

**STATE OF Nebraska  
COUNTY OF Douglas**

**File No. 21488-16**

**TITLE CERTIFICATE**

EFFECTIVE DATE: December 16, 2016, at 8:00 AM

The undersigned, a Registered Nebraska Abstracter, operating under the Certificate of Authority granted it by the Abstracters Board of Examiners, presents this Title Certificate, hereafter "Certificate", relative only to the following described real estate in the County referenced, hereafter "property":

**The North Half of the Southwest Quarter and the South Half of the Northwest Quarter of Section 29, Township 16 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, along with that certain parcel of land described as follows: Beginning at a point 159.5 feet south of the Center of said Section 29, Township 16 North, Range 13 East, thence South 730 feet, thence East 665.3 feet, thence North 730 feet, thence West 665.3 feet to the place of beginning, EXCEPT those portions conveyed in the Warranty Deed recorded August 1, 1901 in Deed Book 242 Page 269, and EXCEPT those portions conveyed in the Corporation Warranty Deed recorded August 2, 1965 in Deed Book 1260 Page 195, Records of Douglas County, Nebraska.**

**ADDRESS: 4003 Forest Lawn Avenue, Omaha, NE**

This Certificate is a contract between TitleCore National, LLC as an Abstracter and City of Omaha Public Works Department. The consideration for this contract is the information set forth below and furnished by the Abstracter together with the fee charged by the undersigned for the service performed by the Abstracter. The scope of this contract is outlined as follows:

- (a) This Certificate is not an abstract of title, nor a complete chain of title search, nor an attorney's Title Opinion, nor is it a title insurance policy or title insurance binder.
  - (b) This Certificate does provide limited title facts relative to the property only as specifically set out in the following numbered paragraphs. Each numbered paragraph identifies the particular information provided in this certificate.
  - (c) This Certificate reports limited information of record to the effective date above.
- 1.) The Grantee(s) in the last deed of record:  
**Forest Lawn Cemetary Associaiton, by virtue of that certain Warranty Deed dated October 21, 1890 and recorded October 21, 1890 at Book 144, Page 289, of the Records of Douglas County, NE.**
  - 2.) Unreleased mortgages and liens of record:  
**None.**
  - 3.) Financing Statements filed in the County Register of Deeds Office and indexed against the property:

**None.**

4.) Judgments and pending law suits in District Court:

(a) Judgments of record in the County District Court filed on the property, or indexed against the Grantee(s):

**None.**

(b) Pending Law Suits of record in the County District Court on the property, or indexed against the Grantee(s):

**None.**

5.) Tax Liens, State and Federal:

(a) Unreleased state tax liens of record filed against the Grantee(s):

**None.**

(b) Unreleased federal tax liens of record filed against the Grantee(s):

**None.**

6.) Other Liens of Record: Liens of record in the office of the Register of Deeds or Recorder and indexed against the property, (other than those liens previously set forth):

**None.**

7.) Guardianships, Estates, and Conservatorships filed in the County Court and indexed against the Grantee(s):

**None.**

8.) Easements, Covenants and Restrictions of Record:

Sewer Easement Agreement by and between Forest Lawn Memorial Park, INC. and Sanitary and Improvement District No. 103, recorded August 13, 1963, in Book 400 Page 725 of the Records of Douglas County, Nebraska.

Waiver Agreement recorded February 18, 1957 in Book 318 at Page 202 of the Records of Douglas County, Nebraska, granted to Forest Lawn Cemetery Assn. as described therein for Metropolitan Utilities District Water Supply Connection.

9.) Real Estate Taxes and Special Assessments: Unpaid real estate taxes and unpaid special assessments

certified for collection in the tax offices of Douglas County and indexed against the property:

General taxes assessed under Tax Key No. 3952-0006-02 for the year 2016 payable in the year 2017 are Exempt.

