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EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 8th day of December, 1977, between Debak Properties, a partnership, 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 sum of One Dollar (\$1.00) 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 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:

A strip of land lying in the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of Section Twelve (12), Township Fourteen (14) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter (NW¼); thence North 89°10'20" West along the South line of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of said Section Twelve (12) a distance of Thirty-seven and Thirty-three Hundredths (37.33) feet; thence North 00°05'57" West a distance of Forty-two and Fifty Hundredths (42.50) feet to the point of beginning; thence North 89°10'20" West a distance of Two Hundred Thirty-eight (238) feet; thence North 00°05'57" West a distance of Fifteen (15) feet; thence South 89°10'20" East a distance of Two Hundred Thirty-eight (238) feet; thence South 00°05'57" East a distance of Fifteen (15) feet to the point of beginning.

Said strip contains Eight Hundredths (0.08) acre, more or less, all as shown on the plat attached hereto 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, its successors or assigns agree that they will at no 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 give anyone else permission to do so. Grantor may cross the easement area with other utilities providing they do not jeopardize Grantee's mains.

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

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

DEBAK PROPERTIES, Grantor

ATTEST:

Michael G. Sherman  
Title Partner

By J. R. Kill  
Title Partner

STATE OF       IOWA       )  
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COUNTY OF       PAGE       )

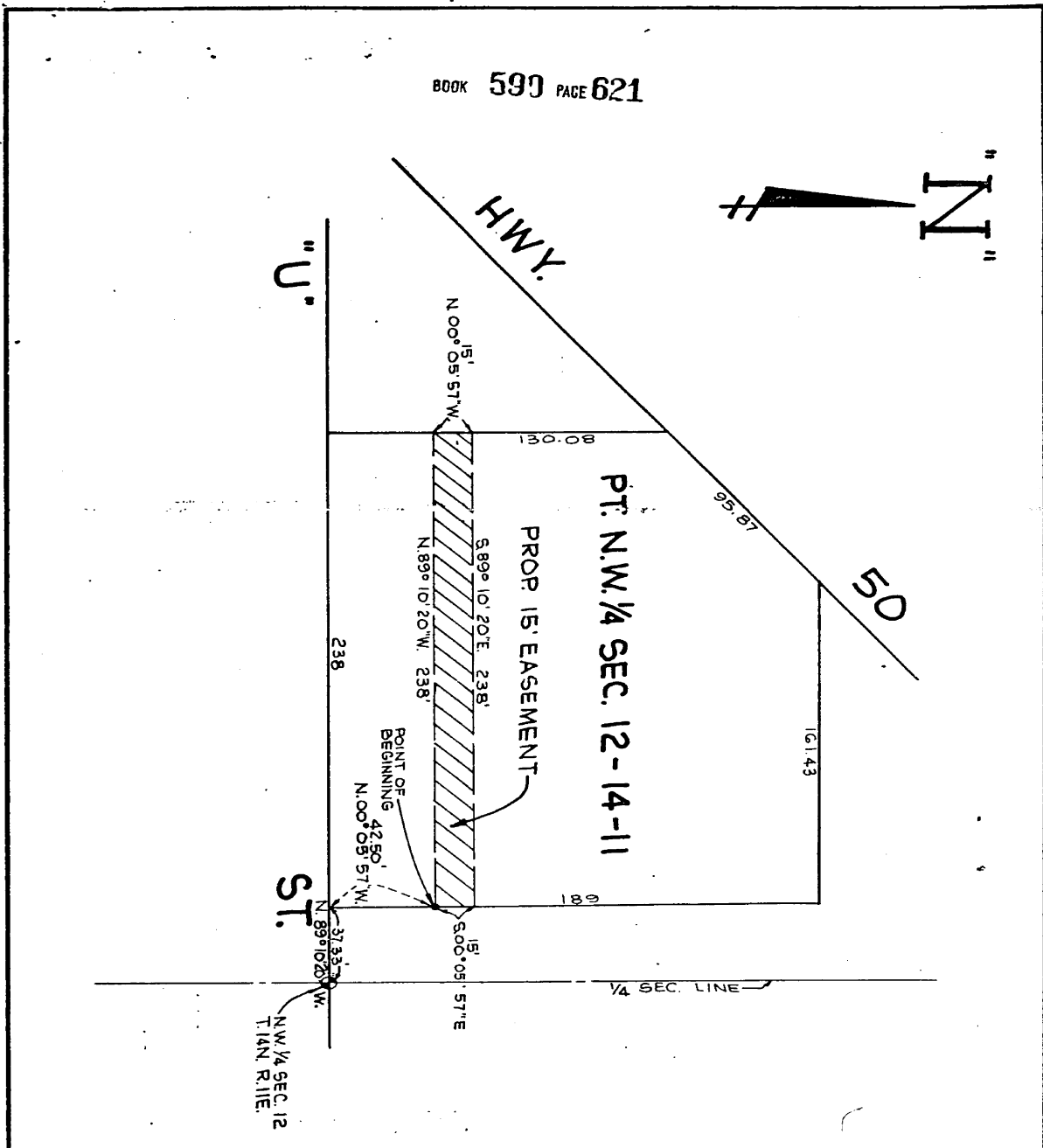
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On this 8th day of December, 1977, before me, the undersigned, a Notary Public in and for said county, personally came John R. Kidd and Michael G. Sherman, to me personally known to be partners of Debak Properties, a partnership, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution of this instrument as his voluntary act and deed and the voluntary act and deed of said partnership.

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



LaBine H. Lungren  
Notary Public



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DRAWN BY <u>A.F.</u> DATE <u>11-28-17</u> CHECKED BY _____ DATE _____ APPROVED BY <u>PT</u> DATE <u>11-29-17</u> REVISED BY _____ DATE _____ REV. CHK'D BY _____ DATE _____ REV. APPROV. BY _____ DATE _____	PAGE 1 OF 1	METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA EASEMENT ACQUISITION FOR G.W.O. 4956	LAND OWNER DEBAK PROPERT A PARTNERSHIP	TOTAL ACRE <u>0.08</u> LEGEND PERMANENT EASEMENT <input checked="" type="checkbox"/>
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11-29-17  
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 REGISTRAR OF DEEDS  
 DOUGLAS COUNTY, NEBR.  
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