EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 24 day of 400 93, 1993, between DESIGN CONSTRUCT, INC., 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 gas 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 tract in Echo Hills, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, and described as follows:

The east five feet (e.5') of each of Lots 146, 147, 148, 149 and 150.

Said tract contains 0.0374 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 Grantce, Metropolitan Utilities District of Omaha, its successors and assigns.

- 1. The Grantor agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said easement tract any building or structure, except pavement, and they will not give anyone else permission to do so.
- 2. The 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 the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
- 4. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.
- 5. The person executing this instrument represents he has the requisite authority to execute same and make this conveyance on behalf of said Corporation.

Return to:

R. Owens

M. U.D.

1723 Harne, StreetOmaka NE 68102

IN WITNESS WHEREOF, the Grantor has caused this Easement and Right-of-Way to be signed and executed on the day and year first above written.

Proof

D.E.

Verify

Filmed

Checked

Fee \$ 1.50

DESIGN CONSTRUCT, INC., a Nebraska Corporation, Grantor

y: Mull

Donald J Simon, President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF SARPY)

(Corporate Seal)

ATTEST:

On this 24 day of 73, 1993, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Donald J. Simon, President of Design Construct, Inc., a Nebraska Corporation, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and 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.

Notary/Public

My Commission expires:

A GENERAL NOTARY-State of Nebraska RICHARD L. ZAHM My Comm. Exp. Febr. 24, 1996

INSTRUMENT NUMBER

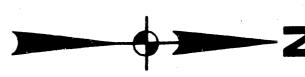
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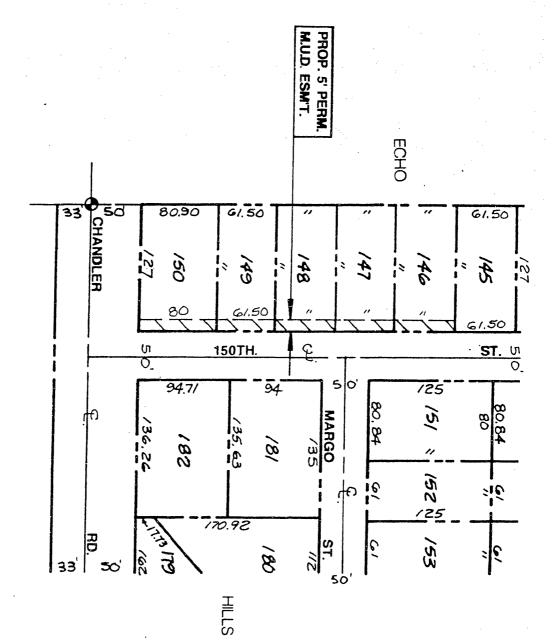
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Carol a Savini REGISTER OF DEEDS

93-201471

NO SCALE





UNPLATTED

DATE ______ REV. CHK'D. B'/_ DATE ______ APPROVED BY DATE _ DRAWN BY K.H.

DATE 06-28-93 DATE ______ REVISED BY CHECKED BY PERMANENT EASEMENT PERMANENT 0,0374 T LAND OWNER PAGE METROPOLITAN DISTRICT OMAHA, NEBRASKA ACQUISTION EASEMENT G.R.M. 10589 UTILITIES LEGEND 유