

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 15th day of June, 1978, between Dodge Investments, Ltd., a Nebraska limited partnership, 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 gas and 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 117, 118, 119, 120, 121, 122, 123, 127, 128, 129, 130, 131, 132, 133, 134, 135, and 136 of Glenbrook Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said strips being more particularly described as follows:

A continuous strip of land Five (5) feet wide, lying in Lots One Hundred Seventeen (117), One Hundred Eighteen (118), One Hundred Nineteen (119), One Hundred Twenty (120), One Hundred Twenty-one (121), One Hundred Twenty-two (122), and One Hundred Twenty-three (123), said strip running along and parallel to the right-of-way line of 79th Plaza and extending from the Southerly property line of Lot One Hundred Seventeen (117) to a point Fifteen (15) feet South of the Northerly property line of Lot One Hundred Twenty-three (123);

A continuous strip of land Five (5) feet wide, lying in Lots One Hundred Twenty-seven (127), One Hundred Twenty-eight (128), One Hundred Twenty-nine (129), One Hundred Thirty (130), One Hundred Thirty-one (131), One Hundred Thirty-two (132), One Hundred Thirty-three (133), One Hundred Thirty-four (134), One Hundred Thirty-five (135), and One Hundred Thirty-six (136), said strip running along and parallel to the right-of-way line of Potter Plaza and extending from the Westerly property line of Lot One Hundred Twenty-seven (127) to a point Thirty-five (35) feet West of the Easterly property line of Lot One Hundred Thirty-six (136).

These strips contain a total of Seventy-nine Thousandths (0.079) acre, more or less, all as shown on the plats attached hereto and made a part hereof.

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, its successors or assigns agree that they will at no time erect, construct or place on or below the surface of said strips of land any building or structure, except pavement, 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 Grantor, or duties and powers of Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

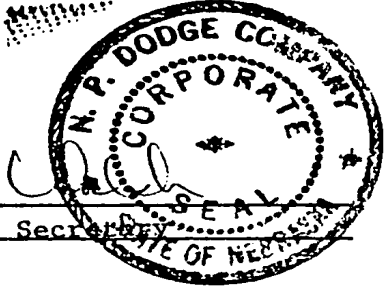
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

DODGE INVESTMENTS, LTD. 7204
Grantor

BY N.P. DODGE COMPANY
GENERAL PARTNER

By R.H. Abernathy, Jr.
Title Vice Pres.

ATTEST:



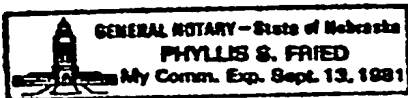
[Signature]
Title Assistant Secretary

STATE OF NEBRASKA)

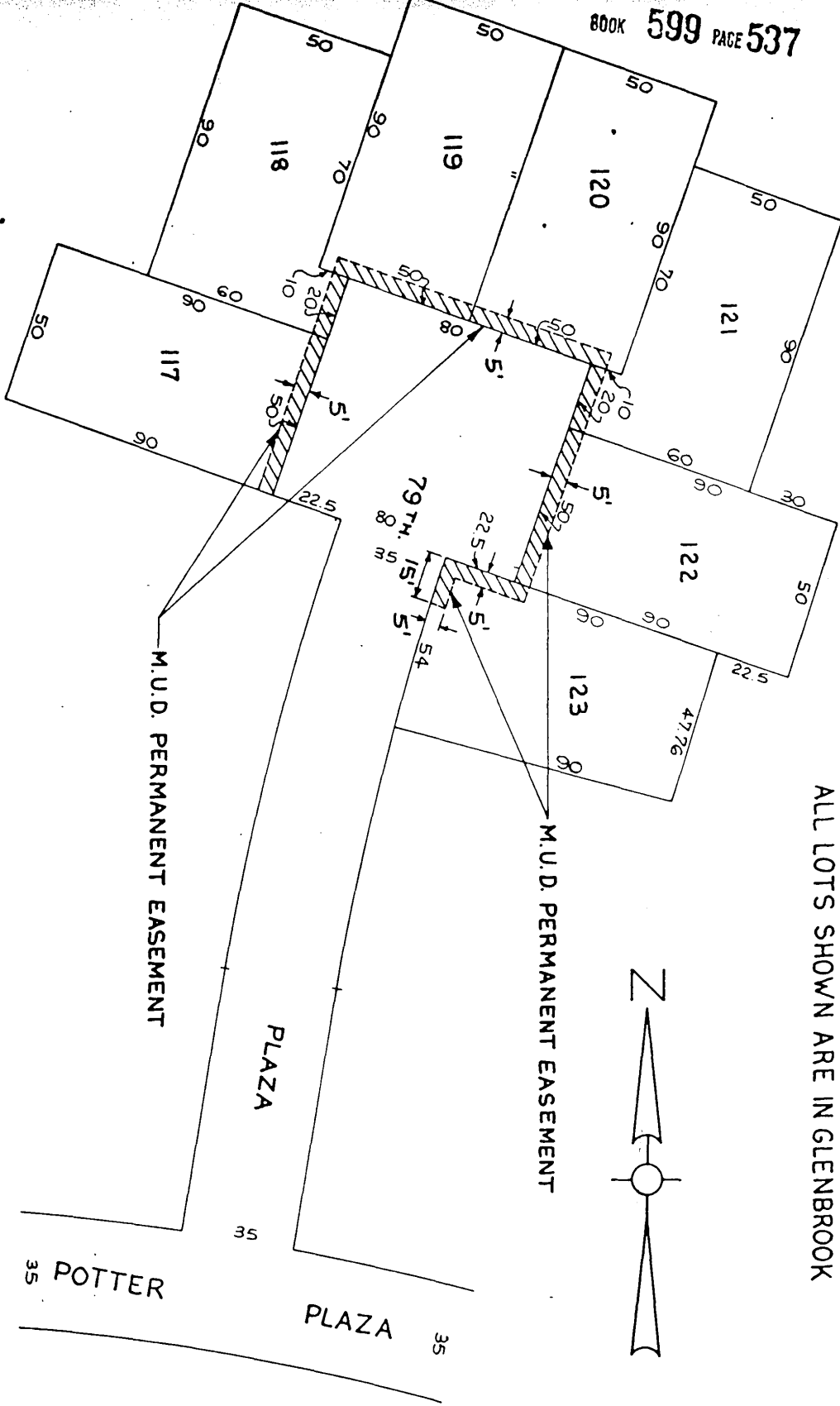
COUNTY OF DOUGLAS)

On this 15th day of June, 1978, before me, the undersigned, a Notary Public in and for said county, personally came R. H. Abernathy, Jr., to me personally known to be the Partner Vice President of N. P. Dodge Company, General of Dodge Investments, Ltd., a Nebraska limited partnership, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution of this instrument as his voluntary act and deed and the voluntary act and deed of said partnership.

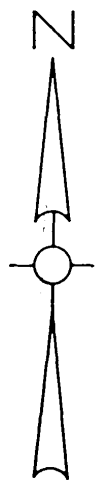
Witness my hand and Notarial Seal at Omaha in said County the day and year last above written.



[Signature]
Notary Public



ALL LOTS SHOWN ARE IN GLENBROOK



M.U.D. PERMANENT EASEMENT

M.U.D. PERMANENT EASEMENT

PLAZA

POTTER

PLAZA

32 Mail.

RECEIVED
 1978 JUL -5 AM 11:00
 C. HAROLD OSTLER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

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Comp
 Index
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