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EASEMENT AND RIGHT OF WAY

THIS made this 25th day of April, 1978, between Caspian Development Co., a Nebraska corporation, hereinafter referred to as "Grantor" Metropolitan Utilities District of Omaha, a municipal corporation hereinafter referred to as "Grantee", WITNESSETH:

That in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant Metropolitan Utilities District of Omaha, its successors and assigns, easement and right of way to lay, maintain, operate, repair, renew and replace at any time, pipelines for the transportation of gas and water, and appurtenances thereto, together with the right of ingress and egress to the same, on, over, under and through lands described as follows:

A tract lying in Lot Sixty-nine (69) of Center Park Replat, a subdivision now platted and recorded, in Douglas County, Nebraska, consisting of the West Ten (10) feet of the East Fifteen (15) feet and the North Ten (10) feet of said Lot 69.

This tract contains a total of Two Thousandths (0.002) acre, more or less 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 and its successors or assigns agree that they will at no time erect, construct, place on or below the surface of said tract of land any building, structure, except pavement, and that they will not give anyone else the right to do so.

2. Grantor shall restore the surface of the soil excavated for any purpose hereunder as near as may be reasonably possible, to the original contour thereof as soon after such work is performed as may be reasonably possible.

3. Nothing contained herein shall be construed as a waiver of any rights of easement, duties and powers of Grantee, respecting the ownership, use, maintenance, extensions and connections to any pipeline constructed hereunder.

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

ATTEST: [Signature] Title (Seal) STATE OF NEBRASKA COUNTY OF NEBRASKA

CASPIAN DEVELOPMENT COMPANY Grantor BY [Signature] Title President [Seal]

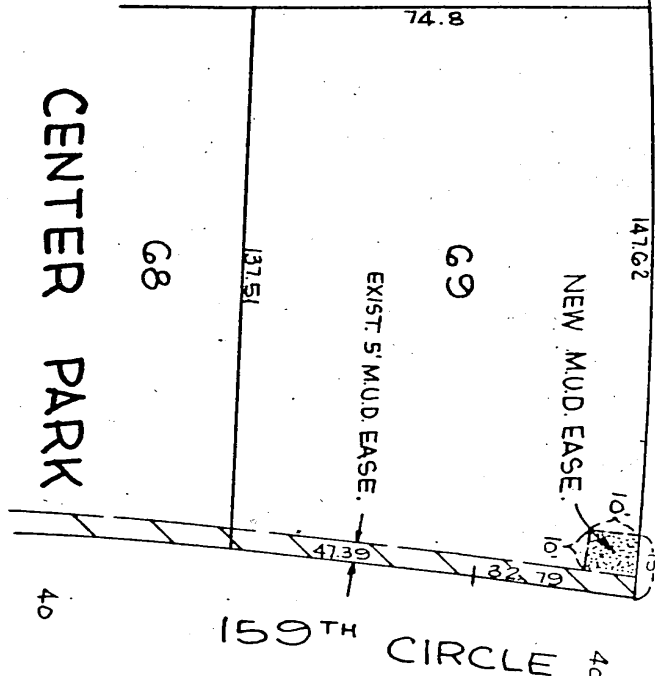
On this 25th day of April, 1978, before me, the undersigned, a Notary Public for said county, personally came Bert F. [Signature], to me personally known to be the President of Caspian Development Co., a Nebraska corporation, and whose name is affixed to the foregoing instrument, and acknowledged the execution of this instrument as his voluntary act and deed and the validity of the same.

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

CES A. FLAIRTY Notary Public - State of Nebr. Min. Exp. Dec. 22, 1979

[Signature] Notary Public

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METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION FOR W.C.C. 5423

LAND OWNER CASPIAN DEVELOPMENT CO.

TOTAL ACRE 0.002

LEGEND
 EXISTING EASEMENT
 NEW EASEMENT

PAGE 1 OF 1

DRAWN BY AE DATE 4-3-78
 CHECKED BY AE DATE 4-3-78
 APPROVED BY IPS DATE 4-3-78
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

RECEIVED
 1978 MAY -4 PM 3:53
 COUNTY CLERK
 DOUGLAS COUNTY, NEBR.

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