

# DEED BOOK

604

## SHERIFF'S DEED RECORD No. 309

1939 STATE JOURNAL PRINTING CO. LINCOLN, NEB.

A at his expense, with joint right in owner of Lot B to use same. If easement not exercised by owner of Lot A at any time for a period of three years, said easement and the obligation of owner of Lot A to maintain said roadway shall thereupon be wholly cancelled and annulled at end of said period.

\*Page 3 a part of deed from James W. Davis Sheriff to East O Realty Company.

J.W.D. 138-162

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with the appurtenances thereunto belonging

TO HAVE AND TO HOLD the same to the said East O Realty Company, a corporation, and assigns, and to them and their use and behoof forever.

IN TESTIMONY WHEREOF, I have as such Sheriff of Lancaster County, Nebraska, hereunto set my hand, this 7th day of April A. D. 1939.

EXECUTED AND DELIVERED IN PRESENCE OF)

W. C. Burcham

James W. Davis  
Sheriff of Lancaster County.

Rev. Stamps  
\$32.00

THE STATE OF NEBRASKA, )  
LANCASTER COUNTY, ) ss.

On this 7th day of April A. D. 1939 before me, Clerk of the District Court within and for said County, personally appeared Claude P. Hensei, Sheriff of said County, to me well known to be the identical person described in, and who executed the foregoing instrument of conveyance and who acknowledged said instrument to be his voluntary act and deed as said Sheriff, for the uses and purposes herein mentioned.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal this 7th day of April A. D. 1939

W. C. Burcham  
Clerk of the District Court.

By - - - - - Deputy.



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Sheriff's Deed  
Sheriff of Lancaster County  
To  
Jeppe J. Refshauge, Successor Trustee  
Filed for Record  
April 11, 1939 at 3:00 P. M.  
J. G. Vaughan  
Register of Deeds  
By A. L. Kenney, Deputy  
Fee \$2.50

SHERIFF'S DEED UNDER ORDER OF SALE.

KNOW ALL MEN BY THESE PRESENTS:

That whereas, in an action in the District Court of the Third Judicial District of Nebraska, within and for Lancaster County, wherein Jeppe J. Refshauge, Successor Trustee is Plaintiff, and Sesostris Temple Ancient Arabic Order Nobles of the Mystic Shrine, a Corporation, et al (Appearance Docket 138, page 162) are Defendants, it was by said Court at the January Term thereof, A. D. 1939, to-wit, on the Fourth day of February A. D. 1939 considered, adjudged, and decreed that in default of the payment to the Clerk of the District Court of the costs of said action, and to plaintiff Jeppe J. Refshauge, Successor Trustee, the sum of Two hundred Eighty-nine Thousand Four Hundred Eighty (\$289,480.00) Dollars, with interest thereon at the rate of ten per cent per annum from date of entry of decree, and to defendant The First Trust Company of Lincoln, Nebraska, a corporation, the sum of Sixteen Thousand Nine Hundred Twenty-nine and 60/100 (\$16,929.60) Dollars, with interest thereon at the rate of ten per cent per annum from date of entry of decree, as per decree.

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that the equity of redemption of each and all of said defendants in and to the lands and

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tenements hereinafter described be foreclosed and forever barred, and that the Sheriff of said Lancaster County should cause the lands and tenements hereinafter described to be advertised, and sold according to law; and whereas the said Defendants having made default therein, <sup>James W. Davis</sup> Claude P. Hensel, Sheriff as aforesaid, under and by virtue of the order of the Court to him duly directed, did on the 31st day of March A. D. 1939, at the east door of the Court House, in the City of Lincoln, in said County of Lancaster, and having given due and legal notice of the time and place of said sale, for not less than thirty days prior thereto, in the The Daily Reporter, a legal newspaper printed and in general circulation in said County of Lancaster, sell the said premises <sup>hereinbelow described at</sup> at public auction to Jeppe J. Refshauge, Successor Trustee for the aggregate sum of ~~for the sum of~~ Seventeen Thousand (\$17,000.00) DOLLARS which sale was afterwards, at the January Term of said Court, A. D. 1939 examined, and confirmed, and the said <sup>James W. Davis</sup> Claude P. Hensel, as such Sheriff of said Lancaster County, was ordered to convey the said premises in fee simple to the said Jeppe J. Refshauge, Successor Trustee,

NOW, THEREFORE, I, the said <sup>James W. Davis</sup> Claude P. Hensel, Sheriff of Lancaster County, Nebraska, in pursuance of the order of said Court, as aforesaid, in consideration of the premises, and by virtue of the powers vested in me by law, do hereby give, grant, and convey to the said Jeppe J. Refshauge, Successor Trustee, his successors and assigns, the premises so as aforesaid sold, to-wit:

Lots B, C, and D, with Easements relating to each of said Lots, as more particularly below described respectively, to-wit:

LOT B

Metes and Bounds description of Lot B of a Subdivision of the East Half of Section 26-T.10 N. R. 7 E. of the 6th P. M., Lancaster County, Nebraska.

