

24-1129

11-1-1958 59 3/4" ...

PERPETUAL EASEMENT

FOR VALUABLE CONSIDERATION, the undersigned Grantors, being husband and wife and the owners of the real estate hereafter described, do hereby give and grant unto the City of Omaha, a Municipal corporation in the State of Nebraska, (herein called "City") its successors and assigns, a perpetual right-of-way and easement over, through and under a ten-foot-wide strip of land, the center line of which is the existing City sanitary sewer outfall line located on the following described real estate:

Tax Lot 2a in the Southeast Quarter (SE) of Section Eighteen (18), Township Fourteen (14) North, Range Thirteen (13) East of the Sixth (6th) P.M. in Sarpy County, Nebraska,

upon the following terms and conditions:

1. The purpose and uses of said easement are the repair, maintenance, cleaning, renewal and replacement of the existing sewer outfall line and manholes on said real estate and the transmission through said outfall line of sewage from the City of Omaha connecting sewers and other sewers connected or to be connected to the City sewer system.
2. The responsibility and expense of cleaning, maintaining and repairing said sewer shall be borne by the City and in no event shall such responsibility or expense be borne by the Grantors to any extent whatever.
3. The Grantors and the subsequent owners of said real estate shall be reimbursed by the City for any actual damages done to crops, fencing, roads, buildings or other structures due to future entry upon said land for work, repair or maintenance of said sewer line, or in lieu thereof the City shall repair all such damage at its expense.
4. The City agrees that in the event of overflow of the existing outfall lines and manholes on said real estate to make such repairs and take such corrective measures as shall be necessary to eliminate and prevent the same within a period of thirty (30) days following notice thereof, the expense to be borne by the City.
5. In the event the City voluntarily abandons the use of said sewer for a period of six (6) months, said voluntary abandonment shall operate to release this easement.

EXECUTED this 11th day of September, 1958.

*Robert J. ...*  
*...*

William Hartman  
Mary Hartman  
GRANTORS

STATE OF NEBRASKA :SS  
COUNTY OF DOUGLAS :SS

On the day and year last above written, before me, the

24-11347

STATE OF NEBRASKA }  
LADY COUNTY }

Subscribed and sworn to before me this  
May 11<sup>th</sup> 1924  
at 5<sup>th</sup> St. 3<sup>rd</sup> 24  
of Dec. Rec. 1124  
Frank Huff

De Ketting  
Room 508  
City Hall Bldg.

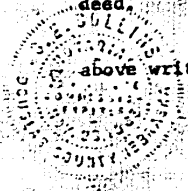
1.75

56-11

24-425-

undersigned a Notary Public, duly commissioned and qualified for said County, personally came WILLIAM HARTMAN and MARY HARTMAN, husband and wife, (Grantors), to me known to be the identical persons whose names are subscribed to the foregoing Easement, and acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



*J. J. Sullivan*  
Notary Public

My Commission Expires: March 26, 1963

The above easement and all provisions thereof accepted by the City of Omaha, Nebraska this 10th day of March, 1959.

ATTEST: *W. H. ...*  
City Clerk

By *W. H. ...*  
Acting Mayor



24-458

C-25A

# CITY OF OMAHA

COUNCIL CHAMBER

March 10 1959

Omaha, Nebr.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, William Hartman and Mary Hartman, husband and wife have granted easement to the City of Omaha for a perpetual right-of-way and easement over, through and under a ten foot wide strip of land, the center line of which is the existing City Sanitary Sewer outfall line located on the following described real estate:

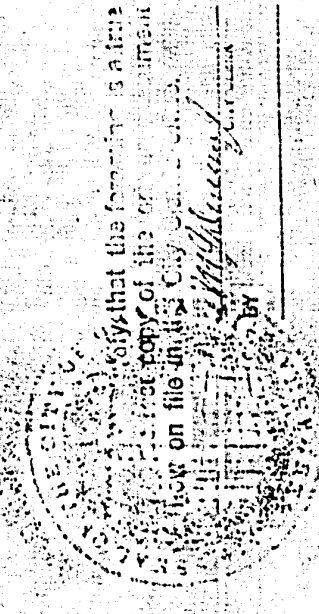
Tax Lot 2a in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Eighteen (18), Township Fourteen (14) North, Range Thirteen (13) East of the Sixth (6th) P.M. in Sarpy County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the City of Omaha accept said easement given by the above, and that the Mayor be authorized to sign and the City Clerk to attest said easement.

AND BE IT FURTHER RESOLVED:

THAT, the Department of Public Works is hereby authorized and directed to record said easement in the office of the Register of Deeds of Sarpy County, Nebraska.



Witness my hand and the Seal of the City of Omaha, Nebraska, this 10th day of March, 1959, at Omaha, Nebraska, County Clerk of Sarpy County, Nebraska.

By A. V. Sorensen  
Councilman

Adopted March 10, 1959

X. J. Danson, Jr. City Clerk

Approved \_\_\_\_\_ Mayor