This Title Certificate certifies that TitleCore National, LLC has examined the records of Douglas County, Nebraska, and has set out, as displayed above, filings of instruments, judgments and real estate tax information of the records of the District Court, County Court, U.S. Bankruptcy Court for the District of Nebraska and Register of Deeds, that may affect the title or Grantee(s), within the defined scope and parameters of this Title Certificate.

Issued: January 4, 2017

TitleCore National, LLC

A handwritten signature in black ink, appearing to be "K. R. ...", written over a horizontal line.

Registered Abstractor  
Under Certificate of Authority No. 662

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# INVOICE

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**Invoice #: 116703**  
**Invoice Date: 12/23/2016**

**File Number: 21488-16**

**To:**

City of Omaha Public Works Department  
Omaha Douglas Civic Center  
1819 Farnam Street, Suite 604  
Omaha, NE 68183  
*Autumn Evans*  
*PH 402-444-5242*  
*FX 402-444-5248*  
RE: 4003 Forest Lawn Avenue Omaha NE  
Forest Lawn Cemetary Associaiton/

**From:**

TitleCore National, LLC  
8701 West Dodge Road, Suite 150  
Omaha, NE 68114  
402-333-8100

Description	Amount	Qty	Total
Property Report In County	\$150.00	1	\$150.00
		<b>Subtotal</b>	\$150.00
		<b>Tax @ 0 %</b>	\$0.00
		<b>Non Taxable Amt.</b>	\$0.00
		<b>Grand Total</b>	\$150.00

Please Remit To:

TitleCore National, LLC  
8701 West Dodge Road, Suite 150  
Omaha, NE 68114  
402-333-8100

*Thank you!*

with the appurtenances unto the said Louis A Borsheim and to his heirs and assigns forever. And we the said Mary E Beatty and W A Beatty her husband, for ourselves and our heirs, executors and administrators, do covenant with the said Louis A Borsheim and with his heirs and assigns, that we are lawfully seized of said premises that they are free from incumbrances, 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 Louis A Borsheim and his heirs and assigns forever against the lawful claims and demands of all persons whomsoever.

In Witness Whereof We have hereunto set our hands on this the twenty sixth day of December A D One thousand eight hundred and ninety six.

In presence of }  
J C Smith  
J R Page

Mary E Beatty  
William A Beatty

State of Missouri On this 29<sup>th</sup> day of December A D 1896 County of Saline before me a Notary Public, in and for said County, personally came the above named Mary E & William A Beatty who are personally known to me to be the identical persons whose names are affixed to the above deed as grantors and they acknowledged the instrument to be their voluntary act and deed.

Witness my hand and seal the date aforesaid.



Lee P Viley  
Notary Public

My Commission expires Nov 13<sup>th</sup> 1897.

Entered in Numerical Index and recorded Jan 15<sup>th</sup> A D 1897 at 3<sup>10</sup> O'clock P M

Peter E. Elsasser.  
Register of Deeds

5. Ellen A Brackin et al

To  
The Forest Lawn Cemetery Assn  
Stuebtis her husband of Omaha State of Nebraska

Know all men by these presents, that We Ellen A Brackin, unmarried, Anna Stuebtis and Eugene S

in consideration of Forty Six hundred and fifty Dollars in hand paid, do hereby grant, bargain, sell convey and confirm unto The Forest Lawn Cemetery Association of said Omaha Douglas County, said State the following described real estate, situate in the County of Douglas and State of Nebraska to-wit:

That certain piece and parcel of land bounded and described as follows: Beginning at a point one hundred and fifty nine and one half feet ( $159\frac{1}{2}$ ) South of the Center of Section Twenty nine 29 in Township Sixteen (16) North of Range Thirteen East of the (6<sup>th</sup>) Sixth Principal Meridian thence South Seven hundred and thirty ( $730$ ) feet thence east Six hundred and sixty five and three tenths ( $665\frac{3}{10}$ ) feet, thence North Seven hundred and thirty ( $730$ ) feet, thence West Six hundred and sixty five and three tenths ( $665\frac{3}{10}$ ) feet to the place of beginning, containing eleven and sixteen, one hundredths acres more or less.

