

MISC 1990 00181

THIS PAGE INCLUDED FOR INDEXING PAGE DOWN FOR BALANCE OF INSTRUMENT

EASEMENT AND RIGHT-OF-WAY

WITNESSETH:

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 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:

PERMANENT EASEMENT

The East Fifteen Feet (E. 15') of the South Seventeen Feet (S. 17') of Lot Ten (10) of Spring Valley Industrial Park, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Said tract, containing 0.010 of an acre, more or less, is shown on the drawing attached hereto and made a part hereof by this reference.

Jan 3 2 48 PM '90

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. The 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 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 Grantor, 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 Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its 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.
- 5. The persons executing this instrument represent they have the requisite authority to execute same and make this conveyance on behalf of said Joint Venture.

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

909 N C/O FEE 250 PG460-46 N DEL V/K MC WC

/ me

BOOK 909 PAGE 461

	SPRING VALLEY X JOINT VENTURE, a Nebraska Joint Venture, Grantor		
(Corporate Seal)	Pro Poince Position P. 1		
ATTEST:	By: Prime Realty Development, Inc., a Nebraska Corporation,		
Toldy Hock	By: Amon VMc Curt-Prevident Fames V. McCart, President President		
ATTEST: ATTEST:	By: David Underwood		
Kohit Hoek	By: Leo E. Dahlke		
ATTEST?	By: Kevin D. Irish		
ATTEST:	By: Herbert L. Freeman		
ACKNOW	LEDGMENT		
STATE OF NEBRASKA)			
) ss COUNTY OF DOUGLAS)			
Nebraska, personally came James Realty Development, Inc., a Neb be the identical person whose n instrument, and he acknowledged to be his voluntary act and dee	raska Corporation, to me known to ame is affixed to the foregoing the execution of this instrument		
WITNESS my hand and Notari above written.	al Seal the day and year last		
A GEN	Notary Public		
My Commission expires:	TRACY URBANEK Ty Comm. Exp. Doc. 24, 1991 LEDGMENT		
	 		
STATE OF NEBRASKA)			
) ss COUNTY OF DOUGLAS)			
Nebraska, personally came David Venture, a Nebraska Joint Ventu	, 1989, before me, c in and for said State of Underwood of Spring Valley X Joint are, to me known to be the identical the foregoing instrument, and he		

acknowledged the execution of this instrument to be his voluntary act and deed as an individual and his voluntary act and deed on behalf of said Joint Venture.

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

Motary Public

My Commission expires:

GENERAL MOTARY-State of Mediaska
TRACY URBANEK
My Comm. Exp. Dec. 24, 1991

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this <u>IST</u> day of <u>DECEMBER</u>, 1989, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Leo E. Dahlke of Spring Valley X Joint Venture, a Nebraska Joint Venture, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and his voluntary act and deed on behalf of said Joint Venture.

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

Notary Public

My Commission expires:

SERENI, METABY-Issue of Indicate
TRACY URBANEK
Wy Comm. Etp. Doc. 24, 1991

ACKNOWLEDGMENT

STATE OF NEBRASKA)

COUNTY OF DOUGLAS)

On this day of the undersigned, a Notary Public in and for said State of Nebraska, personally came Kevin D. Irish of Spring Valley X Joint Venture, a Nebraska Joint Venture, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and his voluntary act and deed on behalf of said Joint Venture.

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

hacy Urbane k Notary Public

My Commission expires:

A GENERAL HOTARY-State of Nebrasia
TRACY URBANEK
My Comm. Exp. Dec. 24, 1991

ACKNOWLEDGMENT

STATE OF NEBRASKA) COUNTY OF DOUGLAS)

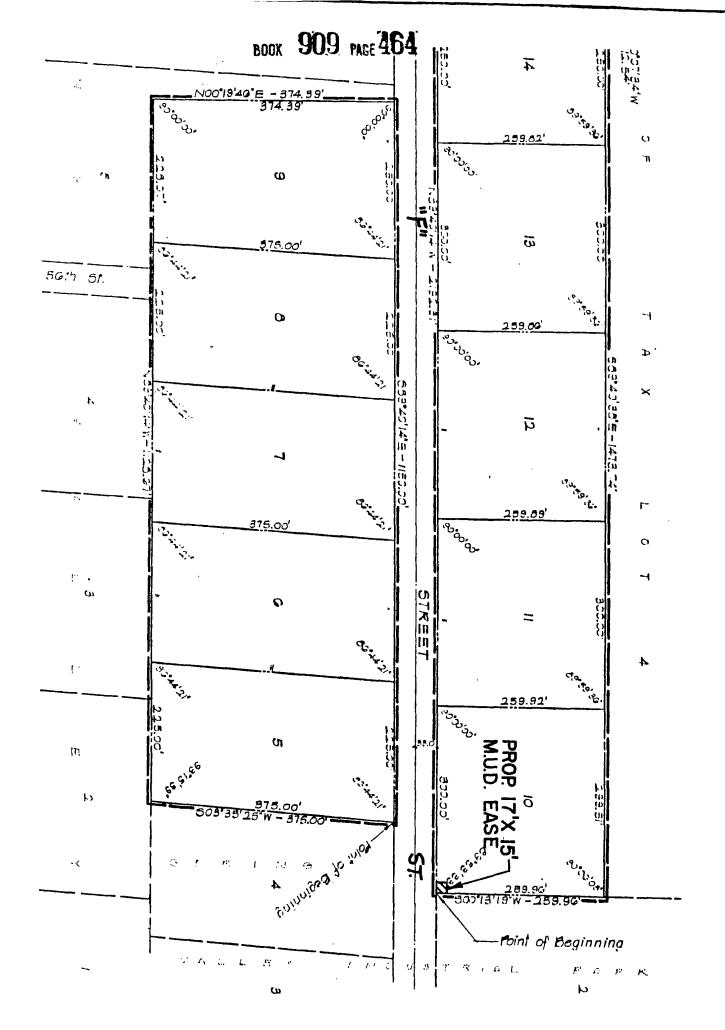
On this /st day of December , 1989, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Herbert L. Freeman of Spring Valley X Joint Venture, a Nebraska Joint Venture, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and his voluntary act and deed on behalf of said Joint Venture.

> REMSIAL MOTARY-State of Medicaska
> TRACY URBANEK My Comm. Exp. Dec. 24, 1991

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

Notary Public

My Commission expires:



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CHECKED BY MMP DATE 11-7-89 APPROVED BY TWANDATE 11/7/AP REVISED BY DATE REV. CHK'D BY DATE EV. APPROV. BY DATE	PAGE OF	LEGEND PERMANENT EASEMENTEZZZ TEMPORARY EASEMENTEZZZ	TOTAL ACRE PERMANENT O.OIO TOTAL ACRE TEMPORARY	SPRING VALLEY JOINT VENTURE	EASEMENT ACQUISITION FOR W.C.C. 7105	METROPOLITAN UTILITIES DISTRICT
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