



BK 0968 PG 206-208



MISC 1991 11987

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INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 18 day of June, 1991, between H. LEE GENDLER and IRVIN GENDLER, hereinafter referred to as "Grantors", and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, hereinafter referred to as "Grantee",

WITNESSETH:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do 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, including but not limited to two (2) fire hydrants and two (2) valve box covers, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

Two tracts in The Meadowlands, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

A five-foot wide strip adjacent to Stonegate Circle from a point 138.48 feet east of the southwest corner of Lot Two (2) to a point 376.43 feet west of the southeast corner of said Lot.

The northwest five feet (5') of Lot Three (3) adjacent to Stonegate Circle.

A five-foot wide strip adjacent to Stonegate Circle along the north side of Lot Five (5) from a point 115.29 feet east of the northwest corner of said Lot to the northeast corner of said Lot.

A five-foot wide strip adjacent to 118th Circle along the west side of Lot Five (5) from a point 230.29 feet south of the northwest corner of Lot Five (5) to the southwest corner of said Lot.

The northwest five feet (5') of Lot Four (4) adjacent to 118th Circle.

The northeast five feet (5') Lot Seven (7) adjacent to 118th Circle.

A five foot wide strip adjacent to 118th Circle along the east side of Lot Six (6) from a point 218.29 feet south of the northeast corner of said Lot to the southeast corner of said Lot.

Said tracts contain a tent (.10) of an acre, more or less, and are 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 unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

RECEIVED JUN 24 2 52 PM '91 GEORGE J. BUGLEWICZ REGISTER OF DEEDS DOUGLAS COUNTY, NE

11987

Handwritten notes and stamps: BK 968 N, PG 206-208, OF Misc, COMP, DEL, MC, 18, 118, 2.5755

1. The Grantors agree that neither they nor their successors or assigns will at any time erect, construct or place on or below the surface of said easement tract any building or structure, except pavement, and they will not give anyone else permission to do so.

2. The 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 the Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. It is further agreed the Grantors have lawful possession of said real estate, good right and lawful authority to make such conveyance and they and their executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Grantors have caused this Easement and Right-of-Way to be signed and executed on the day and year first above written.

H. LEE GENDLER and  
IRVIN GENDLER,  
Grantors

*H Lee Gendler*  
\_\_\_\_\_  
H. Lee Gendler

ATTEST:

*Sherley Turpen*  
\_\_\_\_\_

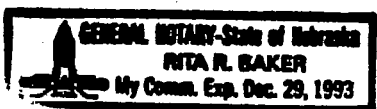
*I Gendler*  
\_\_\_\_\_  
Irvin Gendler

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
  ) ss  
COUNTY OF DOUGLAS )