The said grantors Ellen A Brackin and Anna J Huestis being the sole heirs of John H Brackin, deceased as well as the devisees mentioned in the last will and testament of said John H Brackin, deceased.

Together with all the tenements, hereditaments and appurtenances to the same belonging and all the estate title dower estate by curtesy claim or demand whatsoever of the said Ellen A Brackin, Anna J Huestis and Eugene J Huestis of in or to the same, or any part thereof;

To have and to hold the above described premises with the appurtenances unto the said Forest Lawn Cemetery Association and to its successors and assigns however, and we the said Ellen A Brackin and Anna J Huestis for ourselves and our heirs, executors and administrators, do covenant with the said Forest Lawn Cemetery Association and with its successor and assigns that we are lawfully seized of said premises, that they are free from incumbrance, 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 Forest Lawn

Cemetery Association and its successors and assigns forever, against the lawful claims of all persons whomsoever.

In Witness Whereof We have hereunto set our hands this Sixteenth day of February A.D. One thousand eight hundred and ninety-two.

In presence of	} Ellen A. Brachin Anna J. Huestis Eugene S. Huestis
Ignatius Sunn	

The State of Nebraska ss On this Sixteenth day of Douglas County February A.D. 1892 before me a Notary Public in and for said County personally came the above named Ellen A. Brachin, Anna J. Huestis and Eugene S. Huestis who are personally known to me to be the identical persons whose names are affixed to the above deed as grantors and they each acknowledged the instrument to be their voluntary act and deed,

Witness my hand and Notarial Seal the date aforesaid.

Ignatius Sunn  
Notary Public



Entered in Numerical Index and recorded Jan 15<sup>th</sup> A.D. 1897 at 3<sup>20</sup> O'Clock P.M.

Peter B. Elasser  
Register of Deeds

6 Union Stock Yards Company of Omaha

to Swift and Company

This Indenture, made this 30<sup>th</sup> day of November in the year of our Lord One thousand eight hundred and ninety-six, between the Union Stock Yards Company of Omaha (Limited), a corporation organized under and existing by virtue of the laws of the State of Nebraska, party of the first part, and Swift and Company, a corporation organized under and existing by virtue of the laws of the State of Illinois, party of the second part; Witnesseth:

That the said party of the first, for and in consideration of the sum of One Dollar (\$1.00) in hand

act and deed of Cavalry Baptist Church:

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



The State of Nebraska, } ss.  
 Douglas County  
 Entered on Numerical Index and filed  
 for record in the Register of Deeds Office  
 of said County, the 1<sup>st</sup> day of August  
 1921 at 12 o'clock A.M.  
 THOMAS S. CROCKER,  
 Register of Deeds.

Chris Boyer  
 Notary Public

6 The Forest Lawn  
 Cemetery Assn.  
 to  
 Ellen A. Braekie

Know all Men by These Presents,  
 that the Forest Lawn Cemetery Association  
 a corporation organized under the laws  
 of the state of Nebraska, in consideration  
 of money - five dollars, in hand paid,  
 does hereby grant, bargain, sell convey and confirm unto  
 Ellen A. Braekie the following described real property,  
 situate in the County of Douglas and state of Nebraska to wit:

A certain piece and parcel of land bounded and  
 described as follows:

Beginning at a point one hundred and fifty nine and one  
 half (159 1/2) feet south and six hundred and sixty-five and  
 three tenths (665.3) feet east of the center of section 29, in  
 township 16 north of range 13 East of the 6<sup>th</sup> Principal  
 Meridian, running thence south one hundred and  
 eighty (180) feet to the North line of Washington Street in  
 the City of Florence, thence west along the North line of  
 Washington Street extended, sixteen (16) feet; thence north  
 one hundred and eighty (180) feet; thence East sixteen (16)  
 feet to the place of beginning;

