

Affects
THIS INDENTURE, made this 14th day of February, 1975, between August Development Co., a Nebraska corporation, 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 One and No/100----- Dollars (\$1.00), 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, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

- An easement in part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33), Township Sixteen (16) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Thirty-three (33); thence North 00°02'00" West (assumed bearing) along the East line of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Thirty-three (33) a distance of Fifty-eight and Three-tenths (58.3) feet; thence South 89°50'00" West a distance of Fifty (50) feet to the point of beginning on the Northerly right-of-way line of Fort Street; thence North 78°48'10" West along said Northerly right-of-way line of Fort Street a distance of Eighty-four and Seventy-five One-hundredths (84.75) feet; thence North 89°50'00" East a distance of Eighty-three and Thirteen One-hundredths (83.13) feet to a point on the West right-of-way line of 99th Street; thence South 00°02'00" East along said West right-of-way line of 99th Street a distance of Sixteen and Seven-tenths (16.7) feet to the point of beginning;

Said easement containing Sixteen One-thousandths (0.016) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

TEMPORARY EASEMENT

- An easement in part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33), Township Sixteen (16) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Thirty-three (33); thence North 00°02'00" West (assumed bearing) along the East line of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33) a distance of Seventy-five (75) feet; thence South 89°50'00" West a distance of Fifty (50) feet to the point of beginning on the West right-of-way line of 99th Street; thence South 89°50'00" West a distance of Eighty-three and Thirteen One-hundredths (83.13) feet to a point on the North right-of-way line of Fort Street; thence North 78°48'10" West along said North right-of-way line of Fort Street a distance of Forty-two and Sixty-nine One-hundredths (42.69) feet; thence North 00°02'00" West a distance of Sixteen and Fifty-nine (16.59) feet; thence North 89°50'00" East a distance of One Hundred Twenty-five (125) feet to a point on the West right-of-way line of 99th Street; thence South 00°02'00" East along said West right-of-way line of 99th Street a distance of Twenty-five (25) feet to the point of beginning;

Said easement containing Sixty-eight One-thousandths (0.068) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

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. Grantor, its successors or assigns agree that they will at no time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, and that they will not give anyone else permission to do so.

2. 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 Grantor, or duties and powers of Grantee respecting the ownership, use, operations, extensions and connections to any water main constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

AUGUST DEVELOPMENT CO., Grantor

ATTEST:

ATTEST:
[Signature]
 Title Secretary

By [Signature]
Title Chief

(Corporate Seal)

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

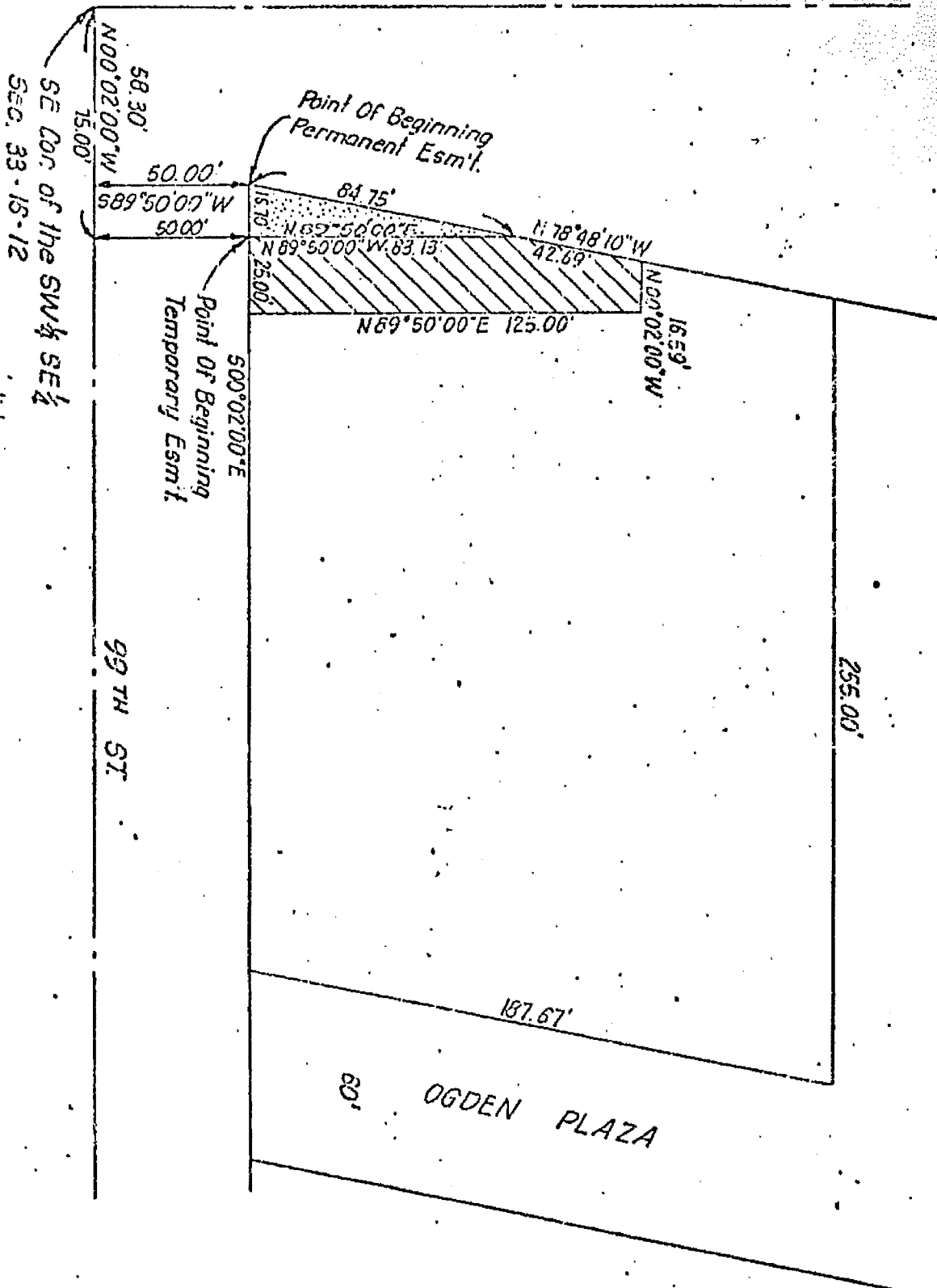
On this 4 day of FEBRUARY, 1975, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came A. R. Flett, Pres., to me personally known to be the Edward F. Wilczewski of August Development Co., a Nebraska corporation, whose name is affixed to the foregoing instrument in that capacity and who acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

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

JOHN H. FULLENKAMP
GENERAL NOTARY, State of Neb.
My Commission Expires
January 18, 1976

John H. Fullman
Notary Public

FORT ST.



Scale: 1"=50'

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
19 DAY OF July 1975 AT 10:08 AM C. HAROLD OSTLER, REGISTER OF DEEDS

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR WC 5020-3

TRACT NO. 3-6
LAND OWNER Development Company

LINEAL FEET
AREA PERMANENT
TEMPORARY
ACRE: PERMANENT 0.000
TEMPORARY 0.000

LEGEND
TEMPORARY EASEMENT
PERMANENT EASEMENT

DRAWN BY H.R.H. DATE 10-11-74
CHECKED BY Q.R. DATE 10-15-74
APPROVED BY Q.R. DATE 10-16-74
REVISED BY _____ DATE _____
REV. CHK'D BY _____ DATE _____
REV. APPROVED BY _____ DATE _____