



MISC 2015065273



AUG 05 2015 12:15 P 5

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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/5/2015 12:15:00.81



2015065273

THE ABOVE SPACE IS FOR THE REGISTER OF DEEDS RECORDING INFORMATION

RETURN TO:

THOMPSON, DRESSED & DORNER

10836 OLD MILL RD

OMAHA 68154

CHECK NUMBER

PARTIAL RELEASE OF EASEMENT

This Release of Easement ("Release") is made by Qwest Corporation d/b/a CenturyLink QC ("CenturyLink").

BACKGROUND:

Whereas, Carl C. Keller signed as grantor that certain Right-of-Way Easement dated March 23, 1977, ("Easement"), whereby Grantor granted certain easement rights to Northwestern Bell Telephone Company predecessor to Qwest Corporation d/b/a CenturyLink QC over certain real property as described in the Right-of-Way Easement document Easement ("Easement Tract").

The Right-of-Way Easement was filed of record on April 18, 1977 in the Office of Register of Deeds of Douglas County, Nebraska as in Book 579 at Page 321 of the Miscellaneous Records, and a copy of the Easement is attached to this Partial Release of Easement as Exhibit A and incorporated by reference into this Release.

The current owner of the Easement Tract has requested that CenturyLink relinquish a portion of the rights granted to it in the Easement. CenturyLink is willing to so relinquish such rights pursuant to this Partial Release.

RELEASE:

As of the date CenturyLink signs this Release, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged, CenturyLink vacates and releases all of its right, title and interest in and to any and all easements and easement rights acquired by CenturyLink pursuant to the Easement, and otherwise releases the Easement. Said Partial Release Easement Tract is described as the West 133.38 feet of the South Five (5) feet of Lot 1, Block 2 and the West 133.38 feet of the North Five (5) feet of Lot 4, Block 2 of the Chappell Addition, a subdivision in Douglas County, Nebraska, now known as Lot 2, Elk Hills Replat 1, a subdivision in Douglas County, Nebraska.

All of CenturyLink's right, title and interest in and to any and all easements and easements rights established by said Right-of-Way Easement and obtained pursuant to the referenced Easement with the respect to all other real property outside of the Released Easement Tract remain and are not affected by this Partial Release.

Qwest Corporation d/b/a CenturyLink QC

By: Methuria L. Ra*Shad

Printed Name: Methuria L. Ra*Shad

Title: Supervisor, Network Real Estate, Midwest Region

Signature Date: 7/23/15

THE STATE OF Mn)
COUNTY OF Anoka)

BE IT REMEMBERED, that on this 23 day of Jul 2015, before me, a Notary Public in and for said County and State, came Methuria L. Ra*Shad, who is the Supervisor Network Real Estate, Midwest Region of Qwest Corporation d/b/a CenturyLink QC, a Colorado corporation, and is personally known to me to be the same person who signed this Release as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Patrick J. Fahy
Notary Public

My appointment expires:

01/31/2020



Document prepared by:"

Joe Hale

CenturyLink

1102 S. 24th St.

Lexington, MO 64067

RECORD-2-21 1977

Carl C. Koller

Owner(s)

Lots 8 and 9, Block 4, Hansers Boulevard Addition and Lots 2, 3, 4, 5, 6, 7, 8, 9, Block 2, Chappel Addition to the City of Elkhorn, Douglas County, Nebraska.

RECEIVED

APR 18 AM 8:34

RECEIVED
CLERK OF DISTRICT
DOUGLAS COUNTY, NEBR.

Block 2, 3, 4, 5, 6, 7, 8, 9
Page 321
of 321

550

550-524

750-970

12/22/77

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, do hereby grant to the said Public Power District, a public corporation, its successors and assigns, and the municipality will hereinafter convey, a conveyance, its successors and assigns, collectively referred to as "Grantor", a permanent right of way easement to install, operate, maintain, repair, replace, and remove its electric and telephone facilities over, upon, along, under, in and across the following described real estate, to wit:

The North Ten feet (10') of Lot Eight (8), the North Five feet (5') of Lot Nine (9); the South Five feet (5') of Lots Eight (8) and Nine (9); the West Ten feet (10') of Lots Eight (8) and Nine (9), all in Block Four (4), Hansers Boulevard Addition, and the North Five feet (5') of Lots 2, 3, 4, 5, 6, and 7, the South Five feet (5') of Lots 1, 2, 3, 4, 5, 6, and 7 together with the West Five feet (5') of Lots 2, 3, 4, 5, 6, and 7 and the East Five feet (5') of Lots 1, 4, 5, and 8, all in Block Two (2), Chappel Addition of the above described property.

CONDITIONS:

- (a) Where Grantor's facilities are constructed Grantor shall have the right to construct, maintain, repair, replace and remove said facilities consisting of poles, wires, cables, fixtures, trays and anchors and other appurtenant facilities within a strip of land as indicated above, together with the right to erect or remove any fence along said line so as to provide a suitable clearance from the overhead facilities of at least ten feet (10').
- (b) The Grantee shall have the right of ingress and egress across the Grantor's property for any purpose whatsoever granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed to or encroach the easement and no change of grade elevation or any excavation shall be made to or across the easement or the easement shall be so altered as to interfere with the easement.
- (d) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that neither the Grantor, its successors, administrators, executors and assigns shall warrant or defend the same and will indemnify and hold harmless the District Council against the claims of all persons whatsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 23 day of May, 1977.

