



BK 0905 PG 108



MISC 1989 19073

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INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 3rd day of NOVEMBER, 1989, between RICHARD E. BRASEL and BONNIE M. BRASEL d/b/a B & D INVESTMENT CO., 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 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

A tract in Park Eighty-Four, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

The north 15 feet of the east 255.33 feet of Lot Six (6).

TEMPORARY EASEMENT

A tract in Park Eight-Four, a subdivision, as surveyed, platted and recorded in Douglas county, Nebraska, and described as follows:

The south 10 feet of the north 25 feet of the east 255.33 feet of Lot Six (6).

It is understood this temporary construction easement shall be effective for a period of ninety (90) days following execution and delivery of this Easement.

Said tracts contain 0.088 of an acre, more or less, (permanent easement) and 0.059 of an acre, more or less, (temporary easement) 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.

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.

1989
Muehl

RECEIVED

Nov 14 11 45 AM '89
GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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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.

RICHARD E. BRASEL and BONNIE M. BRASEL
d/b/a B & D INVESTMENT CO.,
Grantor

ATTEST:

Linda A. Slone

Richard E. Brasel
Richard E. Brasel

Bonnie M. Brasel
Bonnie M. Brasel

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF Douglas)

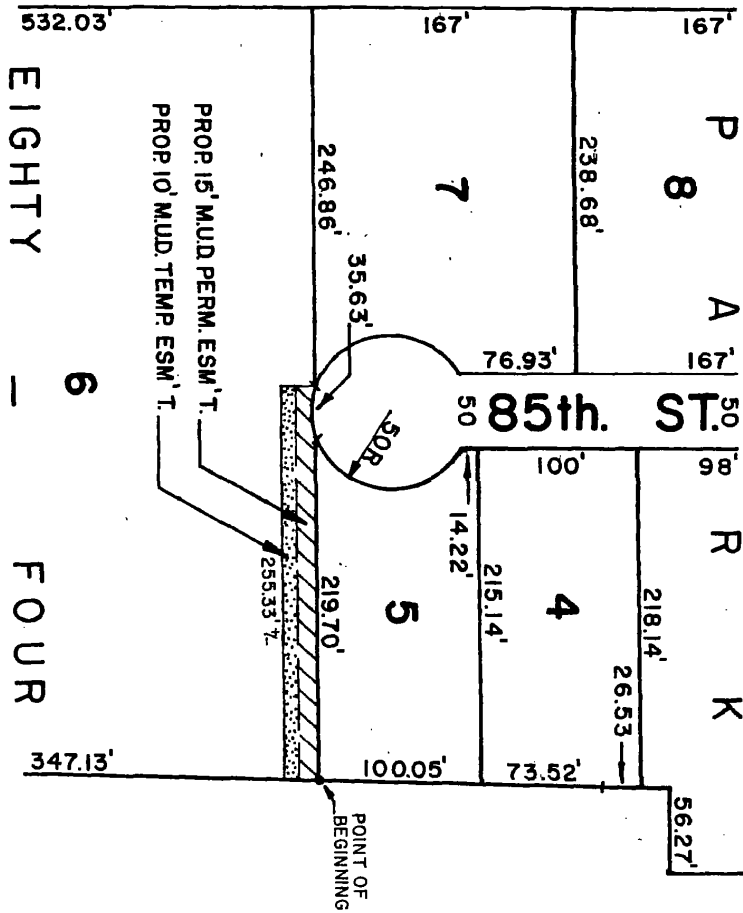
On this 3rd day of November, 1989, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Richard E. Brasel and Bonnie M. Brasel, d/b/a B & D Investment Co., to me personally known to be the identical persons whose names are affixed to the foregoing instrument, and he and she acknowledged the execution of this instrument to be his and her voluntary act and deed.

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

Connie M. Brasel
Notary Public

My Commission expires: 9-25-93





EIGHTY - FOUR
N.E. 1/4 SEC. 10 T. 14 N. R. 12 E.

84th. ST. TO PARK DRIVE

DRAWN BY KB DATE 10-27-89
 CHECKED BY AR DATE 10-27-89
 APPROVED BY SWAB DATE 10/31/89
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PAGE _____ OF _____

LEGEND
 PERMANENT EASEMENT |||||
 TEMPORARY EASEMENT |||||
 TOTAL ACRE _____
 PERMANENT 0.0872
 TEMPORARY 0.03872

LAND OWNER _____
 BBO INVESTMENTS
 1010 "O" ST.
 OMAHA, NE 68137

EASEMENT ACQUISITION
 FOR WC 7175
WA 2048

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA