is a continuation of the last described course) a distance of 241.88 feet to a point on the East and West center line of said Section Four (4), which point is 1034.48 feet Westerly, measured along said East and West center line, from the center of said Section Four (4); thence Northeasterly on a continuation of the last described curve, a distance of 557.69 feet, to a point of compound curve; thence Northeasterly on a 2924.79 foot radius curve right, a distance of 3917.45 feet to a point on the West line of 70th Street, said point being 759.63 feet South and 33 feet West of the Northeast corner of said

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 Section Four (4); thence Southerly on said West line of 70th Street a distance of 125.79 feet; thence Southwesterly on a 2804.79 foot radius curve left (The initial tangent of which forms an angle of 107 degrees 47 minutes 30 seconds right with the last described course produced Southerly), said course also being 120 feet distant from and concentric with aforementioned 3917.45 foot course; thence Southwesterly on a 7579.49 foot radius curve left, a distance of 488.36 feet, to the East and West center line of said Section Four (4), which point is 899.93 feet Westerly, measured along said East and West center line, from the center of said Section Four (4); thence Southwesterly on a continuation of last described curve a distance of 298.75 feet, to a point of tangency; thence Southwesterly, tangent, a distance of 1124.54 feet, to a point on the West line of said Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$) which is 1288.79 feet South of the East and West center line of Section Four (4); thence North along said West line of Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$) a distance of 280.44 feet to the place of beginning; excepting therefrom a strip of land in the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}$ of $NW\frac{1}{4}$), 50 feet wide, being 25 feet wide on each side of the center line of Chicago, Burlington & Quincy Railroad Company spur track No. 98; said strip of land containing 15.37 acres, more or less.

TRACT B

That part of the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Four (4), Township Ten (10) North, Range Seven (7) East of the Sixth Principal Meridian, Lancaster County, Nebraska described as follows:

Beginning at a point in the West line of 70th Street 682.63 feet South, as measured along said West line of 70th Street, from the North line of said Section Four (4); thence South in said West line of 70th Street a distance of 77 feet; thence Northwesterly on a curve bearing to the left, having a radius of 2924.79 feet; tangent at its point of beginning with a line making an angle of 72 degrees 58 minutes 30 seconds with said West line of 70th Street, a distance of 77 feet; thence in a Northeasterly direction along the arc of a curve bearing to the left, and having a radius of 57 feet, more or less, to the point of beginning, this tract containing 0.07 acre, more or less.

The said party of the first part reserves the right to construct tracks upon or over said above described premises as it may deem necessary in the conduct of its business, and to use said premises for the construction, maintenance and operation thereon or thereover of such telegraph lines, wire lines and pipe lines as it may deem necessary; and to grant to others the right to construct, maintain and operate telegraph lines, wire lines and pipe lines over and across said premises, provided the same shall not interfere with the reasonable use by said party of the second part of said premises for utilities.

The said party of the first part does not warrant its title to the premises covered by the easement herein granted, nor undertake to defend said party of the second part in the peaceful enjoyment thereof.

This easement shall be in force and effect so long as said utilities shall be maintained and operated upon said above described premises. In case the use of said premises for utilities shall be abandoned, then this easement and all rights herein granted to the party of the second part hereunder shall thereupon cease and determine.

IN WITNESS WHEREOF, the said party of the first part, the Chicago, Burlington & Quincy Railroad Company, has caused these presents to be sealed with its corporate seal and to be signed by its Director, Industrial Development and Real Estate and attested by its Secretary, this the day and year first above written.

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY

By J. C. Weiland
Director, Industrial Development and Real Estate
(J. C. Weiland)

ATTEST:

L. N. Assell
Secretary (L. N. Assell)

STATE OF ILLINOIS }
COUNTY OF COOK } SS.

APPROVED

As To Form	<u>[Signature]</u>	Law Dept.
As To Property Interests	<u>[Signature]</u>	Real Estate Dept.
As To Description	<u>[Signature]</u>	Engineering Dept.
As To Audit	<u>[Signature]</u>	Auditing Dept.

On this 9th day of July, A.D. 1969, before me, a Notary Public duly commissioned and qualified in and for said county, personally came the above named J. C. Weiland, Director, Industrial Development and Real Estate, and L. N. Assell, Secretary of the Chicago, Burlington & Quincy Railroad Company, who are personally known to me to be the identical persons whose names are affixed to the above instrument as Director, Industrial Development and Real Estate, and Secretary of said corporation, and they acknowledged instrument to be their voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and official seal at Chicago, in said County, the date aforesaid.



Homer P. Breed
Notary Public
My Commission Expires May 31, 1970

LAMSTER COUNTY ALASKA
IN RECD IN VOLUME 117
BOOK 117 FOR RECORD IN
BOOK

1969 AUG -6 PM 1:34

Kenneth L. Ferguson
REGISTER OF DEEDS