

EASEMENT

THIS INDENTURE, made this 10 day of May, 1968, between THE LUTHERAN MEDICAL CENTER OF OMAHA, NEBRASKA, hereinafter referred to as "Grantor", and the CITY OF OMAHA, NEBRASKA, a Municipal Corporation, hereinafter called "City",

## WITNESSETH:

That said Grantor in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to Grantor in hand paid by said City, the receipt whereof is hereby acknowledged, does hereby grant, sell, convey and confirm unto, said City and its assigns forever, the right to use as a public access road connecting to the portion of the alley not vacated which lies between 25th Avenue and the West line of the vacated alley and extends from St. Mary's Avenue North to the Grantor's property and that portion of the alley vacated by the City of Omaha. The Grantor shall construct, build and maintain a paved roadway between 25th Avenue and the West line of the vacated alley and connect same to the unvacated alley. This paved roadway shall act as an access road to the unvacated alley as well as the ambulance entrance for the proposed hospital. The Grantor shall provide minimum vertical clearance of twenty-four feet from paved roadway and free access over the roadway at all times and shall prevent parking or obstructions from hampering the free movement of alley traffic over the access road. The access road will be constructed by the Grantor over the parcel of land described as follows, to-wit:

Commencing Six (6') Feet North of the South line of Lot Seventeen (17), Griffin & Isaacs Addition to the City of Omaha, Douglas County, Nebraska, extended to the West line of the vacated alley adjoining on the West, thence Twenty (20') Feet North, then East to the West line of 25th Avenue, thence Twenty (20') Feet South, thence West to point of beginning.

Said Grantor for themselves and their successors and assigns do confirm with the said City and its assigns, that they, the Grantor is well seized in fee of the above described property and that they have the right to grant and convey this easement in the manner and form aforesaid and that they will, and their successors and assigns, shall warrant and defend this easement to said City and its assigns against the lawful claims and demands of all persons. This easement runs with the land, until the remainder of the alley between Dewey Avenue and St. Mary's Avenue is vacated.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor has hereunto set its hand and seal the day and year first above written.

THE LUTHERAN MEDICAL CENTER OF  
OMAHA, NEBRASKA

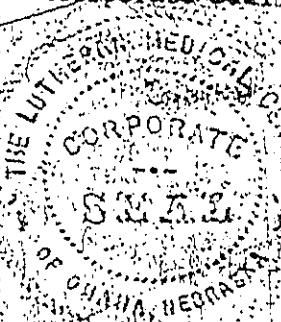
Corporate Seal:

By

President

Attest

Secretary



STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

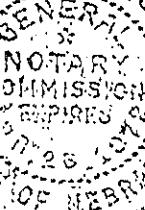
On this 16 day of May, 1968, before me, the undersigned, a Notary Public in and for said County, personally came G. F. Kroeger, President of The Lutheran Medical Center of Omaha, Nebraska, a Nebraska Corporation, and William J. Madoerin, Secretary of said Corporation, to me personally known to be the President and Secretary respectively of said Corporation and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said Corporation, and the Corporate Seal of said Corporation to be thereto affixed by its authority.

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

Doris B. Foster  
Notary Public

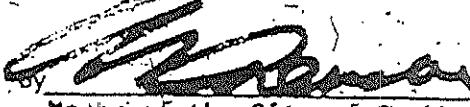
My Commission expires

April 26, 1972

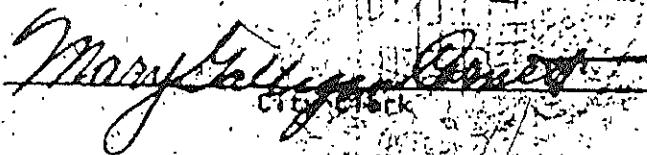


The CITY OF OMAHA hereby accepts the PERMANENT EASEMENT granted to the City of Omaha by Lutheran Medical Center providing for access to the non-vacated portion of the alley between 25th Avenue and 26th Street, Dewey Avenue to St Marys Avenue, as described in this Easement and the conditions as set forth therein.

CITY OF OMAHA, a Municipal Corporation

  
by \_\_\_\_\_  
Mayor of the City of Omaha

ATTEST:



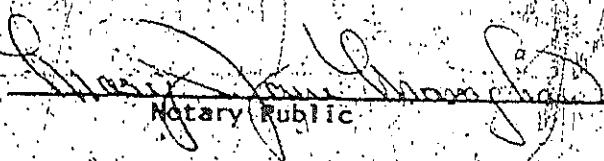
STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

On this 11 day of June, 1965, before

me, the undersigned, a Notary Public in and for said County, personally came the Mayor of the City of Omaha and the City Clerk of the City of Omaha, a Municipal Corporation, to me personally known to be the Mayor and City Clerk and the identical persons whose names are affixed to the above instrument, and acknowledged the execution thereof to be their voluntary act and deed as such officers and the voluntary act and deed of said CITY OF OMAHA, A Municipal Corporation, and that the Corporate Seal of the said CITY OF OMAHA was thereto affixed by its authority.

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

  
Notary Public

My Commission Expires 11/5/57

RECEIVED

JUN 12 AM 10 1988

THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DOUGLASS COUNTY, NEBRASKA

THE STATE OF NEBRASKA }  
Date: June 10, 1988  
is bound in the office of the Register of  
Deeds of \_\_\_\_\_ County and recorded in  
Book 464 of Deeds.

By James G. O'Connor  
Register of Deeds  
Date: June 10, 1988  
Book 464 - Page 516  
Copy No. 100