Carl C. Koller

STATE OF
COUNTY OF

On this 23 day of May, 1977, before me the undersigned, a Notary Public in and for said County, personally appeared

personally to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be voluntary act and deed for the purposes therein expressed.

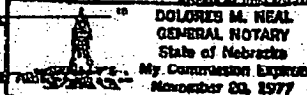
STATE OF Nebraska
COUNTY OF Douglas

On this 23 day of May, 1977, before me the undersigned, a Notary Public in and for said County and State, personally appeared

Carl C. Koller

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be voluntary act and deed for the purposes therein expressed.

Witness my hand and Notarial Seal at
this County the day and year last above written.



My Commission expires

Notary Public and Notary at Service RLL Nov 22-77

Recorded in Bk. 579, Page 321, at the City of Elkhorn, Nebraska, on May 23, 1977.

Notary Public, Douglas County, Nebraska, 83948, 5459

A SUBDIVISION OF PART OF THE SE 1/4 OF THE SE 1/4
OF SECTION 12 T15N R10E OF THE 6TH P.M.
DOUGLAS COUNTY NEBR.

THESE CERTIFY THAT I HAVE ACCURATELY SURVEYED AND STAKED WITH IRON PINS ALL CORNERS OF ALL LOTS AS ABOVE DESCRIBED AND STAKED WITH IRON PINS BLOCKS 11 TO 14 INCLUSIVE OF CAMPBELL ADDITION AND STAKED WITH IRON PINS BLOCKS 15 TO 18 INCLUSIVE OF CAMPBELL ADDITION AND STAKED WITH IRON PINS PLAT-EAST QUARTER 36 OF SECTION 12 OF TOWNSHIP 18 NORTH RANGED TO EAST OF THE 6TH DESCRIBED MERIDIAN ALL IN SOUTHWEST COUNTY NEBRASKA AND MORE PARTICULARLY DESCRIBED AND BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (S.E. 1/4) OF THE SOUTHWEST QUARTER (S.W. 1/4) OF THE NORTHWEST CORNER OF SAID SECTION 12, BEARING A DISTANCE OF 32.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING ON A BEARING OF N89°00'00" AND RUNNING A DISTANCE OF 800.00 FEET TO A POINT THE N.E. CORNER OF N89°00'00" AND RUNNING A DISTANCE OF 30.00 FEET TO A POINT THE N.E. CORNER OF A BEARING OF 30°02'30" W. AND RUNNING A DISTANCE OF 242.00 FEET TO A POINT THENCE ON A BEARING OF N89°30'20" E. AND RUNNING A DISTANCE OF 871.00 FEET TO A POINT THE N.E. CORNER OF N89°30'20" E. AND RUNNING A DISTANCE OF 81.00 FEET TO A POINT THE N.E. CORNER OF N89°30'20" E. AND RUNNING A DISTANCE OF 242.00 FEET TO A POINT THE N.E. CORNER OF N89°30'20" E. AND RUNNING A DISTANCE OF 31.00 FEET TO THE POINT OF BEGINNING IT HAS BEEN AS- SURED THAT THE EAST PROPERTY OF SAID SOUTHEAST QUARTER (S.E. 1/4) WAS A BEARING OF 0°00'00" E.

IN WITNESS WHEREOF I DO HEREBY SET MY HAND AND OFFICIAL SEAL ON THIS 17TH DAY OF _____ 1983, AT OMAHA, NEBRASKA.

IN WITNESS WHEREOF I DO HEREBY SET MY HAND AND OFFICIAL SEAL ON THIS 1TH DAY OF SEP. 1963 A.D. AT OMAHA NEBRASKA.

[illegible]

CLEIN DALE CHAPPELL NUBAND
MARY CHAPPELL WIFE

KNOW ALL MEN THAT ON THIS 24 DAY OF February, 1962, A.D. BEFORE ME, A NOTARY PUBLIC, DUTY COMMISSIONED AND QUALIFIED AND RALPH SAUND COUNTY CLERK CLINT DAVE AND MARY CHLIE COMMISSIONED AND WIFE WHOM ARE PERSONALLY KNOWN BY ME TO BE THE SAME AND IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THE ABOVE PLEDICATION AND THEY ACKNOWLEDGE THE SIGNING TO BE THEIR VOLUNTARY ACT AND DEED.

IN WITNESS WHEREOF, I DO HEREUNTO SET MY HAND AND OFFICIAL SEAL AT Lincoln, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON THE 4th DAY OF March 1949 A.D.

I DO HEREBY APPROVE THIS PLAT OF CHAPPELL ADDITION ON THIS ____ DAY OF _____, 196__ A.D.

THIS IS TO CERTIFY THAT ON THIS 22 DAY OF February 1967 AD THE RECORDS OF THE DOUGLAS COUNTY NEBRASKA TREASURERS OFFICE SHOWS NO SPECIAL OR REGULAR TAXES ON THE PROPERTY DESCRIBED IN THE ABOVE SURVEYORS CERTIFICATE TO BE DUE OR DELINQUENT.

PROPERTY DESCRIBED IN THE ABOVE SURVEYORS CERTIFICATE TO BECOME OR

THIS PLAN OF CHAPPELL ADDITION WAS APPROVED AND ACCEPTED BY THE COUNTY BOARD OF COMMISSIONERS ON THE 11 DAY OF March 1964 A.D.

OF COMMISSIONERS ON THE DAY OF 11/18/64. 1964.4.D

1

