

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 20th day of September, 1980, between James J. Stumpf, Trustee, 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 water and gas, and all appurtenances thereto, including but not limited to three aboveground valve boxes, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

Two tracts of land located in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-three (33), Township Sixteen (16) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska, and more particularly described as follows:

Tract #1

Beginning at the intersection of the Northeasterly right-of-way line of 103rd Street and the Southeasterly right-of-way line of Allied Circle; thence Northeasterly along said Southeasterly right-of-way line of Allied Circle, a distance of Two Hundred Eighteen and Fifty-four Hundredths (218.54) feet to a point of curvature; thence continuing along said Southeasterly right-of-way line of Allied Circle on a curve to the right, having a radius of One Hundred (100) feet, an arc distance of Seventy-three and Eighty-three Hundredths (73.83) feet to a point of tangency; thence continuing along said Southerly right-of-way line of Allied Circle a distance of Five Hundred Forty-two and Eighteen Hundredths (542.18) feet to a point of curvature, said point being the true point of beginning; thence continuing in a straight line a distance of Eighty (80) feet; thence Northerly at a 90° angle a distance of Fifteen (15) feet; thence Westerly at a 90° angle a distance of Eighty (80) feet; thence Southerly at a 90° angle a distance of Fifteen (15) feet to the true point of beginning, all as shown on the plat attached hereto and made a part hereof by this reference, except that portion dedicated as right-of-way for Allied Circle.

Tract #2

Beginning at the intersection of the Northeasterly right-of-way line of 103rd Street and the Northwesterly right-of-way line of Allied Circle; thence Northwesterly along said Northeasterly right-of-way line of 103rd Street on a curve to the left, having a radius of One Hundred Seventy-two and Eleven Hundredths (172.11) feet, an arc distance of Fifteen (15) feet; thence Northeasterly along a line Fifteen (15) feet Northwesterly of and parallel to the Northwesterly right-of-way line of Allied Circle a distance of Ten (10) feet; thence Southeasterly along a line which is perpendicular to the Northwesterly right-of-way line of Allied Circle a distance of Ten (10) feet to a point which is Five (5) feet Northwesterly of said Northwesterly right-of-way line of Allied Circle; thence Northeasterly along a line which is Five (5) feet Northwesterly of and parallel to said Northwesterly right-of-way line of Allied Circle a distance of Two Hundred One and Nine Hundredths (201.09) feet to a point of curvature; thence Easterly on a curve to the right (Five (5) feet Northerly of and parallel to the Northerly right-of-way line of

Allied Circle) having a radius of One Hundred Fifty-five (155) feet, an arc distance of One Hundred Fourteen and Forty-three Hundredths (114.43) feet to a point of tangency; thence East-erly along a line which is Five (5) feet Northerly of and parallel to said Northerly right-of-way line of Allied Circle, a distance of One Hundred Fifty (150) feet; thence Southerly along a line which is perpendicular to said Northerly right-of-way line of Allied Circle a distance of Five (5) feet to said Northerly right-of-way line of Allied Circle; thence Westerly along said right-of-way line a distance of One Hun-dred Fifty (150) feet to a point of curvature; thence continuing along said Northerly right-of-way line of Allied Circle on a curve to the left, having a radius of One Hundred Fifty (150) feet, an arc distance of One Hundred Ten and Seventy-seven Hundredths (110.77) feet to a point of tangency; thence continuing along said right-of-way line of Allied Circle a distance of Two Hundred Eleven and Nine Hundredths (211.09) feet to the inter-section of said right-of-way line of Allied Circle and the Northeastly right-of-way line of 103rd Street and the point of beginning, all as shown on the plat 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. Grantor agrees that neither he nor his heirs, successors or assigns will at any time erect, construct or place on or below the surface of said tracts of land any building or structure, except pavement or other utilities, and that they will not give anyone else permission to do so, and that said permission to other utilities and the rights attendant thereto shall be subordinate to the Grantee's rights herein.
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 reason-ably 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 owner-ship, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantor has executed this easement on the day and year first above written.