Also another piece and parcel of land bounded and  
 described as follows:

Beginning at a point eight hundred and eighty -  
 nine and one half (889 1/2) feet south and six hundred and  
 sixty-five and three tenths (665.3) feet East of the center  
 of section 29, in township 16, north of range 13 east of  
 the 6<sup>th</sup> principal <sup>meridian</sup>, running thence north four hundred  
 and sixty seven and one half (467 1/2) feet to the South  
 line of Washington Street in the City of Florence; thence  
 west along the South line of Washington Street extended,  
 sixteen (16) feet, thence South four hundred and sixty -  
 seven and one half (467 1/2) feet; thence East sixteen (16)  
 feet to the place of beginning. Said two tracts and



Parcels of land containing ten thousand three hundred and sixty eight (10368) square feet more or less.

It is the intention and understanding of both parties hereto that no part of the land which would be included between the north and south lines of said Washington Street if the same were extended westward is conveyed or intended to be conveyed by this instrument, but the same is to be kept and maintained by the party of the first part hereto, as a roadway connecting the grounds a real Estate of the party of the first part with the said Washington St. and said party of the second part her heirs and assigns are hereby given and granted a perpetual easement and right of way over and across said roadway and between the two parcels of land hereinbefore granted.

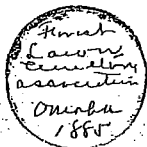
Together with all the Easements, Hereditaments and Appurtenances to the same belonging, and all the Estate, Title Claim or Demand what power of the said The Forest Lawn Cemetery Association of, inc, or to the same or any part thereof.

To Have and to Hold, the above described premises with the appurtenances unto the said Ellen A Brodwin and to her heirs and assigns forever.

And the said The Forest Lawn Cemetery Association for itself and its successors, does covenant with the said Ellen A Brodwin and with her heirs and assigns, that it is lawfully seized of said premises, that they are free from incumbrance, that it has good right and lawful authority to sell the same, and that it will and its successors shall warrant and defend the same unto the said Ellen A Brodwin and her heirs and assigns forever against the lawful claims and demands of all persons whomsoever.

In witness Whereof, said The Forest Lawn Cemetery Association, has caused these presents to be signed by its President and Secretary, and its corporate seal to be hereunto affixed this 24<sup>th</sup> day of July 1901

In Presence of  
R. F. Fagan



The Forest Lawn Cemetery Association,  
By A. S. Wood  
President

Attest: James Forsyth  
Secretary

State of Nebraska } ss  
 County of Douglas }  
 On this remembered that on this  
 21<sup>st</sup> day of July, 1901, before me a Notary Public, duly  
 appointed, commissioned and qualified for and residing  
 in said County, personally appeared A. P. Wood and  
 James Forsyth, who are to me personally known to be  
 the identical persons who executed the foregoing instrument  
 and being by me first duly and severally sworn, each  
 for himself deposed and said that the said A. P. Wood  
 is the President and the said James Forsyth is the Secretary  
 of the Forest Lawn Cemetery Association, the grantor above  
 named; that the seal affixed to the foregoing instrument  
 is the common and corporate seal of said Association  
 and that the same was thereto affixed and said  
 instrument was executed by said deponents by the  
 Authority of said Corporation.

And thereupon said A. P. Wood as President and  
 said James Forsyth as Secretary, severally acknowledged  
 said instrument to be the voluntary act and deed of said  
 The Forest Lawn Cemetery Association.

In testimony whereof I have herewith set my hand  
 and notarial seal at Omaha in said County, the day  
 and year last above written.

R. F. Fagan  
 Notary Public



My Commission Expires Feb 1<sup>st</sup> 1904  
 The State of Nebraska, } ss.  
 Douglas County }  
 Entered on Memorial Index and filed  
 for record in the Register of Deeds Office  
 of said County, the 17<sup>th</sup> day of August  
 1901 at 2 o'clock P. M.  
 THOMAS S. CRUCKER, H/H  
 Register of Deeds.

