

16490

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Capitol Beach, Incorporated, a Nebraska corporation, and S. E. Copple and Tekla R. Copple, husband and wife, herein called "Grantor", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar and Other Valuable Considerations (\$1.00 and OVC), duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby GRANT, REMISE and RELINQUISH unto the CITY OF LINCOLN, NEBRASKA, a municipal corporation, its successors and assigns, herein called "Grantee", the RIGHT, PRIVILEGE and EASEMENT to construct, reconstruct, maintain, operate and replace a sanitary sewer and roadway and appurtenances thereto belonging, over and through the following described real property, to-wit:

A 30.0 foot wide portion of Lot Twenty-three (23), Irregular Tract, located in Section 15, Township 10 North, Range 6 East and Lots One Hundred Five, One Hundred Nine, One Hundred Ninety-five, Two Hundred One and Two Hundred Twenty (105, 109, 195, 201 and 220), all Irregular Tracts located in Section 22, Township 10 North, Range 6 East, and Outlot "A", Capitol Beach Manor Fourth Addition, all in the Sixth Principal Meridian in the City of Lincoln, Lancaster County, Nebraska, the centerline of which is described as follows:

Commencing at the southeast corner of Lot One (1), Capitol Beach Manor First Addition to the City of Lincoln, Nebraska, and extending thence south 43 degrees 54 minutes 20 seconds east for a distance of 47.0 feet to the point of beginning; thence north 46 degrees 05 minutes 40 seconds east for a distance of 76.85 feet to the point of curvature of a circular curve to the right; thence along said circular curve having a central angle of 43 degrees 54 minutes 20 seconds, a radius of 208.0 feet, a tangent length of 83.84 feet, and an arc length of 159.39 feet to the point of tangency; thence north 90 degrees 00 minutes east for a distance of 737.12 feet to the point of curvature of a circular curve to the right; thence along said circular curve having a central angle of 26 degrees 47 minutes 18 seconds, a radius of 183.0 feet, a tangent length of 43.58 feet, and an arc length of 85.56 feet to the point of tangency; thence south 63 degrees 12 minutes 42 seconds east for a distance of 327.0 feet to a point 15.0 feet west of the west right-of-way line of the Burlington-Northern Railroad; thence north 26 degrees 47 minutes 18 seconds east along a line parallel to and 15.0 feet west of said right-of-way line for a distance of 1,367.8 feet to the point of curvature of a circular curve to the right; thence along said circular curve having a central angle of 40 degrees 44 minutes 55 seconds, a radius of 934.02 feet, a tangent length of 346.88 feet and an arc length of 664.27 feet to the point of tangency; thence north 24 degrees 36 minutes 25 seconds east for a distance of 157.26 feet; thence north 34 degrees 42 minutes 02 seconds west for a distance of 181.67 feet to the point of curvature of a circular curve to the right; thence along said circular curve whose initial tangent bears north 34 degrees 42 minutes 02 seconds west, having a central angle of 20 degrees 00 minutes, a radius of 248.74 feet, a tangent length of 43.86 feet, and an arc length of 86.83 feet to the point of tangency; thence north 34 degrees 42 minutes 02 seconds west along a line parallel to and 45.0 feet west of the west right-of-way line of the Burlington-Northern Railroad for a distance of 1,975.4 feet, the point of terminus of the roadway easement; thence north 45 degrees 57 minutes 02 seconds west a distance of 172.1 feet; thence north 23 degrees 27 minutes 02 seconds west an approximate distance of 160.0 feet to the north line of Lot 23, in said Section 15, the point of terminus of the sanitary sewer easement.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such sanitary sewer and roadway shall be maintained, together with the right of ingress and egress to said property from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said sanitary sewer and roadway and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 19th day of April, 1978.

S. E. Copple
S. E. Copple

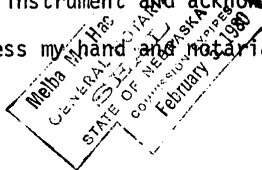
Tekla R. Copple
Tekla R. Copple

S. E. Copple Pres
Capitol Beach, Incorporated
a Nebraska corporation

STATE OF Nebraska }
COUNTY OF Lancaster } ss.

On April 20, 1978, before the undersigned, a Notary Public, personally came S. E. Copple and Tekla R. Copple, husband and wife, to me known to the identical person(s) whose name(s) (is) (are) affixed to the foregoing instrument and acknowledged the same to be a voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.



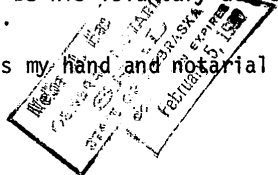
Melba M. Lac
Notary Public

My Commission Expires:

STATE OF Nebraska }
COUNTY OF Lancaster } ss.

On April 20, 1978, before the undersigned, a Notary Public, personally came S. E. Copple, to me known to be the President of Capitol Beach, Incorporated, a Nebraska corporation, and identical person, whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and notarial seal the day and year last above written.



Melba M. Lac
Notary Public

My Commission Expires:

February 5, 1980

29-414
6-661
6-707
INDEXED
MICRO-FILED
GENERAL
M. Lac

LANCASTER COUNTY NEBR.
REGISTER OF DEEDS
1978 JUN 26 PM 3:06

ENTLED ON
NUMERICAL INDEX
FILED FOR RECORD AS:
INST. NO. 7816490

\$6.25