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RICHARD N. TAKECHI REGISTER OF DEEDS DOUGLAS COUNTY. NE

98 SEP -4 PM 2: 35

EASEMENT AND RIGHT-OF-WAYSKP45-11 G/O COMP.W

THIS INDENTURE, made this 4th day of September, 1998, between MARK R. ANDERSON and ROBIN M. ANDERSON, husband and wife, ("Grantors"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

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, a <u>non-exclusive</u> 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 on, over, under and through lands described as follows:

## PERMANENT EASEMENT

The west ten feet (10') of the east sixty feet (60') of the north three hundred sixty-five feet (365') of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Four (4), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M., in Douglas County, Nebraska.

This permanent easement contains 0.084 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD this Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

- 1. The Grantors and their successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or any similar structure and shall not permit anyone else to do so. Paving and similar covering, and fencing and landscaping are allowed as long as the same do not unreasonably interfere with the Grantee's use and enjoyment of its easement rights herein conveyed.
- 2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed. The Grantee shall sow bluegrass on the south side of Grantor's property entrance road, and alfalfa and brome, mixed, on the north side, <u>unless</u> the property has been recently (in 1998) sodded prior to the onset of construction, in which case the property shall be resodded. Property pins in place shall be protected and, if moved, restored to their proper location(s).

Please return to -

NUUD R.OWENS 1723 HARNEY ST. OMHUR 68102

- 3. Nothing herein shall be construed to waive any right of Grantors or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder. The pipelines to be installed hereunder shall be available for tapping to serve Grantor's real estate parcel which includes the easement tract, conditioned on the applicant(s) complying with and agreeing to all the terms and conditions of the Grantee associated with said taps and service including but not limited to payment of the usual and customary Grantee charges and fees associated therewith.
- 4. The Grantors are lawful possessors of this real estate; have good right and lawful authority to make such conveyance; and Grantors and their executors, administrators, successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, Grantors execute this Easement and Right-of-Way to be signed on the above date.

MARK R. ANDERSON and ROBIN M. ANDERSON, Husband and Wife, Grantors

Mark R. Anderson

<u>Robin M. Anderson</u> Robin M. Anderson

## **ACKNOWLEDGMENT**

STATE OF NEBRASKA ) ss COUNTY OF DOUGLAS )

This instrument was acknowledged before me on September 4, 1998, by Mark R. Anderson and Robin M. Anderson, husband and wife.

GENERAL NOTARY-State of Nebraska
RANDALL W. OWENS
My Comm. Exp. Dec. 22, 1999

Notary Public

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			S.E.% of S.E.% Sec. 4. RIJE, TI5N	PROP. 10' PERM. M.U.D. ESMT.		\$100 to 100 to 1	'M'O' .05		'.*'O'3		UNPLATTED	S.W.1/4 of S.W.1/4 Sec. 3, R11E, T15N						
	METROPOLITAN	DISTRICT	EASEMENT	FOR W.C.P. 8023	G.C.P. 10969	LAND OWNER	MARK & ROBIN ANDERSON 4002 NORTH 168TH STREET	OMAHA, NEBRASKA 68116	TOTAL ACRE PERMANENT 0.084 ±	TOTAL ACRE	LEGEND PERMANENT EASEMENT		PAGE 1 OF 1	DRAWN BY	CHECKED BY $\frac{UM}{S-2-98}$ DATE $\frac{S-2-98}{S-98000000000000000000000000000000000000$	DATE S-11-98 REVISED BY	DATE REV. CHK'D. BY	DATE

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