Walter L. Selby of  
 to  
 Frank O. Olsen

Know all men by these Presents  
 That Walter L. Selby and Hattie  
 Selby Husband and wife of  
 Omaha Nebraska in consideration of  
 One + No. 100 Dollars, in hand paid, do hereby grant  
 bargain, sell convey and confirm unto Frank O. Olsen  
 the following described Real Estate, situate in the County  
 of Douglas and State of Nebraska, to wit:

Lot number (5) Five in Block number (3) Three  
 in W. L. Selby's First Addition to the City of South Omaha

unto the said William C. Thomas, and to his heirs and assigns forever. And we hereby covenant with the said William C. Thomas, that we hold said premises by good and perfect title; that we have good right and lawful authority to sell and convey the same, that they are free and clear of all liens and incumbrances whatsoever. And we covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Except as above stated.

And the said Anna K. Pruyn hereby relinquishes her right of dower, in and to the above described premises.

Signed this 21 day of October 1890.

In Presence of.

J. A. White

Anna K. Pruyn

Charles W. Pruyn

The State of Nebraska } ss. On this 21<sup>st</sup> day of October  
Douglas County } A.D. 1890. before me Larrison  
P. Pruyn, a Notary Public, with-  
in and for said County, personally came Anna K.  
Pruyn and Charles W. Pruyn, to me personally  
known to be the identical persons, whose names are  
affixed to the above instrument as Grantor, and severally  
acknowledged the execution of the same to be their volun-  
tary act and deed, for the purposes therein expressed.

In Witness Whereof, I have hereunto subscribed  
my name and affixed my official seal at Omaha, on  
the date last above written.

Larrison P. Pruyn  
Notary Public.



Entered on Numerical Index  
and recorded, Oct. 21<sup>st</sup> A.D.  
1890. at 2<sup>45</sup> o'clock P.M.

J. A. Meigs  
Register of Deeds

21 Ellen A. Brackin et al.  
to  
Forest Lawn Cemetery Association

I know all men  
by these presents  
that whereas John  
H. Brackin of

Omaha, in Douglas County, State of Nebraska, at the time of his death held the title to, and was seized in fee simple of the Real-Estate hereinafter mentioned and described, and left him surviving as sole and only heirs at law his two daughters Anna J. Huestis and Ellen A. Brackin, and in and by his last will, duly probated in the County Court in and for said Douglas County, had given and devised to said Anna J. Huestis and said Ellen A. Brackin his interest right and title in and to the said Real-Estate hereinafter described. Now therefore, we, the said Ellen A. Brackin, unmarried, and said Anna J. Huestis and Eugene D. Huestis her husband, in consideration of Twenty-two Thousand Dollars, in hand paid, by the Forest Lawn Cemetery Association of said Douglas County, and duly organized under the laws of said State, do grant, bargain, sell, convey and confirm unto said Forest Lawn Cemetery Association, the following described Real Estate, situate in said Douglas County and State of Nebraska, to-wit: The North-half of the South-west quarter of Section Twenty-Nine (29) and the South half of the North-West quarter of said Section Twenty-nine (29) and the East half of the South East quarter of Section Thirty (30), and the South half of the North East quarter of said Section Thirty (30), all in Township Sixteen (16) North of Range Thirteen (13) East of the Sixth Principal Meridian. Together with all the Tenements, Hereditaments and Appurtenances to the same belonging, and all the Estate, Title, Curtesy, Claim, Interest, and Demand, whatsoever of the said Ellen A. Brackin, Anna J. Huestis and Eugene D. Huestis of, in, or to the same or any part thereof. To Have and to Hold the above described premises, with the appurtenances unto the said Forest Lawn Cemetery Association and to its successors, assigns and legal representatives forever, and the said Ellen A. Brackin and Anna J. Huestis and Eugene D. Huestis each for herself and himself, and each for her and his respective heirs, executors, administrators and legal representatives do covenant with said Forest Lawn Cemetery Association, and

with its successors, assigns and legal representatives, that they are lawfully seized of said premises, that they are free from incumbrance, that we have good right and lawful authority to sell the same, and that we will and our respective heirs, executors, administrators and legal representatives shall warrant and defend the same unto the said Forest Lawn Cemetery Association and its successors, assigns and legal representatives forever, against the lawful claims of all persons whomsoever.

