

THIS INDENTURE, made this 18th day of October, 1977, between Caspian 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 Dollar (\$1.00) 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, pipelines for the transportation of gas and 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:

Several strips of land lying in Lots 4, 5, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106 of Center Park Replat, a subdivision, as now platted and recorded, in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land lying in Lot Four (4), being Seven (7) feet wide, lying along and parallel to the Southeasterly property line of said lot, said strip being the Southeasterly Seven (7) feet of said lot; also lying in Lot Four (4), the Northwesterly Nine (9) feet of the Southeasterly Sixteen (16) feet of the Northeasterly Ten (10) feet of said Lot 4;

A strip of land lying in Lot Five (5), being Seven (7) feet wide, lying along and parallel to the Northwesterly property line of said lot, said strip being the Northwesterly Seven (7) feet of said lot;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 157th Circle, said strip being all that portion of Lots Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-eight (38), Thirty-nine (39), and Forty (40), lying within Five (5) feet of said right-of-way line;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 158th Circle, said strip being all that portion of Lots Forty-one (41), Forty-two (42), Forty-three (43), Forty-four (44), Forty-five (45), Forty-six (46), Forty-seven (47), Forty-eight (48), Forty-nine (49), Fifty (50), Fifty-one (51), Fifty-two (52), and Fifty-three (53) lying within Five (5) feet of said right-of-way line;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 159th Circle, said strip being all that portion of Lots Fifty-four (54), Fifty-five (55), Fifty-six (56), Fifty-seven (57), Fifty-eight (58), Fifty-nine (59), Sixty (60), Sixty-one (61), Sixty-two (62), Sixty-three (63), Sixty-four (64), Sixty-five (65), Sixty-six (66), Sixty-seven (67), Sixty-eight (68), and Sixty-nine (69) lying within Five (5) feet of said right-of-way line;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 159th Avenue Circle, said strip being all that portion of Lots Seventy (70), Seventy-one (71), Seventy-two (72), Seventy-three (73), Seventy-four (74), Seventy-five (75),

Seventy-six (76), Seventy-seven (77), Seventy-eight (78), Seventy-nine (79), Eighty (80), Eighty-one (81), Eighty-two (82), Eighty-three (83), and Eighty-four (84) lying within Five (5) feet of said right-of-way line;

A strip of land lying in Lot Eighty-four (84), being Seven (7) feet wide, lying along and parallel to the Northwesterly property line of said lot, said strip being the Northwesterly Seven (7) feet of said lot;

A strip of land lying in Lot Eighty-five (85), being Seven (7) feet wide, lying along and parallel to the Southeasterly property line of said lot, said strip being the Southeasterly Seven (7) feet of said lot;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 159th Avenue Circle, said strip being all that portion of Lots Eighty-five (85), Eighty-six (86), Eighty-seven (87), Eighty-eight (88), Eighty-nine (89), Ninety (90), Ninety-one (91), Ninety-two (92), Ninety-three (93), Ninety-four (94), Ninety-five (95), Ninety-six (96), and Ninety-seven (97) lying within Five (5) feet of said right-of-way line;

A strip of land being Five (5) feet wide, lying along and parallel to the right-of-way line of 160th Circle, said strip being all that portion of Lots Ninety-eight (98), Ninety-nine (99), One Hundred (100), One Hundred One (101), One Hundred Two (102), One Hundred Three (103), One Hundred Four (104), One Hundred Five (105), and One Hundred Six (106) lying within Five (5) feet of said right-of-way line.

These strips contain a total of Sixty-four Hundredths (0.64) 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 strips 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 pipeline constructed and maintained hereunder.

