

53-78

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 29<sup>th</sup> day of JANUARY, ~~1979~~<sup>1980</sup>, between Marijo Corporation, a Nebraska Corporation, 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 three thousand and 100/100 Dollars (\$ 3,000<sup>00</sup>), 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 Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-four (34), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska. Said strip is more particularly described as follows:

A strip of land in Tax Lot B2B1B of the said Southwest Quarter (SW $\frac{1}{4}$ ) of said Section 34, Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., in Sarpy County, Nebraska, being Ten (10) feet wide, lying along and parallel to the East right-of-way line of Twenty-fifth (25th) Street, said strip extending from the North property line of said Tax Lot B2B1B South a distance of Two Hundred Eighty-two and Seven-Tenths (282.7) feet, said distance being measured along said right-of-way line. Excepted from this strip is the real estate upon which a garage building presently is located, the same being situated at or near the South portion of the just described strip of land.

This strip, as shown on the plat attached hereto and made a part hereof by this reference, contains Six Hundredths (0.06) acre, more or less.

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 agrees that neither it nor its successors or assigns will at any 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.

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.

ATTEST: *Mary Ruten*

MARIJO CORPORATION, Grantor  
By *Joseph A. Casikh*  
Title President

*Mary A. Casikh*  
Title Secretary

FILED FOR RECORD 2-12-80 AT 8:15A. M. IN BOOK 53 OF Miss Secs.  
PAGE 78 (SEAL) *Carl L. Hill* REC'D OF DEEDS, SARPY COUNTY, NEB. 9-25 feet 00991

STATE OF NEBRASKA)  
  ) ss  
COUNTY OF SARPY )

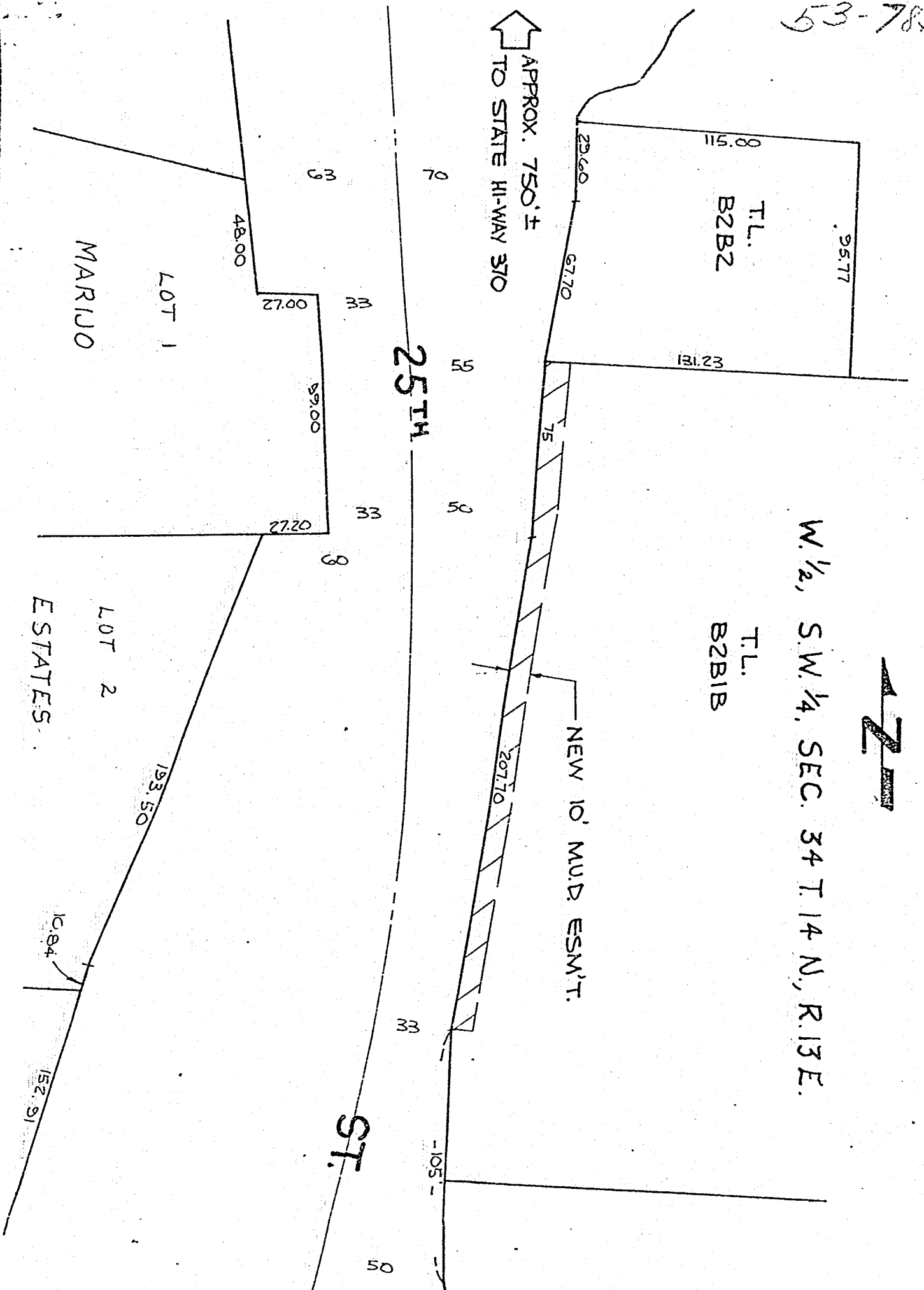
On this 31st day of JANUARY, <sup>1980</sup>~~1979~~, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Joseph G. Cieslik and Mary K. Cieslik, to me personally known to be husband and wife, and to me personally known to be President and SECRETARY, respectively, of Marijo Corporation, a Nebraska Corporation, and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution of this instrument as his, her and their voluntary act and deed as persons individual, as his, her and their voluntary act and deed as President and SECRETARY of said Corporation, and as the voluntary act and deed of said Corporation.

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

Ronald L. Garrett  
Notary Public



53-78B



W. 1/2, S.W. 1/4, SEC. 34 T. 14 N., R. 13 E.

T.L. B2B1B

NEW 10' MUD ESM'T.

25TH ST.

MARIJO

LOT 1

LOT 2

ESTATES

METROPOLITAN UTILITIES DISTRICT  
OMAHA, NEBRASKA

EASEMENT ACQUISITION  
FOR W.C.S.P. 5775  
TRACT NO. 2

LAND OWNER  
MARIJO CORP.

TOTAL ACRE 0.006

LEGEND  
PERMANENT EASEMENT

PAGE 1 OF 1

DRAWN BY C.G. DATE 9-24-79  
CHECKED BY W.W.P. DATE 9-25-79  
APPROVED BY TPB DATE 7-26-79  
REVISED BY DATE  
REV. CHK. BY DATE  
REV. APPROV. BY DATE