In witness whereof, we have hereunto set our hands this twentieth day of October A.D. 1890.

In Presence of }  
J. W. Evans.

Ellen A. Brackin  
Anna J. Huestis  
Eugene D. Huestis

The State of Nebraska. ) s.s.

Douglas County. ) On this twentieth (20<sup>th</sup>)

day of October A.D. 1890. before me the undersigned, a Notary Public, in and for said County, personally came the above named Ellen A. Brackin, Anna J. Huestis and Eugene D. Huestis, who are personally known to me to be the identical persons described in, and whose names are affixed to the above as grantors, and they each acknowledged the said Instrument to be their voluntary act and deed.

Witness my hand and Notarial Seal, the date aforesaid.



J. W. Evans.  
Notary Public

Entered on Numerical Index }  
and recorded. Oct. 21<sup>st</sup> A.D. }  
1890 at 2<sup>50</sup> o'clock P.M. }

J. A. Muesath,  
Register of Deeds.

122 James A. Plummer  
to  
Anna K. Pruyn.

Know all Men by These Presents: That James A. Plummer, unmarried, of Douglas County, and State of Nebraska, in consideration of the sum of — — Three Thousand (\$3000<sup>00</sup>) Dollars, in hand paid,

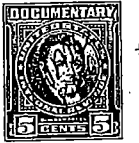
KNOW ALL MEN BY THESE PRESENTS, That FOREST LAWN CEMETERY ASSOCIATION,  
 a cemetery association ~~XXXXXXXXXX~~  
 organized and existing under and by virtue of the laws of the State of Nebraska, for  
 and in consideration of the sum of Nine Thousand One Hundred (\$9,100.00)-----DOLLARS  
 in hand paid does hereby grant, bargain, sell and convey unto JARO Z. JIZBA and  
 LOIS JIZBA, husband and wife,  
 grantee(s) the following described real estate, situated in the County of  
 Douglas and State of Nebraska, to-wit:

Tract 1:

Lots One (1) to Ten (10) inclusive, Block One (1), Cote Brillante, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Tract 2:

That part of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 16 north, Range 13 east of the 6th P. M., Douglas County, Nebraska, bounded and described as follows: beginning at a point which is 30 feet north of the northwest corner of Lot Ten (10), Block One (1), Cote Brillante, thence north along the east line of 44th Street extended north for 64.0 feet; thence north 60° 00' east for 265.0 feet; thence north 51° 25' east for 309.0 feet; thence north 36° 25' east for 221.3 feet to a point on the west line of 42nd Street; thence south along the west line of 42nd Street for 565.0 feet to the north line of Girard Street; thence west along the north line of Girard Street for 607.0 feet more or less to the point of beginning.

Tract 3:

A tract of land in the south 250 feet of the north 869.5 feet of the west 649.24 feet of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 29, Township 16 north, Range 13 east of the 6th P. M., more particularly described as follows: Beginning on the north line of Potter Street (which is the south line of the above described tract) at a distance of 120 feet west of the west line of 40th Street (which is the east line of the above tract) northeasterly to a point 98 feet west of west line of 40th Street and 10 feet north of the north line of Potter Street; thence northeasterly to a point on the west line of 40th Street 115 feet north of the north line of Potter Street; thence 115 feet south to the north line of Potter Street; thence 120 feet west to the point of beginning, and enclosing an area of 0.143 acres more or less.

