

Return: Public Works  
1814 Farnam  
Omaha Ne 68183

Project No. SP 89-7

Tract No. 30 &  
31

WARRANTY DEED - INDIVIDUAL - PUBLIC PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

THIS DEED, made this 17<sup>th</sup> day of DECEMBER,..... A.D., 1992, between Lynn DeMarco Testamentary Trust, Arvin V. DeMarco, Innocente L. DeMarco, Louise A. DeMarco, Lynn I. DeMarco, and Peter R. DeMarco, Trustees, herein known as the Grantor, whether one or more, for and in consideration of the sum of Two Hundred Sixty Thousand Four Hundred and Thirty-four Dollars (\$260,434.00) and other good and valuable consideration, in hand paid, do hereby grant, bargain, sell, convey, and confirm for public purposes unto THE CITY OF OMAHA, a Municipal Corporation organized and existing under and by virtue of the Laws of the State of Nebraska, the following described real estate, situated in the County of Douglas and State of Nebraska, to-wit:

Land Acquisition

A parcel of land located in the NE 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4, all in Section 26, Township 15 North, Range 11 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows: Commencing at the SE corner of said NE 1/4 of Section 26; thence West along the South line of said NE 1/4 for a distance of 33 feet to the Point of Beginning; thence continuing West along the South line of said NE 1/4 for a distance of 272.0 feet; thence North and parallel with the East line of said NE 1/4 for a distance of 1060.0 feet; thence East and perpendicular to the East line of said NE 1/4 for a distance of 75.0 feet to a point, said being 230.0 feet West of the East line of said NE 1/4; thence North and parallel with the East line of said NE 1/4 for a distance of 900.0 feet to a point, said point being 230.0 feet West of the East line of said NE 1/4; thence East and perpendicular to the East line of said NE 1/4 for a distance of 75.0 feet to a point, said point being 155.0 feet West of the East line of said NE 1/4; thence North and parallel with the East line of said NE 1/4 for a distance of 140.0 feet to a point, said point being 155.0' West of the East line of said NE 1/4; thence East and perpendicular to the East line of said NE 1/4 for a distance of 30.0 feet to a point, said point being 125.0 feet West of the East line of said NE 1/4; thence North and parallel with the East line of said NE 1/4 for a distance of 479.24 feet to a point, said point being 125.0 feet West of and 65.0 feet South of the Northeast corner of said NE 1/4 of Section 26; thence West and parallel with the North line of said NE 1/4 for a distance of 60.0 feet; thence North and perpendicular to the North line of said NE 1/4 for a distance of 15.0 feet to a point on the South right-of-way line of Pacific Street, said point being 185.0 feet West and 50.0 feet South of the Northeast corner of said NE 1/4; thence East and parallel to the North line of said NE 1/4 for a distance of 135.0 feet to the point of intersection of the South right-of-way line of Pacific Street and the West right-of-way line of 144th Street, said point being 50.0 feet West and 50.0 feet South of the Northeast corner of said NE 1/4; thence South along a line which is 50.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 788.88 feet; thence East for a distance of 17.0 feet; thence South along a line which is 33 feet West of and parallel with the East line of said NE 1/4 for a distance of 1,805.34 feet + to the South line of said NE 1/4 of Section 26 and the Point of Beginning.

CONTROLLED ACCESS LINE:

A controlled access line located in the NE 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4, all in Section 26 Township 15 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska, being more particularly described as follows: Commencing at the SE corner of said NE 1/4 of Section 26 thence West along the South line of said NE 1/4 for a distance of 125.0 feet to the Point of Beginning; thence continuing West along the South line of said NE 1/4 for a distance of 180.0 feet; thence North along a straight line which is 305.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 122.0 feet to a point of termination; thence continuing along the same course for a distance of 60.0 feet to the point of resumption of said controlled access line; thence continuing North along a line 305.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 878.0 feet; thence East and perpendicular to the East line of said NE 1/4 for a distance of 75.0 feet to a point and said point being 230.0 feet West of the East line of said NE 1/4; thence North along a straight line which is 230.0 feet West of and parallel with the East line

of said NE 1/4 for a distance of 17.0 feet to a point of termination; thence continuing along the same course for a distance of 50.0 feet to the point of resumption of said controlled access line; thence continuing North along a line of 230.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 833.0 feet to a point, said point being 230.0 feet West of the East line of said NE 1/4; thence East and perpendicular to the East line of said NE 1/4 for a distance of 75.0 feet to a point, said point being 155.0 feet West of the East line of said NE 1/4; thence North along a straight line which is 155.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 140.0 feet; thence East and perpendicular to the East line of said NE 1/4 for a distance of 30.0 feet to a point, said point being 125.0 feet West of the East line of said NE 1/4; thence North along a line which is 125.0 feet West of and parallel with the East line of said NE 1/4 for a distance of 479.24 feet to the point of termination of said controlled access line, said point being 65.0 feet South and 125.0 feet West of the Northeast corner of the NE 1/4 of said Section 26. Said controlled access line hereby denies ingress and/or egress onto 144th Street along the above described course, excepted as noted.