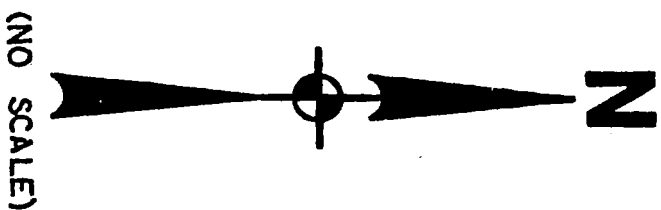
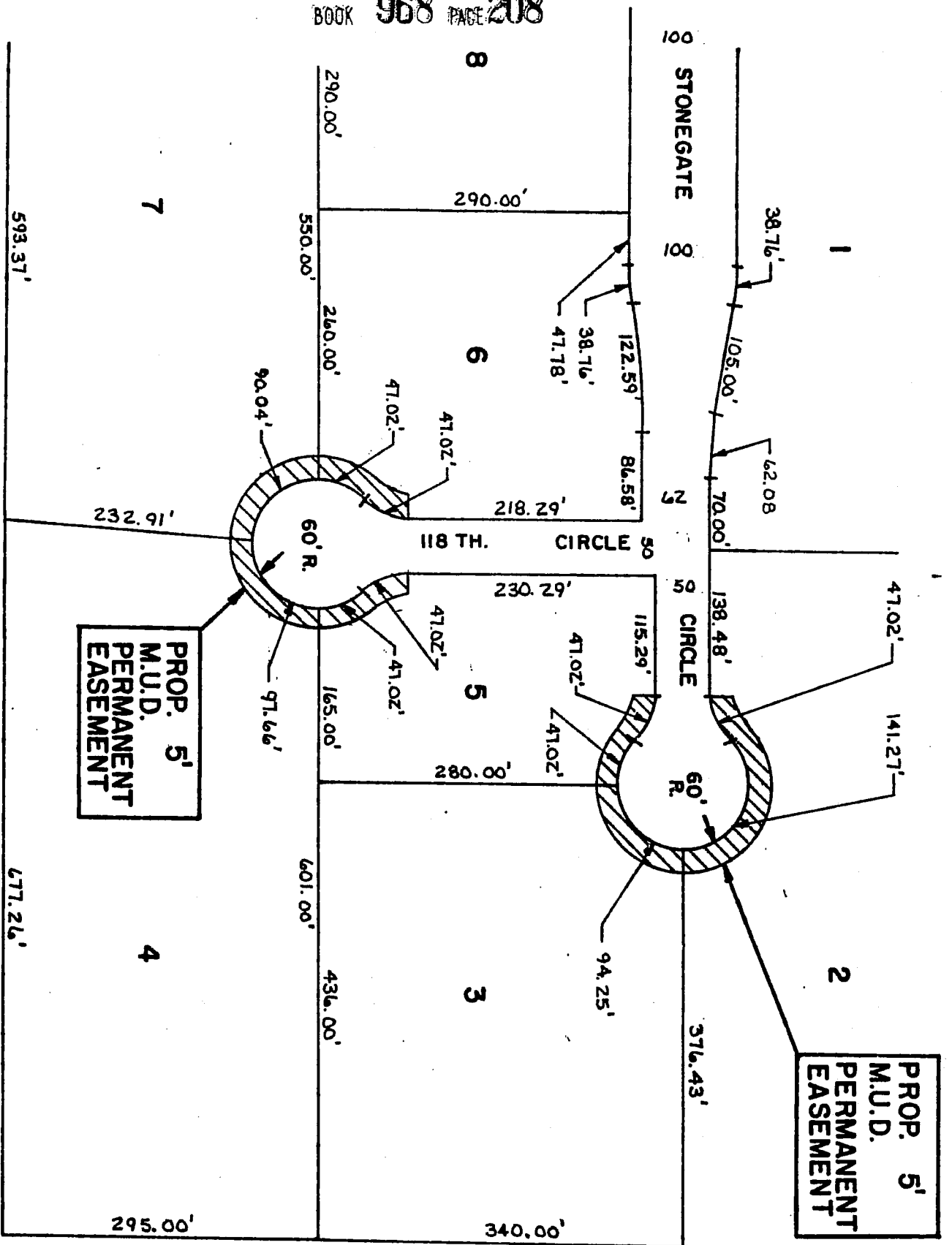
On this 18 day of June, 1991, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came H. Lee Gendler and Irvin Gendler, to me personally known to be the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution of this instrument to be their voluntary act and deed as individuals.

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



*Rita R. Baker*  
\_\_\_\_\_  
Notary Public

My Commission expires: 12-29-93.



DRAWN BY B.A. DATE 10-29-90  
 CHECKED BY W.W.P. DATE 11-2-90  
 APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

PAGE 1 OF 1

LAND OWNER  
H. LEE & IRVIN  
 GENDLER  
 \_\_\_\_\_  
 \_\_\_\_\_  
 TOTAL ACRE 0.12 ±  
 LEGEND  
 PERMANENT EASEMENT

METROPOLITAN UTILITIES DISTRICT  
 OMAHA, NEBRASKA  
 EASEMENT ACQUISITION  
 FOR GRM. 10113  
B. W.C.C. 7320  
 LAND OWNER  
H. LEE & IRVIN  
 GENDLER  
 \_\_\_\_\_  
 \_\_\_\_\_  
 TOTAL ACRE 0.12 ±  
 LEGEND  
 PERMANENT EASEMENT