Tract 4:

That part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 29, Township 16 North, Range 13 East of the 6th P. M., Douglas County, Nebraska, bounded and described as follows, to wit: Beginning at a point which is 30.0' north of the NW corner of Lot 10, Block 1, Cote Brillante; thence north along the east line of 44th St. extended north for 64.0'; thence S 88° 03' W a distance of 88.6'; thence S 53° 05' W a distance of 84.3'; thence S 88° 53' W a distance of 398.4'; thence N 90° 00' E along the north line of Girard St. a distance of 554.6' to the point of beginning.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging unto the said grantee(s) and to his, her or their heirs and assigns forever.

And the grantor herein for itself or its successors, does hereby covenant and agree to and with the said grantee(s) and his, her or their heirs and assigns, that at the time of the execution and delivery of these presents it is lawfully seized of said premises; that it has good right and lawful authority to convey the same; that they are free from encumbrance. except easements and right-of-way of record.

That grantor does hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF the said grantor has caused this instrument to be executed by its president and its corporate seal to be affixed hereto.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19 65.

In the Presence of

FOREST LAWN CEMETERY ASSOCIATION

~~Corporation~~

*Patricia Holman*

By *Mallory Kountze* President

Attest *John B. [Signature]* Secretary

STATE OF NEBRASKA }  
DOUGLAS COUNTY } ss.

On this 28th day of July 19 65 before me,  
the undersigned, a Notary Public in and for said County

personally came Mallory Kountze, President of  
Forest Lawn Cemetery Association, an association (~~corporation~~)

to me personally known to be the President and the identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the Corporate seal of the said corporation was thereto affixed by its authority.

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

*Mary L. Beadler*  
Notary Public.

My Commission expires the 14th day of October 19 70.



SEWER EASEMENT AGREEMENT

THIS AGREEMENT is entered into on this 5<sup>th</sup> day of <sup>August</sup> ~~April~~, 1963, between FOREST LAWN MEMORIAL PARK, INC., hereinafter referred to as Grantor and SANITARY AND IMPROVEMENT DISTRICT NO. 103, hereinafter referred to as Grantee.

WHEREAS, Grantor is the owner and in exclusive possession of the following described property:

East 10 Feet of the South 772.3 Feet of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 30, Township 16 North, Range 13, East of the 6th P.M. and the S. 10 Feet of the N. 6.76 acres of Tax Lot 3, in the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 16 North, Range 13, East of the 6th P.M. and part of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) described as: beginning at the southwest corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 16 North, Range 13, East of the 6th P.M.; thence northeasterly to a point on the east line of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) located 140 Feet north of the north line of Lot 5, North Side Acres; thence South to the southeast corner of said Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ); thence west to the point of beginning, and the South 100 Feet of the North 869.5 Feet of the West 649.24 Feet of the Southeast Quarter (SE $\frac{1}{4}$ ) in Section 29, Township 16 North, Range 13, East of the 6th P.M.,

WHEREAS, Grantee, Sanitary and Improvement District No. 103 is organized under Sections 31-727 to 31-762, R.R.S. Nebr. 143, as amended.

WHEREAS, Grantee is in the process of constructing a sanitary sewer system from approximately 51st Avenue and Redick Streets to 36th and Forest Lawn Street, where such system connects with the sewer system of the City of Omaha, Nebraska.

WHEREAS, such system will involve construction of sewer main or mains through portions of said property.

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

(1). That Grantor does herewith grant to Grantee, its privies, successors and assigns a perpetual license and easement over, under and upon the following described property:

40th Street to 42nd Street: Beginning on the west line of 40th Street at a point 244 feet north of the north line of Lot 1, North Side Acres, an Addition as platted, surveyed, and re-



corded in Douglas County, Nebraska; thence South 86° 0' West a distance of 214 Feet; thence South 78° 40' West 295 Feet; thence South 40° 40' West 172 Feet approximately to the North line of Potter Street; thence West along the North line of Potter Street 39.2 Feet; thence North 40° 0' East 207 Feet; thence North 78° 40' East 308.5 Feet; thence North 86° 0' East 218 Feet approximately to the west line of 40th Street; thence 30 Feet South along the west line of 40th Street to the point of beginning.

