

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 20 day of MAY, 1983, between Lucille A. Vervaecke, Maurice M. Vervaecke, Donald M. Vervaecke, Marlee L. Vervaecke, Mary K. McCormack, and Thunderbird Realty, Inc., a Nebraska corporation, hereinafter referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That 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 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:

Three tracts of land in Lots One Hundred Ten (110), One Hundred Eleven (111) and One Hundred Fourteen (114), Green Meadows, a subdivision, as surveyed, platted and recorded in Sarpy County, the same being a replat of Tax Lot Eleven-A (11A) and part of Tax Lot Eleven-B (11B), located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-two (22), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska. Said tracts are more particularly described as follows:

The Northerly Five (5) feet of Lot One Hundred Ten (110);

The Northerly Five (5) feet of the Westerly Thirty (30) feet of Lot One Hundred Eleven (111);

The Northeasterly Five (5) feet of Lot One Hundred Fourteen (114).

The said tracts in Lots 110 and 114 abut the full length of the generally north by northeasterly borders of said Lots as said borders abut Marlee Drive.

Said tracts contain Three Hundredths (0.03) of an acre, more or less. All are shown on the attached plat which is 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. Grantors agree that neither they nor their heirs, executors, administrators, successors or assigns will at any time erect, construct or place on or below the surface of said tracts of land 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 Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
4. Grantors represent that they have lawful possession of said real estate, good right and lawful authority to make such conveyance, and that they and their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee, its successors and assigns, forever, against the claims of all

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persons whomsoever in any way asserting any right, title or interest contrary to this conveyance.

5. The person or persons executing this instrument on behalf of Thunderbird Realty, Inc., represent that he/she/they have the requisite authority to execute this instrument and make this conveyance on behalf of said Grantor corporation.

Lucille G. Vervaecke  
Lucille A. Vervaecke

Maurice M. Vervaecke  
Maurice M. Vervaecke

Donald M. Vervaecke  
Donald M. Vervaecke

Marlee L. Vervaecke  
Marlee L. Vervaecke

Mary K. McCormack  
Mary K. McCormack

THUNDERBIRD REALTY, INC., a Nebraska Corporation

By Donald M. Vervaecke  
Donald M. Vervaecke, President  
Grantors

ATTEST:  
Theresa M. [Signature]  
Title Secretary  
(Corporate Seal)

STATE OF NEBRASKA )  
                                  ) ss  
COUNTY OF SARPY )

On this 20 day of MAY, 1983, before me, the undersigned, a Notary Public in and for said County and State, personally came Lucille A. Vervaecke, Maurice M. Vervaecke, Donald M. Vervaecke, and Marlee L. Vervaecke, each of whom is known to me personally to be the identical person whose name is affixed to the foregoing instrument as Grantor, and each of them acknowledged the execution of this instrument to be his/her voluntary act and deed.

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

GENERAL NOTARY - State of Nebraska  
BETTY B. TIEGLAND  
My Comm. Exp. Aug. 22, 1984

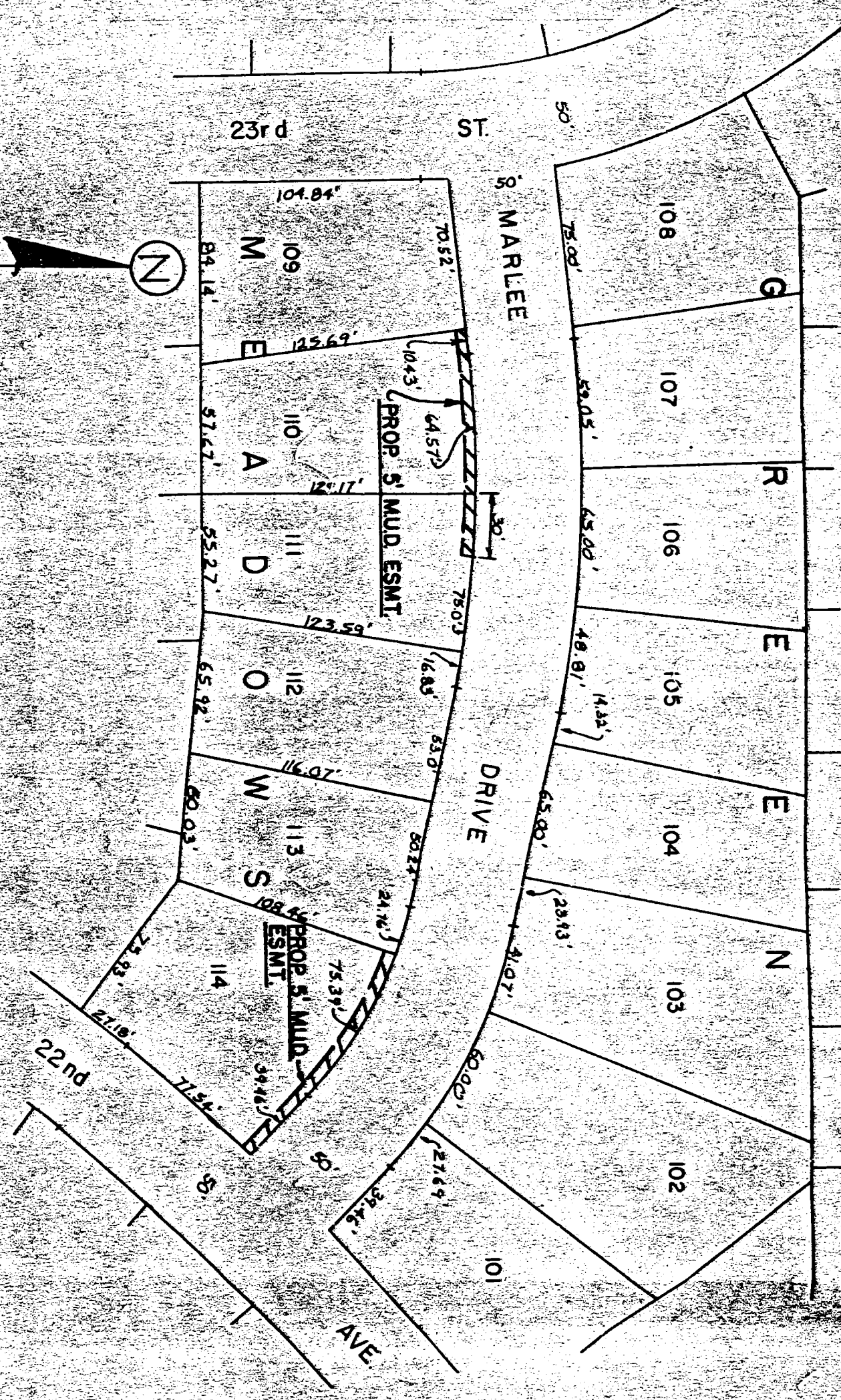
Betty B. Tieglund  
Notary Public

STATE OF NEBRASKA )  
                                  ) ss  
COUNTY OF SARPY )

On this 20 day of MAY, 1983, before me, the undersigned, a Notary Public in and for said County and State, personally came Mary K. McCormack, to me personally known to be the identical person whose name is affixed to the foregoing instrument as Grantor, and she acknowledged the execution of this instrument to be her voluntary act and deed.







METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR G.C. 875B

LAND OWNER LUCILLE A.  
VERBAECKE, MAURICE M.  
VERBAECKE, DONALD W.  
VERBAECKE, MARIE F.  
VERBAECKE, MARY K.  
MCCORHACK, J.  
THUNDERBIRD, BEATY, ETC.

TOTAL ACRE 0.021  
LEGEND  
PERMANENT EASEMENT

PAGE 1 OF 1

DRAWN BY MM DATE 2-16-83  
 CHECKED BY SGP DATE 2-16-83  
 APPROVED BY QZR DATE 2-16-83  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV APPROX BY \_\_\_\_\_ DATE \_\_\_\_\_