together with all the tenements, hereditaments, and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said Grantor ..... herein, of, in, or to the same, or any part thereof;

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto said THE CITY OF OMAHA and its successors and assigns forever for public purposes, and we, the said parties of the first part, grantors herein, for ourselves and our heirs, executors, and administrators, do covenant with the said CITY OF OMAHA and with its successors and assigns that we are lawfully seized of said premises, that they are free from encumbrance, except those now of record; that we have good right and lawful authority to sell the same, and that we will and our heirs, executors, and administrators shall warrant and defend the same unto the said THE CITY OF OMAHA and its successors and assigns, forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, ..... have hereunto set ..... hand(s) this ..17..... day of ..... A.D., 19..92..

In presence of

.....  
.....

*Lynn T. DeMarco*  
.....  
*Lynn T. DeMarco*  
.....  
*J. L. DeMarco*  
.....  
*Bank for notes*  
.....

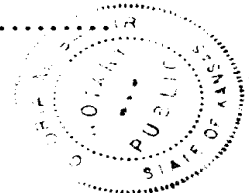
STATE OF Kansas )  
                          ) SS  
COUNTY OF Johnson )

On this ..17... day of ..December....., 19..92.., before me a Notary Public, in and for said County, personally came the above named: .....  
..... *Lynn T. DeMarco, Trustee of the Lynn DeMarco Testamentary Trust* .....  
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.

..... *Lynn T. DeMarco* .....  
NOTARY PUBLIC

My Commission expires ..... *3-13-93* .....



STATE OF Nebraska )  
COUNTY OF DeWells ) SS

On this 15 day of December, 1997, before me a Notary Public, in and for said County, personally came the above named: Louise A. DeMarco ~~Trustee of the Lynn DeMarco Testamentary Trust~~ 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.



Elsa Vera  
NOTARY PUBLIC

My Commission expires .....

ROW:9977S

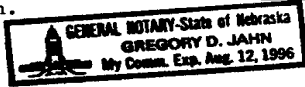
NOTICE: ERROR HAS BEEN FOUND INASMUCH AS: NOTARIAL SEAL OR CORPORATE SEALS CANNOT BE AFFIXED OVER PRINTED MATTER. TOO LIGHT OR BLURRED NOTARIES ARE NOT ACCEPTED. COMMISSION EXPIRES MUST BE TYPED OUT.  
REGISTER OF DEEDS.

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebr )  
 ) SS  
COUNTY OF Douglas )

On this 21 day of December, 1992, before me, a Notary Public, in and for said County, personally came the above named: Lynn De Marco Trustee of The Lynn DeMarco Testamentary Trust, 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 at \_\_\_\_\_ in said County the day and year last above written.



Gregory D. Jahn  
NOTARY PUBLIC

My Commission expires \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF DOUGLAS )

On this 21 day of DECEMBER, 1992, before me, a Notary Public, in and for said County, personally came the above named: F. L. DeMarco Trustee of The Lynn DeMarco Testamentary Trust, 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.

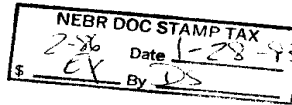
WITNESS my hand and Notarial Seal at Omaha in said County the day and year last above written.



M. Jayne DeMarco  
NOTARY PUBLIC

My Commission expires 5-9-95

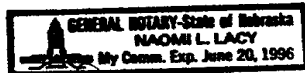
INDIVIDUAL ACKNOWLEDGEMENT



STATE OF Ne )  
 ) SS  
COUNTY OF Douglas )

On this 22 day of December, 1992, before me, a Notary Public, in and for said County, personally came the above named: Peter De Marco Trustee of The Lynn DeMarco Testamentary Trust, 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 at Omaha in said County the day and year last above written.



Naomi L. Lacy  
NOTARY PUBLIC

My Commission expires June 20, 1996

CASH 9856 BK 1943 R 26-15-11 FB 01-60000  
TYPE Deed PG 362-365 C/O N COMP YR SCAN KD  
FEE 20.50 OF Deed LEGAL PO 362-63 MC      FV     

RECORDED  
JAN 20 3 37 PM '93  
REGISTERED  
DOUGLAS COUNTY NE