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Date

RICHARD N TAKESH REGISTER OF DEEDS DOUGLAS COUNTY, NE

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EASEMENT AND RIGHT-OF-WAY

SERVICES

THIS INDENTURE, made this _____ day of _______2000, between SIGNA DEVELOPMENT, INC., a Nebraska Corporation ("Granter"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

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, pipelines for the transportation of gas and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Q1124/80

A tract of land in Lots 4 and 5, in Block 1, in Westroads Replat 4, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the Southwest corner of Lot 4, Black 1 of Westroads Replat 4; thence N00°00'00"E (assumed bearing) a distance of 5.00 feet; thence S89°58'49"E a distance of 653.98 feet to the beginning of a curve to the left; thence along said curve having a radius of 155.00 feet, an arc distance of 150.11 feet and a chord bearing N63°35'04"E a distance of 144.32 feet; thence S52°50'04"E a distance of 5.00 feet to the point of beginning of a curve to the right, said point also being the northwesterly right of way line of Western Avenue; thence along said curve having a radius of 160.00 feet, an arc distance of 151.19 feet and a chord bearing S62°57'00"W a distance of 145.62 feet to a point on the north right of way line of Nicholas Street; thence N89°58'49"W a distance of 653.93 feet to the point of beginning.

This permanent easement contains 0.0926 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or

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structure, except pavement and similar covering, and shall not permit anyone else to do so.

- 2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.
- 3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
- 4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons asserting any right, title or interest prior to or contrary to this conveyance.
- 5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.



<u>ACKNOWLEDGMENT</u>

STATE OF NEBRASKA) ss COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 2000, by James P. Roubal, President of Signa Development, Inc., a Nébraska Corporation, on behalf of the corporation.

A GENERAL NOTARY-State of Nebraska
BARBARA E. GAUGHAN
My Comm. Exp. Nov. 30, 2001

Notary Public

METROPOLITAN DISTRICT OMAHA, NEBRASKA UTILITIES

EASEMENT ACQUISITION

G.R.M. 11839

G.C. 11840

10404 ESSEX CT. STE 300 SIGNA DEVELOPMENT **OMAHA, NE 68114** LAND OWNER

0.0926 ± TOTAL ACRE
TEMPORARY PERMANENT _ TOTAL ACRE

LEGEND

PERMANENT EASEMENT TEMPORARY EASEMENT

P

PAGE

DRAWN BY

CHECKED BY

APPROVED BY JSS DATE ____

DATE 12-22-59 REVISED BY

DATE REV. CHK'D. BY

...\dgn\proposed\gas\grm11822.dgn Dec. 22, 1999 10:20:15

BLOOMFIELD HILLS ADDITION

NO SCALE WESTROADS REPLAT 4 98th & NICHOLAS ST.

	5.00° ENUE SEX 50.04"E PUEMUE	R-160.00° AL-151.19° 5 CH-145.62° CB-562° 57'00"W	C K	HT86
//////////////////////////////////////	ADS REPLAT 4 - R-155.00' 5 At -150.11' 5 1-144.4.5		PROP. 5' PERM. M.U.D. ESMT.	,
	W EST ROADS	POINT OF BEGINNING NICHOLAS		