Beginning at a point on the North line of the East Half of Section 26, T.10 N. - R.7 E. of the 6th P.M., Lancaster County, Nebraska, at a distance of 952.6 feet west of the North-east corner thereof; thence South 0°-51' West, a distance of 280.0 feet; thence North 89°-59' West, a distance of 63.0 feet; thence South 0°-51' West, a distance of <sup>thence North 89°-58'</sup> 57.85 feet; West, a distance of 167.5 feet; thence South 11°-47' West, a distance of 527.0 feet; thence North 89°-58' West, a distance of 503.25 feet; thence North 1°-12½' East, a distance of 854.17 feet to the North line of the said East Half of Section 26; thence due East along the North line of the said East Half of Section 26, a distance of 828.0 feet to the point of beginning. Containing 12.9 acres. Subject to Easement No. 3 hereinbelow described.

LOT C

Metes and Bounds description of Lot C of a Subdivision of the East-Half of Section 26 - T.10 N. R.7 E. of the 6th P.M., Lancaster County, Nebraska.

Beginning at a point on the North line of the East-Half of Section 26, T.10 N. - R.7 E. of the 6th P.M., Lancaster County, Nebraska, at a distance of 1780.6 feet west of the North-east corner thereof; thence

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(Lot C continued)

South 1°-12½' West, a distance of 3504.17 feet; thence South 89°-36' West, a distance of 724.0 feet to the West line of the said East-Half of Section 26; thence North 0°-24' West along the west line of the said East-Half of Section 26, a distance of 3508.1 feet to the Northwest corner of the said East Half of Section 26; thence due East along the North line of the said East Half of Section 26, a distance of 823.6 feet to the point of beginning. Containing 62.2 acres. Together with Easement No. 1 appurtenant thereto, and hereinbelow described.

LOT D

Metes and Bounds description of Lot D of a Subdivision of the East Half of Section 26 - T.10 N. R.7 E. of the 6th P. M., Lancaster County, Nebraska.

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## SHERIFF'S DEED RECORD No. 309

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Beginning at the Southeast corner of the East-Half of Section 26 - T.10 N. - R.7 E. of the 6th P.M., Lancaster County, Nebraska; thence North 0°-58' West along the east line of the said East-Half of Section 26, a distance of 1080.0 feet; thence South 86°-46½' west, a distance of 1575.0 feet; thence North 85°-58½' West, a distance of 689.7 feet; thence North 0°-24' West, being parallel with and 370.0 feet east of the west line of the said East-Half of Section 26, a distance of 760.0 feet; thence South 89° -36' West, a distance of 370.0 feet to the West line of the said East-Half of section 26; thence South 0°-24' East, along the west line of the said East-Half of Section 26, a distance of 1797.6 feet to the Southwest corner of the said East-Half of Section 26; thence North 89°-59' East along the South line of the said East-Half of Section 26, a distance of 2641.0 feet to the place of beginning. Containing 68.85 acres. Subject to right of way of The Missouri Pacific Railway Company across said Lot D. Also subject to Easements Nos. 1 and 2 hereinbelow described.

### EASEMENTS

1. Easement for roadway forty (40) feet in width located upon Lot D, center line thereof beginning on south line of Lot D Twenty (20) feet east of Southwest corner of East Half of said Section 26, extending thence North 1777.6 feet, parallel to west boundary line of said Half Section, to a point Twenty (20) feet South of North boundary line of said Lot D, thence east 550 feet, parallel to North boundary line of said Lot D, to West boundary line of Lot A of said Subdivision of the East Half of Said Section 26; said roadway to be constructed and maintained by owner of Lot A at his expense, with joint right in owners of Lots C and D to use same. Easement subject to right of way of The Missouri Pacific Railway Company across said Lot D. If easement not exercised by owner of Lot A at any time for a period of three years, said easement and the obligation of owner of Lot A to maintain said roadway shall thereupon be wholly cancelled and annulled at end of said period.

2. Right to use that part of sewage system as now installed on said Lot D extending from clubhouse on said Lot A in a straight line southeast to and including septic tank on Lot D, and right to enter upon Lot D along line of said sewer solely for necessary maintenance, repair and use, owner of Lot D to be at no expense or unnecessary damage in connection with maintenance, repair or use of said sewer or tank.

3. Easement for roadway Forty (40) feet in width located upon said Lot B, center line thereof beginning at a point on the North line of East Half of said Section 26, at a distance 1146.2 feet West of the Northeast corner thereof, said point being also 193.6 feet West of the Northeast corner of said Lot B; thence in a South-westerly direction, on a straight line which makes an angle of 88° with the North line of said East Half of Section 26, a distance of 338.0 feet to the South line of a part of said Lot B. Roadway to be maintained by owner of Lot A of said Subdivision of the East Half of said Section 26 at his expense, with joint right in owners of said Lots A and B to use same. If easement not exercised by owner of Lot A at any time for a period of three years, said easement and the obligation of owner of Lot A to maintain said roadway shall thereupon be wholly cancelled and annulled at end of said period.

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with the appurtenances thereunto belonging

TO HAVE AND TO HOLD the same to the said Jeppe J. Refshauge, Successor Trustee, his successors and assigns, and to them and their use and behoof forever.

IN TESTIMONY WHEREOF, I have as such Sheriff of Lancaster County, Nebraska, hereunto set my hand, this Tenth day of April A. D. 1939.

EXECUTED AND DELIVERED IN PRESENCE OF

W. C. Burcham

Rev. Stamps  
\$17.00

James W. Davis  
Sheriff of Lancaster County.

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