

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 7<sup>th</sup> day of June, 1972, between Industrial Development Co., 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:

PERMANENT EASEMENT

A strip of land lying in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, said strip being more particularly described as follows:

Beginning at the intersection of the East right-of-way line of 156th Street and the Southwesterly right-of-way line of the Union Pacific Railroad; thence South 48° 48' 00" East (assumed bearing) along the Southwesterly right-of-way line of the said Union Pacific Railroad a distance of One Hundred Ninety-three and Five-tenths (193.5) feet; thence South 41° 12' 00" West a distance of Twenty (20) feet; thence North 48° 48' 00" West a distance of One Hundred Seventy-six (176) feet to a point on the East right-of-way line of 156th Street; thence North 0° 0' 0" East a distance of Twenty-six and Fifty-eight One-hundredths (26.58) feet to the point of beginning, containing Nine One-hundredths (0.09) acres, more or less, all as shown on plat attached hereto, marked Exhibit "A", and made a part hereof.

PERMANENT EASEMENT

A tract of land lying in the North Half of the Northwest Quarter (N $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section Thirty-five (35), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, said tract being more particularly described as follows:

Beginning at the intersection of the Northerly property line and the Northeasterly property line of Lot One (1), Cornhusker Industrial Park III, as now platted and recorded, a subdivision in Douglas County, Nebraska, said Northerly property line having an assumed bearing of North 80° 02' 36" East; thence North 64° 57' 24" West a distance of Fifty-seven and Five-tenths (57.5) feet; thence North 25° 2' 36" East a distance of Seventy-two (72) feet to a point on the Southwesterly right-of-way line of U. S. Highway No. 275; thence Southeasterly along the said right-of-way line a chord distance of Thirty (30) feet;

thence South 51° 32' 36" East a distance of Eighty-six (86) feet to a point on the Northerly right-of-way line of West "L" Street cut-off; thence South 80° 02' 36" West a distance of Sixty-three and Ninety-three One-hundredths (63.93) feet to the point of beginning, said tract containing Twelve One-hundredths (0.12) acres, more or less, all as shown on plat attached hereto, marked Exhibit "B", and made a part hereof.

TEMPORARY EASEMENT

A temporary construction easement, being more particularly described as follows:

A strip of land Twenty (20) feet wide running along, parallel to and Southwesterly of the Southwesterly right-of-way line of U. S. Highway No. 275, said strip commencing at the above described permanent easement (shown on plat marked "Exhibit B" attached hereto) and running Northwesterly to the Union Pacific Railroad right-of-way, said strip containing Forty-eight One-hundredths (0.48) acres, more or less, all as shown on plat attached hereto, marked Exhibit "B", 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 strips 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. Grantor, its successors or assigns, shall have the right, at their expense, to have the Grantee change the location of the easement and pipelines in the event the aforescribed easement conflicts with the use of the land in the future, and agree to give whatever easement is necessary in connection with the said change in location of the pipelines.

4. 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 water main or gas main constructed and maintained hereunder.

