



RECEIVED

AUG 12 3 36 PM '94

GEORGE J. SUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

TEMPORARY EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 15 day of June, 1994, between CINNAMON CREEK LAND 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 Two Dollars (\$2.00) 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 all appurtenances thereto, including but not limited to an air tap hydrant and one valve with a c.c. box, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

TEMPORARY EASEMENT

That part of the Northeast Quarter (NE 1/4) of the Northwest Quarter of Section 9, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the Northeast corner of the said Northwest Quarter of Section 9; thence S 00°09'32" E for a distance of 50 feet; thence S 89°21'22" W for a distance of 64 feet TO THE POINT OF BEGINNING; thence S 89°21'22" W for a distance of 871.46 feet along a line parallel with the North Section Line of said Section 9; thence S 00°38'38" E for a distance of 5 feet; thence N 89°21'22" E for a distance of 871.46 feet; thence N 00°09'32" W for a distance of 5 feet to the Point of Beginning.

Said tract contains 0.1000 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 said Easement and Right-of-Way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, except pavement and shall not permit anyone else to do so.

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.

*TJ Secret*  
*MUP Law Dept*  
*1723 Honey Secret*  
*Omaha file 68102*

*9733 9/14/11 VP 01-60000*  
WEE 1530 R E2  
DEL C/O COMP  
LEGAL PG 1 SCAN TV

3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is a lawful possessor of this real estate; has good, right, and lawful authority to make such conveyance; and Grantor and its 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.

5. The person executing this instrument represents that he has authority to execute it.

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

CINNAMON CREEK LAND CORPORATION,  
a Nebraska Corporation, Grantor

(Corporate Seal)

ATTEST:

*Michael P. McMeekin*

By: *John C. Allen*  
John C. Allen, President

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
COUNTY OF Douglas ) ss

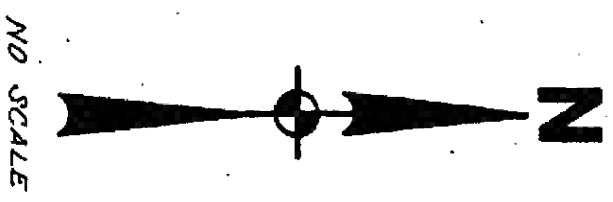
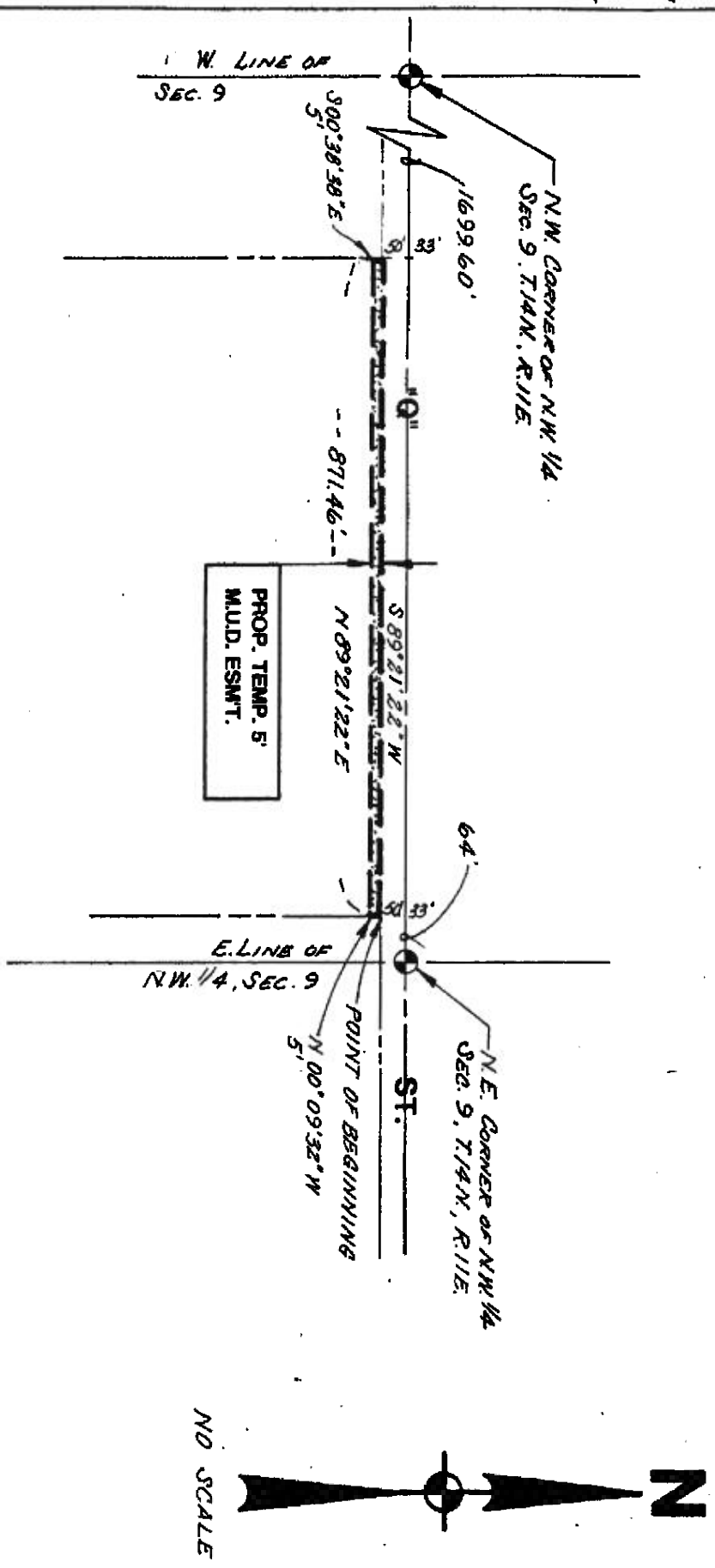
This instrument was acknowledged before me on June 15, 1994 by John C. Allen, President of Cinnamon Creek Land Corporation, a Nebraska Corporation, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and in his capacity as said President, and the voluntary act and deed of said corporation.

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



*Rita R. Baker*  
Notary Public

My Commission expires: 12-29-97.



**METROPOLITAN UTILITIES DISTRICT**  
OMAHA, NEBRASKA

**EASEMENT ACQUISITION**

FOR **W.C.P. 7808**

**LAND OWNER**

*Linnandyn Creek  
Land Collaboration Co  
Mike McNeerkin, Land  
Ryanarson Assoc.*

TOTAL ACRE PERMANENT \_\_\_\_\_  
TOTAL ACRE TEMPORARY 0.1005

**LEGEND**  
 PERMANENT EASEMENT   
 TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY S.R.W.  
 DATE 12-30-93  
 CHECKED BY K.H.  
 DATE 01-05-94  
 APPROVED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REVISED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REV. CHK'D. BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_  
 DATE \_\_\_\_\_