

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 12th day of December, 1969, between Washington Heights Corporation, 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 premises and of the installation of water main and facilities and the mutual benefits to be derived therefrom, 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 water distribution main and necessary facilities in connection therewith, including hydrants and valve boxes, together with the right of ingress and egress to and from the same, on, over and through lands described as follows:

A strip of land in Meadow Lane Park, a subdivision in Douglas County, Nebraska, said strip being more particularly described as follows:

Commencing at a point on the center line of 117th Street, said point being one hundred thirty-four, plus or minus, feet (134'+) south of the center line of West Dodge Road, said center line of 117th Street having an assumed bearing of N 0°0' E; thence west a distance of one hundred and seventy-six and three-tenths, plus or minus, feet (176.3'+); thence south a distance of two hundred fifteen and five-tenths, plus or minus, feet (215.5'+); thence west a distance of one hundred thirty-eight and thirteen hundredths, plus or minus, feet (138.13'+); thence N 67°30'W a distance of fifty-two and twenty-six hundredths, plus or minus, feet (52.26'+); thence west a distance of one hundred, plus or minus, feet (100'+) to the true point of beginning; thence a strip of land ten feet (10') on either side of a line running two hundred thirty-six and five-tenths, plus or minus, feet (236.5'+) to a point three hundred eighty, plus or minus, feet (380+) north of the center line of Chicago Street; thence a line running north one hundred seventy-two and five-tenths, plus or minus, feet (172.5'+) and a line running south two hundred fifty-eight, plus or minus, feet (258'+) from the aforementioned point to a point one hundred twenty-six, plus or minus, feet (126'+) north of the center line of Chicago Street; thence west three hundred seventeen, plus or minus, feet (317'+) along a line running parallel to the center line of Chicago Street; thence south one hundred one, plus or minus, feet (101+) to the north property line of Chicago Street, containing five-

tenths (0.5) acres, more or less, all as shown on the attached plat 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 agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said strip of land any building or structure, except pavement, and that they will not permit anyone else to do so.

2. Grantee shall restore the surface of the soil on said land following the installation, maintenance, repair or removal of its pipelines therein, as soon as may be reasonably possible so to do, to the original contour thereof.

3. Grantor shall have the right, at its expense, to have the Grantee change the location of the easement and pipeline in the event the aforescribed easement conflicts with the use of the land in the future. Grantor agrees to give whatever easement is necessary in connection with said change in location of the pipeline.

4. 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.

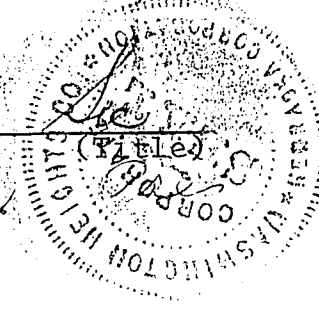
IN WITNESS WHEREOF, Grantor has caused this easement to be signed on the day and year first above written.

WASHINGTON HEIGHTS CORPORATION,
Grantor

Attest:

(Corporate Seal)

By R. D. Schurkamp
James A. Sturgeon



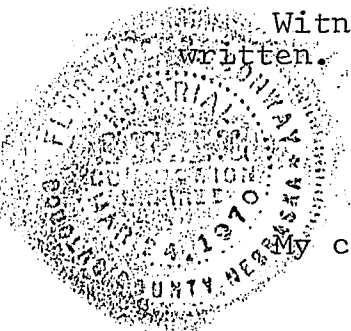
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

