

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 19<sup>th</sup> day of June, 1979, between Carl A. Brady and Meroe Lou Brady, husband and wife, hereinafter referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the Grantors, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do 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, a pipeline for the transportation of 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:

Several strips of land lying in Lots 148, 158, 159, 160, 161, 162, 174, 175, and 176 of Crescent Oaks, a subdivision as now platted and recorded in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land lying in Lot One Hundred Forty-eight (148), being Seven (7) feet wide, lying along and parallel to the right-of-way line of 144th Avenue, said strip extending from the South property line of said Lot 148 Northerly a distance of Twenty (20) feet;

A strip of land Seven (7) feet wide, lying along and parallel to the right-of-way line of 144th Avenue, said strip being the front Seven (7) feet of Lots One Hundred Fifty-eight (158), One Hundred Fifty-nine (159), One Hundred Sixty (160), One Hundred Sixty-one (161), One Hundred Sixty-two (162), One Hundred Seventy-four (174), One Hundred Seventy-five (175), and One Hundred Seventy-six (176) lying along the right-of-way line of 144th Avenue.

These strips, shown on the plat attached hereto and incorporated herein by this reference, contain a total of Eleven Hundredths (0.11) 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. Grantors agree that neither they nor their heirs or assigns will at any time erect, construct or place on or below the surface of said strips of land any building or structure, except pavement or other utilities, 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 Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantors have executed this easement the day and year first above written.

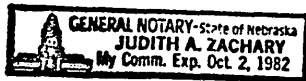
Carl A. Brady  
Carl A. Brady

Meroe Lou Brady  
Meroe Lou Brady  
Grantors

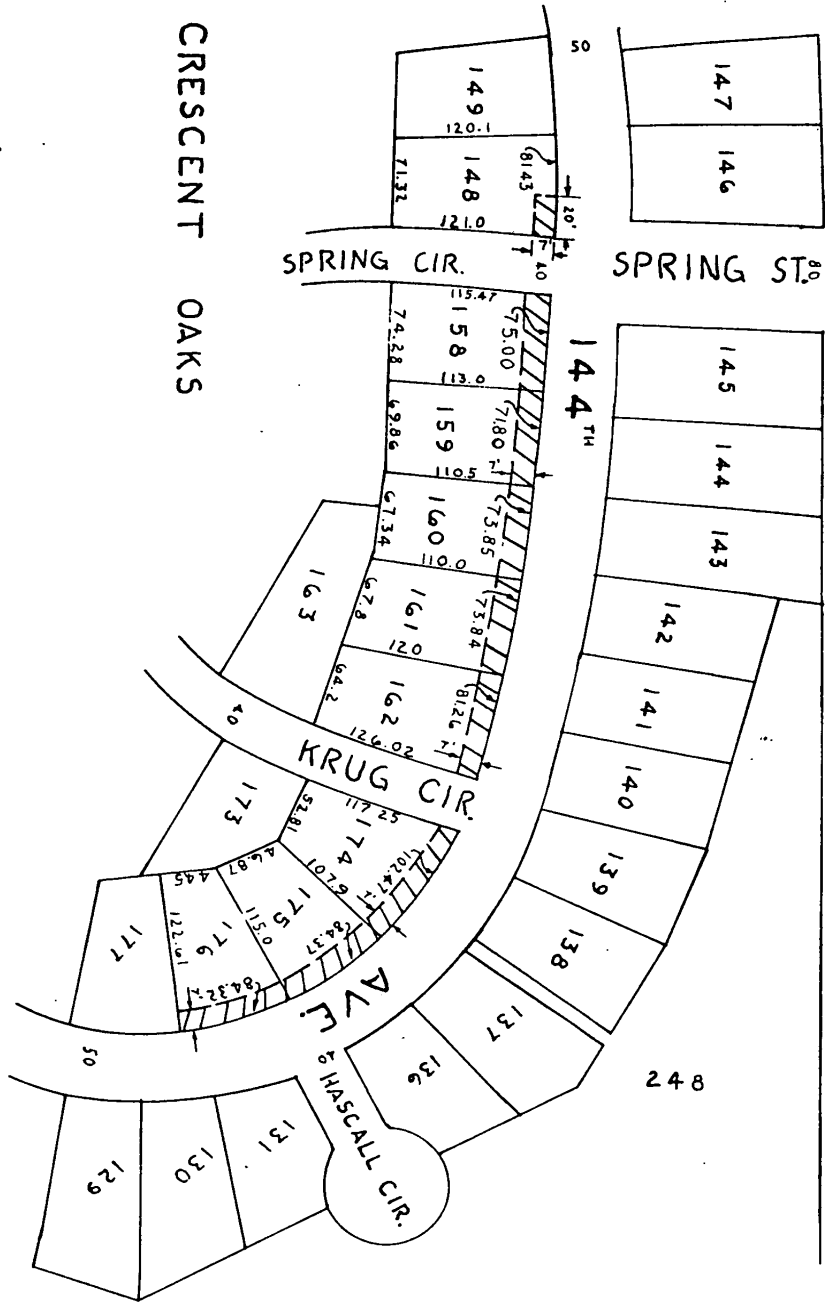
STATE OF NEBRASKA)  
  ) ss  
COUNTY OF DOUGLAS)

On this 19 day of June, 1979, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Carl A. Brady and Meroe Lou Brady, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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



Judith A. Zachary  
Notary Public



DRAWN BY C.N.J. DATE 3/29/79  
 CHECKED BY W.W.P. DATE 3.30.79  
 APPROVED BY T.P. DATE 4.2.79  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

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TOTAL ACRE 0.112  
 LEGEND  
 PERMANENT EASEMENT

LAND OWNER \_\_\_\_\_  
 CRESCENT OAKS  
 A JOINT VENTURE

EASEMENT ACQUISITION  
 FOR W.C.C. 56.60

METROPOLITAN UTILITIES DISTRICT  
 OMAHA, NEBRASKA

FILE NO. 4170

*24 Misc*

RECEIVED  
 1979 NOV 29 AM 10:58  
 C. HAROLD OSTI  
 REGISTER OF DEEDS  
 BOUGLAS COUNTY, NEB.

*W.P.*  
 3/29/79  
 30

*W.C.C.*  
 56.60  
 30  
 11/27/79