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

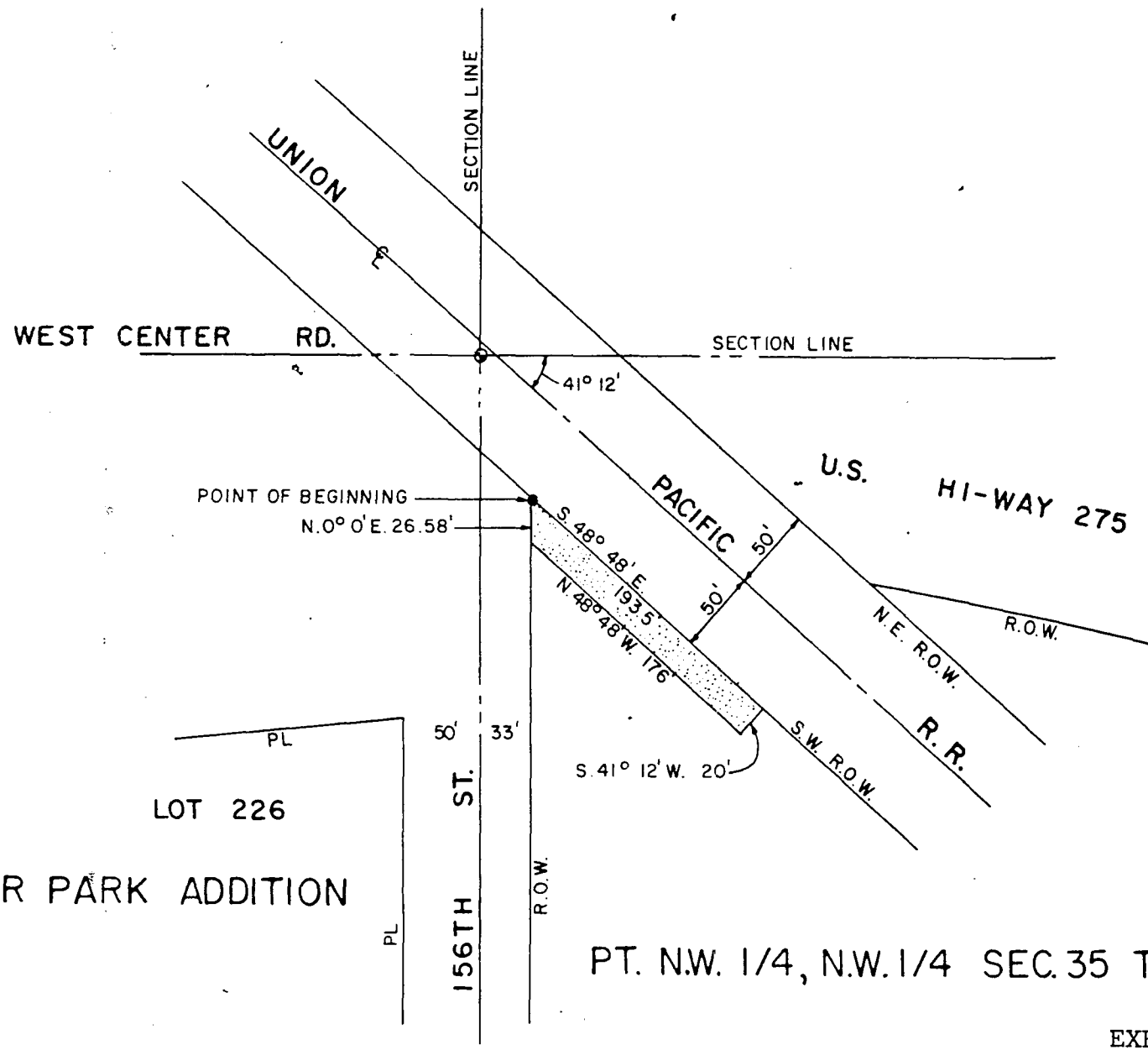
Witness:

\_\_\_\_\_  
\_\_\_\_\_

INDUSTRIAL DEVELOPMENT CO.

By [Signature]  
Title [Signature]  
Title [Signature]





CENTER PARK ADDITION

LOT 226

PT. N.W. 1/4, N.W. 1/4 SEC. 35 T. 15N. R. 11E.

EXHIBIT "A"