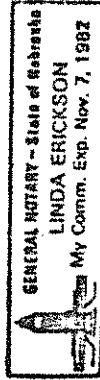
* and/or sewer lines,

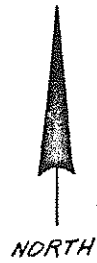
James J. Stumpf, Trustee
James J. Stumpf, Trustee
Grantor

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 10th day of September, 1980, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came James J. Stumpf, Trustee, to me personally known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the execution of this instrument as his voluntary act and deed.

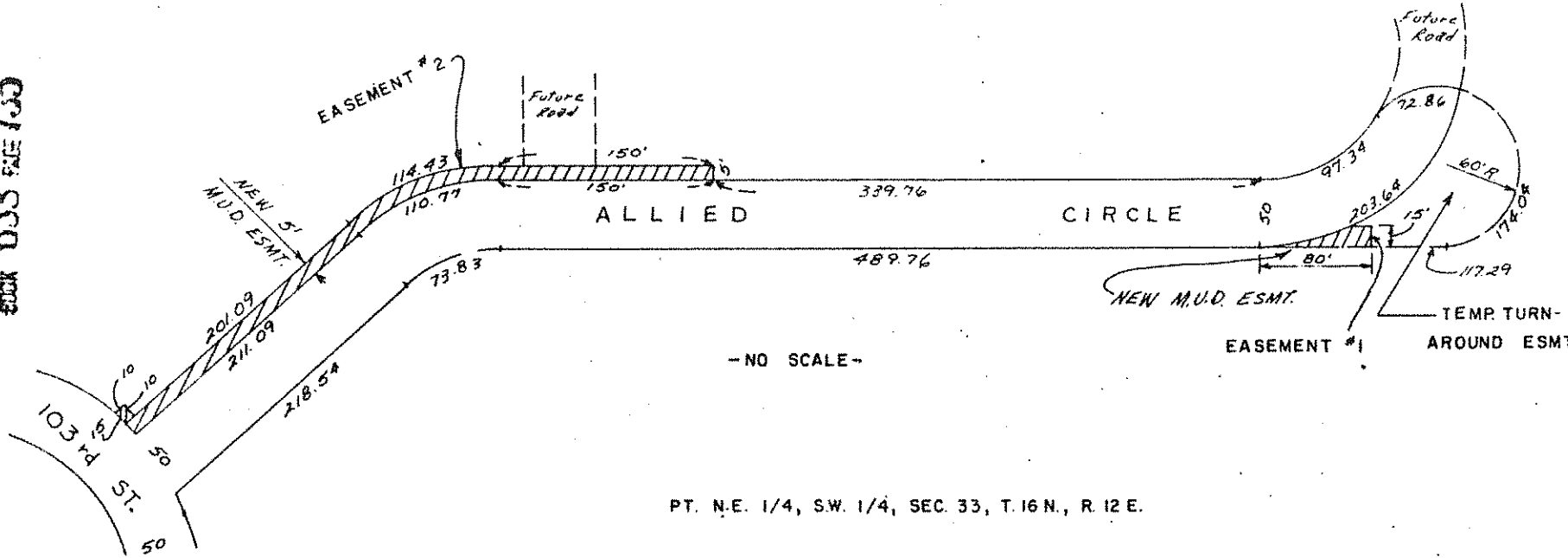
Witness my hand and Notarial Seal the day and year last above written.





PT. NE 1/4, SW 1/4, SEC. 33, T.16N., R. 12 E.

BOOK 638 PAGE 735



- NO SCALE -

PT. N.E. 1/4, SW. 1/4, SEC. 33, T.16N., R. 12 E.

METROPOLITAN
UTILITIES
DISTRICT

OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR W.C.C. 5868

G.C.C. 8384

LAND OWNER

JAMES J. STUMPF,
TRUSTEE

TOTAL ACRE

LEGEND

PERMANENT EASEMENT

PAGE / OF /

DRAWN BY	P.W.C.	DATE	9-10-80
CHECKED BY	W.W.P.	DATE	9-10-80
APPROVED BY	G.S.R.	DATE	9-10-80
REVISED BY		DATE	
REV. DATE		DATE	
REV. APPROV. BY		DATE	

FILE NO. 4

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RECEIVED
 1980 SEP 15 PM 2:55
 C. HAROLD COOPER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBRASKA

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