42nd Street to 44th Street: Beginning on the west line of 42nd Street at a point 375 Feet north of the north line of Girard Street; thence South 35° West a distance of 151 feet; thence South 50° 30' West 142 feet; thence South 72° 30' west a distance of 125 feet; thence South 52° 30' west 202 Feet approximately to the north line of Girard Street; thence west along the North line of Girard Street 49.2 feet; thence North 52° 30' East 245 feet; thence North 72° 30' East 130 Feet; thence North 50° 30' East 124 feet; thence North 35° east 194 feet approximately to the west line of 42nd Street; thence South 52.3 feet along the West line of 42nd Street to the point on beginning, also on the North 30 feet of the West 70 Feet of Lot 1, Block 1, Cote Brilliante.

West of 45th Street: Beginning on the East line of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 16 North, Range 13, East of the 6th P.M., at a point 1156.23 feet north of the Southeast corner of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ); thence 63° 03' west a distance of 130 feet; thence West 66 feet along a line parallel to and 1097.25 feet North of the South line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) a distance of 66 feet; thence North 63° 03' East a distance of 204.3 feet to the east line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ); thence South 33.6 feet to the point of beginning.

Between extended Ida Street and East line of Tax Lot 3, the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) Section 29, Township 16, Range 13, beginning on the South line of Section 30, Township 16 North, Range 13, East at a point 365 Feet West of the Southeast corner of said Section 30; thence west 32 feet along the South section line; thence North 21° 30' East a distance of 60 feet; thence North 55° 30' 179 feet; thence North 47° 30' 143 feet; thence North 84° 30' 114 feet; thence North 40° 30' 205 feet; thence North 72° East 114 feet; thence North 55° 10' 305 feet; thence North 40° 10' 70 feet approximately to the east line of Tax Lot 3 in Section 29, Township 16 North, Range 13 E; thence 46.3 feet South along the East line of Tax Lot 3 in the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 16 North, Range 13, e; thence South 40° 10' West a distance of 38 feet; thence South 55° 10' West 317 feet; thence South 72° West 106 feet; thence South 40° 30' W 209 feet; thence South 84° 30' West 118 feet; thence South 47° 30' West 137 feet; thence South 55° 30' West 169 Feet; thence South 21° 30' West 39 feet approximately to the point of beginning.

(2). That such easement and license shall be for the purpose of entering upon said real estate as above described and to construct, use, maintain, repair, replace and renew such sanitary sewer main or mains as may be necessary for the proper operation of same.

(3). That Grantee covenants and agrees with Grantor that any and all damage done to crops, trees, shrubbery, fences or other structures located upon the above described property as a result of construction of said sewer main or the exercise of any other rights herein granted, shall be immediately repaired and replaced by Grantee at its sole expense.

(4). That Grantor shall have the right to one standard residential type connection to said sewer main at SOUTHEAST CORNER OF GRANTOR'S PROPERTY (SERVICE BUILDING) without payment of connection fee.

(5). Grantors warrant that they are the owners in fee of the said property and have the full right to grant this easement.

(6). This Agreement shall be effective as to the successors and assigns of the parties hereto.

FOREST LAWN MEMORIAL PARK, INC.,  
a Corporation

BY: Frank J. [Signature]

SANITARY AND IMPROVEMENT DISTRICT NO.  
103 OF DOUGLAS COUNTY, NEBRASKA,

BY: Frederick S. Gordon

Chairman

BY: Robert E. Flesch

Clerk





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REGISTERED

THE STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE  
OFFICE OF THE COMPTROLLER  
ALBANY, N. Y.

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THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
Schenectady County, N.Y.

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Register of Deeds

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