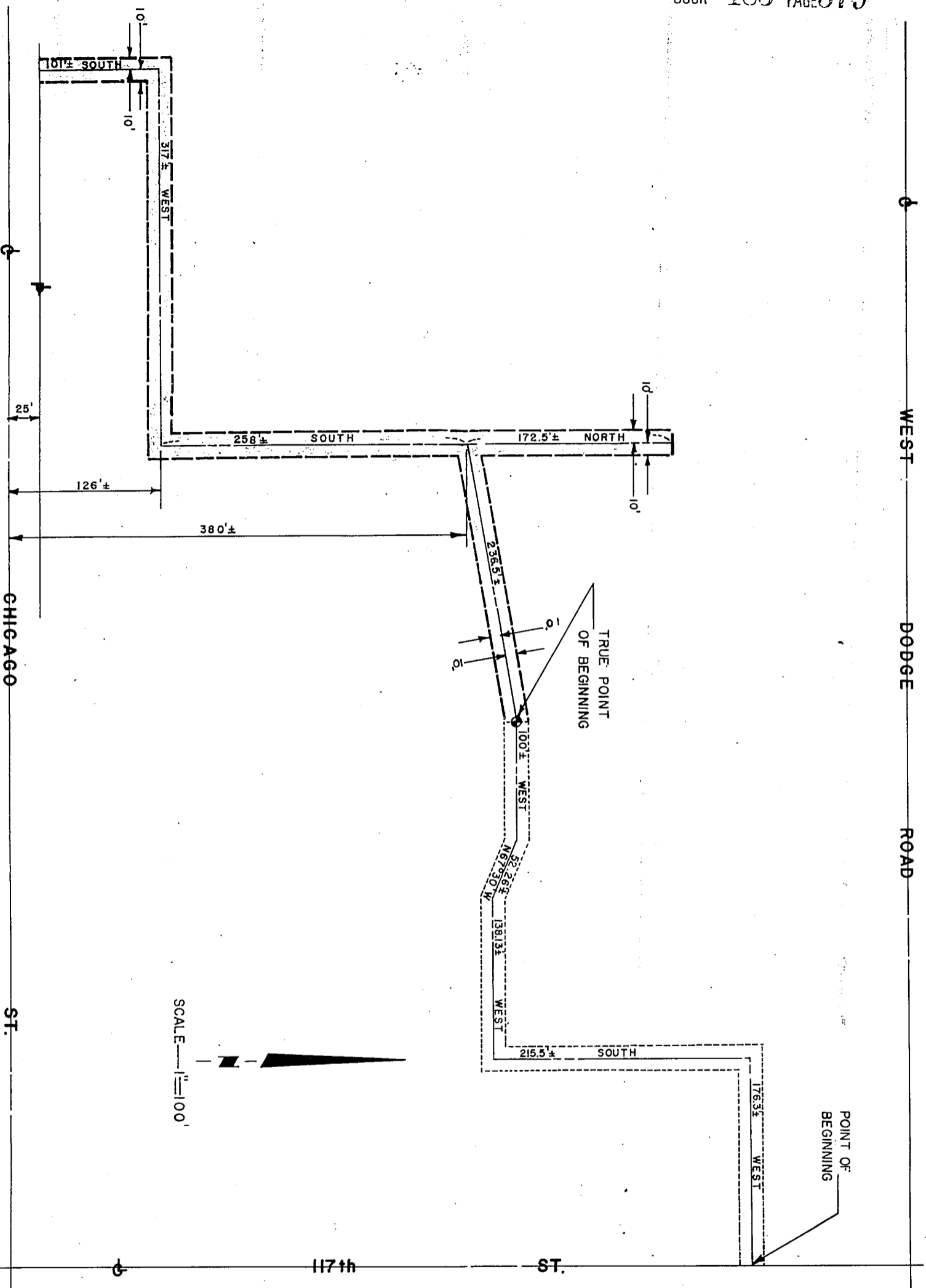
On this 12th day of December, 1969, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came R. D. Schurkamp, to me personally known to be the Secretary of Washington Heights Corporation, a Nebraska corporation, whose name is affixed to the foregoing 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.

James A. Sturgeon
Notary Public

My commission expires the 24th day of March, 1970.





<p>METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA</p>	<p>EASEMENT ACQUISITION FOR W.C.-C. 4126</p>	<p>TRACT NO. _____ LAND OWNER WASHINGTON HEIGHTS CO. LINEAL FEET 1085.00'± AREA: PERMANENT 21500 sq. ft. TEMPORARY _____ ACRE: PERMANENT 0.5 TEMPORARY _____</p>	<p>LEGEND TEMPORARY EASEMENT [diagonal lines symbol] PERMANENT EASEMENT [stippled symbol]</p>	<p>DRAWN BY <u>PMJ</u> DATE <u>11-24-69</u> CHECKED BY <u>LLJ</u> DATE <u>11-25-69</u> APPROVED BY _____ DATE _____ REVISED BY _____ DATE _____ REV. CHK'D BY _____ DATE _____</p>
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H. 23 DAY OF January 1970 AT 9:30 A.M. C. HAROLD OSTLER, REGISTER OF DEEDS 9.25