METROPOLITAN UTILITIES DISTRICT  
OMAHA, NEBRASKA

EASEMENT ACQUISITION  
FOR W.C.-C. 4586 &  
G.R.-M. 7172

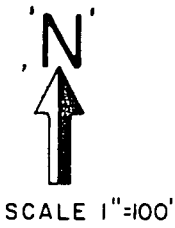
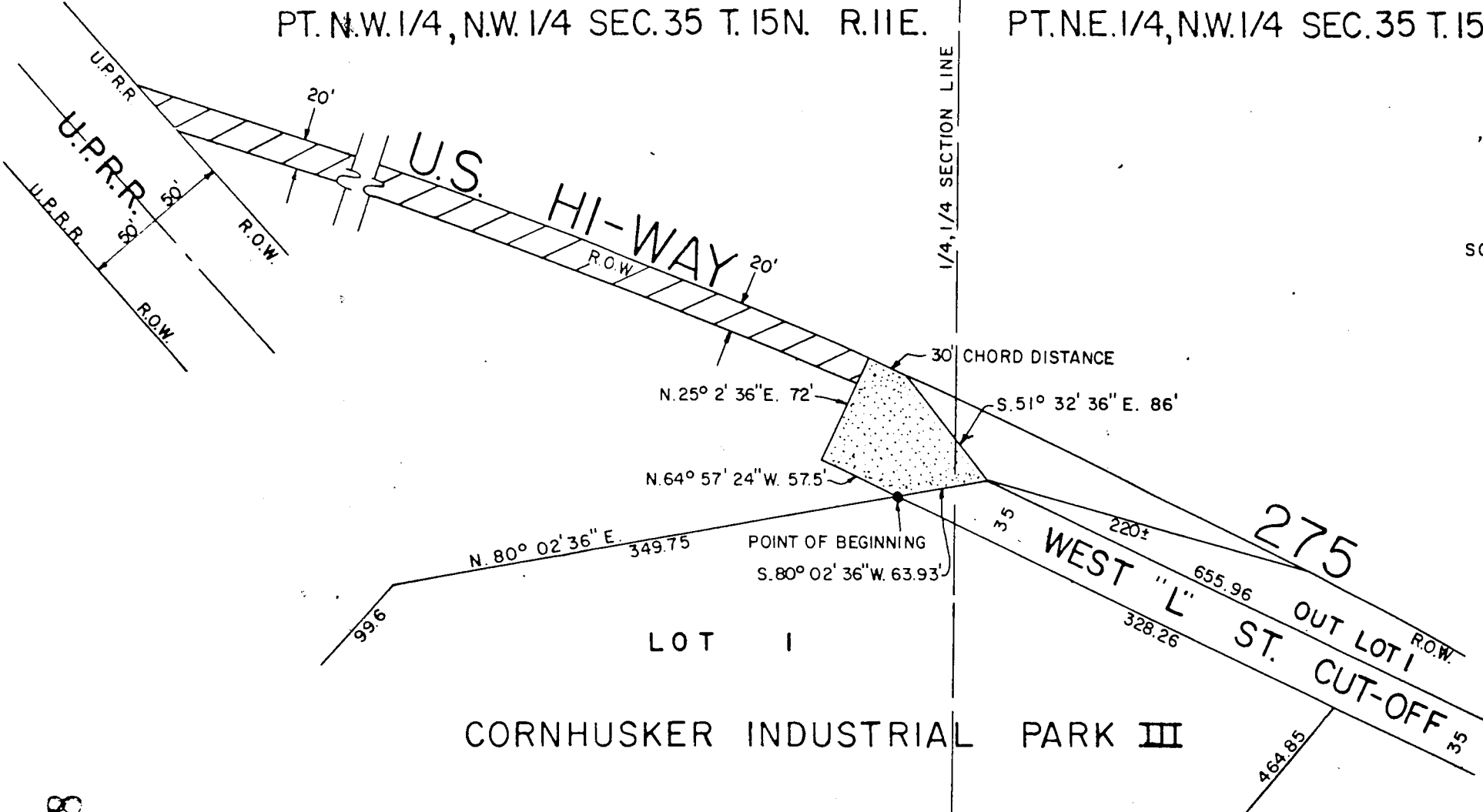
TRACT NO. 2  
LAND OWNER INDUSTRIAL DEVELOPMENT CO.  
LINEAL FEET \_\_\_\_\_  
AREA: PERMANENT \_\_\_\_\_  
TEMPORARY \_\_\_\_\_  
ACRE: PERMANENT 0.09  
TEMPORARY \_\_\_\_\_

LEGEND  
TEMPORARY EASEMENT   
PERMANENT EASEMENT

DRAWN BY A.F. DATE 4-6-72  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_

PT. N.W. 1/4, N.W. 1/4 SEC. 35 T. 15N. R. 11E.

PT. N.E. 1/4, N.W. 1/4 SEC. 35 T. 15N. R. 11E.





8. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
 22 DAY OF June 19 72 AT 1:52 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS 15-25

METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR WC-C. 4586 &  
G.R.-M. 7172

TRACT NO. 3  
LAND OWNER INDUSTRIAL  
DEVELOPMENT CO.  
LINEAL FEET \_\_\_\_\_  
AREA: PERMANENT \_\_\_\_\_  
TEMPORARY \_\_\_\_\_  
ACRE: PERMANENT 0.12  
TEMPORARY 0.48

LEGEND  
TEMPORARY EASEMENT   
PERMANENT EASEMENT 

DRAWN BY A.F. DATE 4-6-72  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_

EXHIBIT "B"