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

CASPIAN DEVELOPMENT CO.,
Grantor

ATTEST:

[Signature]
Title Secretary

By [Signature]
Title President

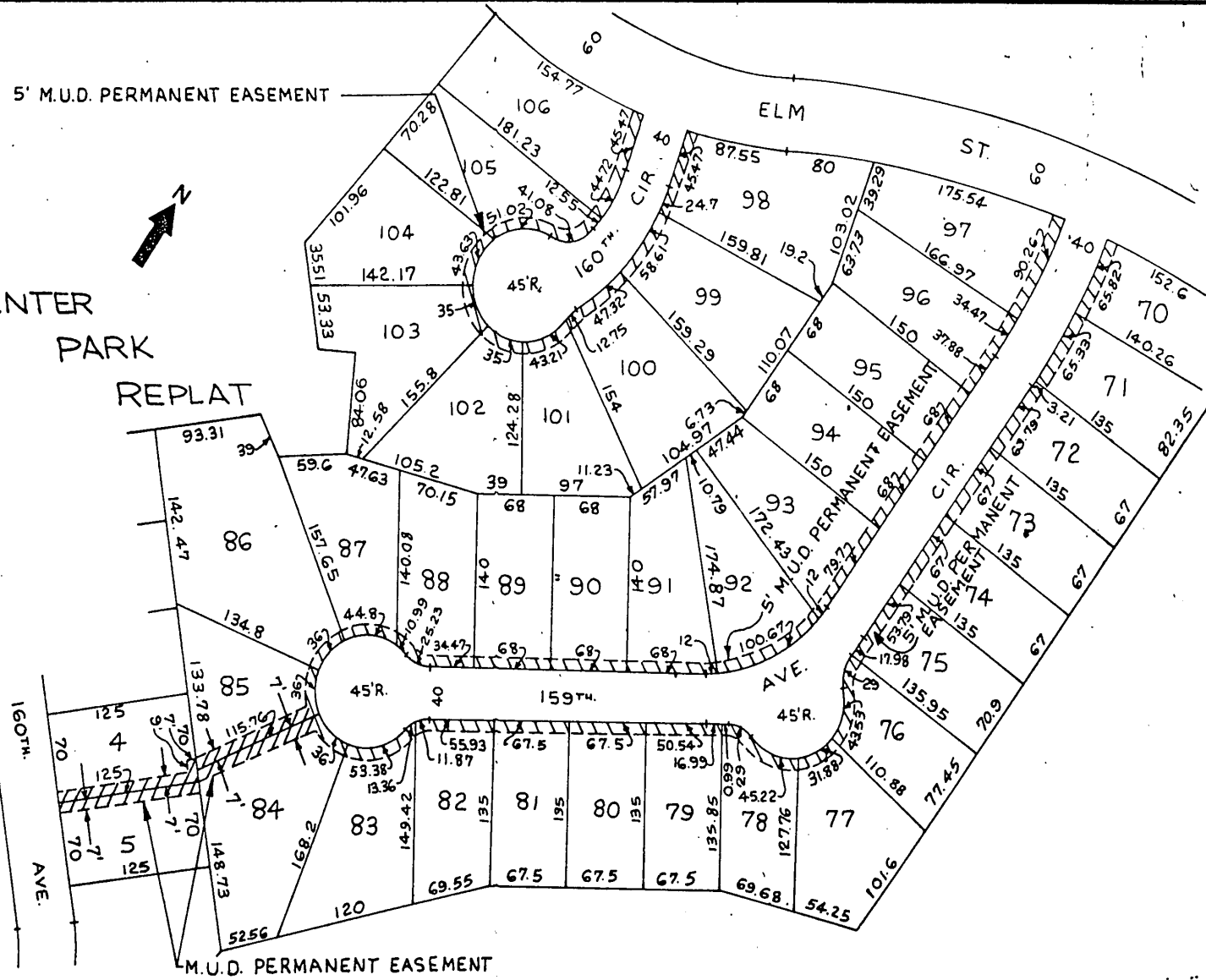
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CENTER PARK REPLAT

5' M.U.D. PERMANENT EASEMENT

M.U.D. PERMANENT EASEMENT



METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR W.C.C. 5423 & G.C.C. 7904

LAND OWNER
CASPIAN DEVELOPMENT Co.

TOTAL ACRE 0.64 ACRES

LEGEND
 PERMANENT EASEMENT

PAGE 2 OF 2

DRAWN BY R.W.J.K. DATE 9-23-77
 CHECKED BY A.F. DATE 9-30-77
 APPROVED BY T.P.S. DATE 10-3-77
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

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RECEIVED
 OCT 27 AM 11:10
 A. HARRIS, CLERK
 REGISTER OF DEEDS
 OMAHA COUNTY, NEBR.

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