



BK 0976 PG 177-179



MISC 1991 17187

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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

Misc

AGREEMENT FOR EASEMENT

THIS AGREEMENT, entered into this 8th day of August, 1991 by and between the 420 Condominium Association, Inc. a corporation not for profit, organized under the laws of the State of Nebraska, hereinafter called the Association, and S.D. Mercer and First National Bank of Omaha, Trustee

WHEREAS, the parties have an interest in adjoining real estate situated in the City of Omaha, Douglas County, State of Nebraska; and

WHEREAS, 420 Condominium Regime is the owner of the following described property:

Lot 7, Block 151, and the north 49' of Lot 8, Block 151, Original City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

and;

WHEREAS, S.D. Mercer and First National Bank of Omaha, Trustee is the owner of the following described property:

Lot 8, except the north 49', Block 151, Original City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

and;

WHEREAS, the 420 Condominium Association, Inc. desires to grant unto the present and future owners and occupants of Lot 8 except the north 49' of Lot 8, Block 151, easements for ingress and egress over the areas specifically designated herein; and

WHEREAS, S.D. Mercer and First National Bank of Omaha, Trustee desires to grant unto the present and future owners of Lot 7 and the north 49' of Lot 8, Block 151, easements for ingress and egress over the areas specifically designated herein.

NOW, THEREFORE, for good and valuable consideration the parties hereby covenant and grant easements as follows:

1. Grant. The 420 Condominium Association does hereby grant unto S.D. Mercer and the First National Bank of Omaha, Trustee and unto the owners and occupants, from time to time, of the property Lot 8 except the north 49' and unto their agents and employees, a permanent easement for ingress and egress for the purpose of pedestrian traffic, maintenance personnel, fire protection, security purposes, and police protection, as required by the owners of said property over the hallways, stairways and elevator which constitute

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AGREEMENT FOR EASEMENT

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the limited common elements limited to units 1-11 under Article VII (a) 1) and 2) of the Master Deed and Declaration of the 420 Condominium Regime and over the lobby area, described in Article VI and over the south 9' of the north 49' of Lot 8.

2. Grant. S.D. Mercer and First National Bank of Omaha, Trustee does hereby grant unto the 420 Condominium Regime and unto the owners and occupants, from time to time, of Lot 7 and the north 49' of Lot 8 and unto their agents and employees, a permanent easement for ingress and egress for the purpose of pedestrian traffic, maintenance personnel, fire protection, security purposes, and police protection, as required by the owners of said property over the hallway and stairway located in the northwest corner of Lot 8, Block 151 as more fully described in Exhibit 1.

3. Grant. Each party shall grant to the other a sufficient easement over property located on the north 66' of Lot 8, Block 151 to permit storm water from the two properties to reach the storm sewer on Eleventh Street.


4. Maintenance. S.D. Mercer and First National Bank of Omaha Trustee and 420 Condominium Regime agree that in consideration of reciprocal easements granted the owners of Lot 8 except the north 49' of Lot 8 shall contribute 28% of the cost of maintenance and repair of the limited common elements allocable to units 1-11 as described under Article VII (a) 1) and 2) of the Master Deed and Declaration of the 420 Condominium Regime Deed and Declaration except the cost of water and sewer, whether located on the property belonging to S.D. Mercer and First National Bank, Trustee, its successors or assign or located on the property of the 420 Condominium Regime, and 420 Condominium Regime agrees that subject to the 28% contribution above it will pay all expenses of maintenance and repair of said limited common elements whether located on the Regime's property or on the easements granted by S.D. Mercer and First National Bank, Trustee.

Notwithstanding, the agreement to contribute to the maintenance of the limited common elements above; S.D. Mercer and First National Bank of Omaha, Trustee and 420 Condominium Regime shall each provide its own insurance to cover its own liability and its own insurable interests and neither party shall be required to contribute to the cost of the other's insurance.


5. Binding Agreement. The provisions of the Agreement shall be binding upon and inure to the benefit of the parties referred to in Paragraph 1 above, and their respective heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused the presents
to be executed on the day and year first above written.

420 CONDOMINIUM REGIME

BY: 
For Declarant
MARK MERCER

S.D. MERCER AND
FIRST NATIONAL BANK of OMAHA,
TRUSTEE

BY: 
Trust Officer

ATTEST:

