

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 18 day of December, 1984, between APPLEWOOD LANE DEVELOPMENT CO., a Nebraska Partnership, hereinafter referred to as "Grantor", and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, hereinafter referred to as "Grantee",

WITNESSETH:

That Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, an easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, a pipeline for the transportation of water and all appurtenances thereto, including but not limited to three hydrants and four water valve boxes, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

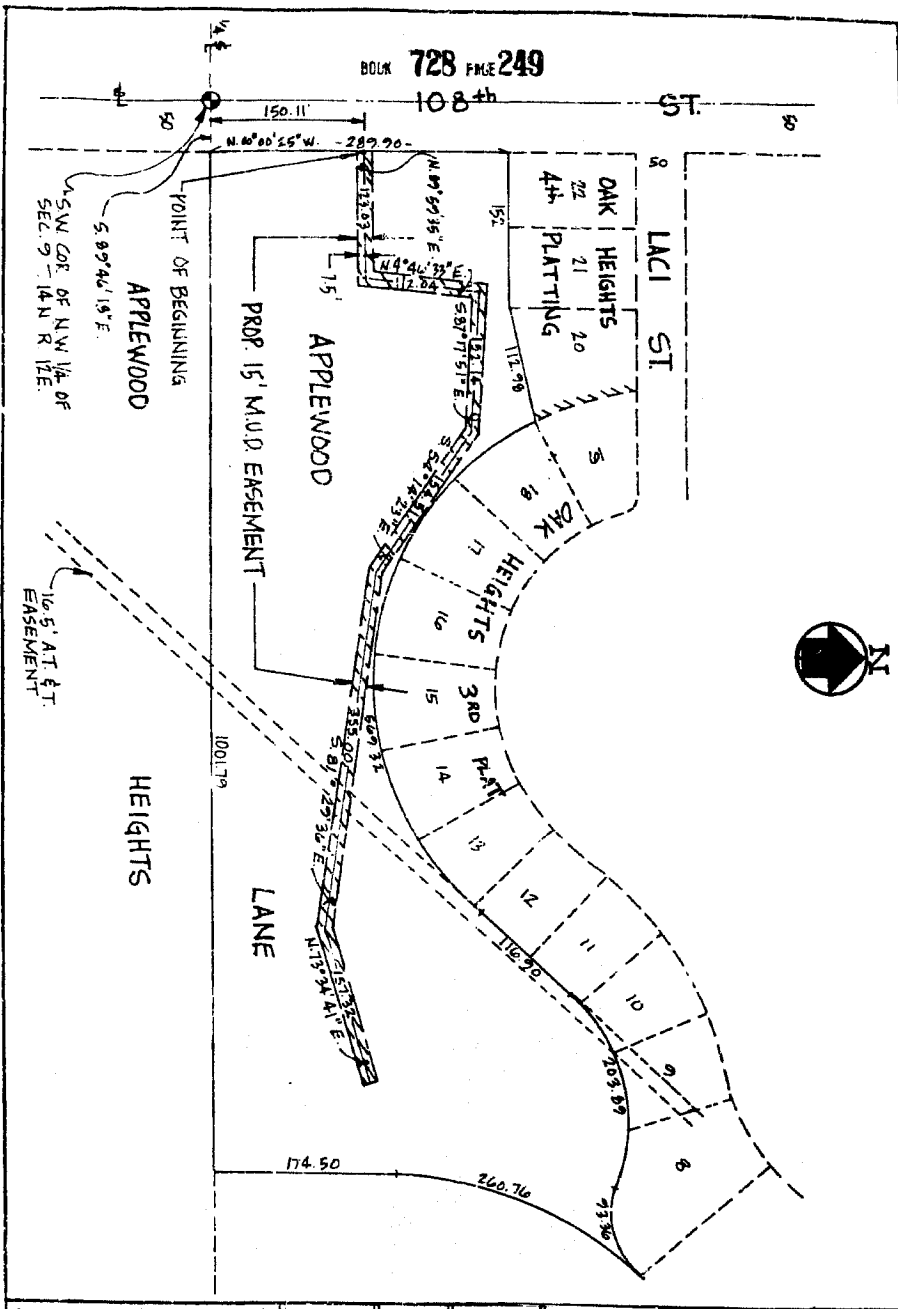
A tract of land located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Nine (9), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., in Douglas County, Nebraska, and more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 9-14-12; thence S. 89°46'18" E. along the South line of the NW $\frac{1}{4}$ of said Section a distance of 50.00 feet to a point on the East right-of-way line of 108th Street; thence N. 00°00'25" W. along said East right-of-way of 108th Street a distance of 150.11 feet to the true point of beginning. The easement extends 7.5 feet on each side of the following described line starting at said true point of beginning:
 thence N. 89°59'35" E. a distance of 123.03 feet;
 thence N. 4°46'33" E. a distance of 112.04 feet;
 thence S. 87°17'51" E. a distance of 152.14 feet;
 thence S. 54°14'23" E. a distance of 154.51 feet;
 thence S. 81°29'36" E. a distance of 355.00 feet;
 thence N. 73°34'41" E. a distance of 157.32 feet.

Said tract, as shown on the drawing attached hereto and made a part hereof by this reference, contains 0.36 of an acre, more or less.

TO HAVE AND TO HOLD said easement and right-of-way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, and it will not give anyone else other than utilities permission to do so.
2. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.
3. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
4. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such



METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA EASEMENT ACQUISITION FOR W.C.C. 6313	LAND OWNER GOLDMAN-KASIN DEVELOPMENT CO.	TOTAL ACRES 0.964 PERMANENT TEMPORARY LEGEND PERMANENT EASEMENT ZZ	PAGE OF	DRAWN BY <u>C.G.</u> DATE <u>11-12-84</u> CHECKED BY <u>[Signature]</u> DATE <u>11-16-84</u> APPROVED BY <u>[Signature]</u> DATE <u>11-19-84</u> REVISED BY _____ DATE _____ REV. CHK'D BY _____ DATE _____ REV. APPROV. BY _____ DATE _____
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