

45-297



EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 29th day of December, 1971, between Campbell Soup Company, a 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 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, underground pipelines for the transportation of water and 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:

Beginning at a point on the North line of Section Seventeen (17), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., said point being Two Thousand Ten (2,010) feet West of the Northeast corner of Section Seventeen (17), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., in Sarpy County, Nebraska; thence South at an interior angle of Ninety degrees (90°00') a distance of One Hundred Fifty (150) feet; thence West along a line One Hundred Fifty (150) feet South and parallel to the North line of said section a distance of Four Hundred Eighty-five (485) feet; thence North at a Ninety-degree (90°00') interior angle a distance of One Hundred Fifty (150) feet to the North line of said section; thence East along the North line of said section a distance of Four Hundred Eighty-five (485) feet to the point of beginning; contain- ing One and Eleven One-hundredths (1.11) acres, more or less, excluding that portion of the above described area which lies within dedicated public right of way, all as shown by the plat attached hereto and made a part hereof.

Also a temporary construction easement upon an additional strip of land immediately South of and adjacent to the South right-of-way line of Harrison Street, starting at a point Thirty-three (33) feet South and Thirty-three (33) feet West of the Northeast corner of Section Seventeen (17), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., in Sarpy County, Nebraska, said easement being generally three Thousand Nine Hundred Sixty-five (3,965) feet in length and Seventeen (17) feet in width, excluding that portion lying within the permanent easement described above, all as shown by the plat attached hereto and made a part hereof. Such

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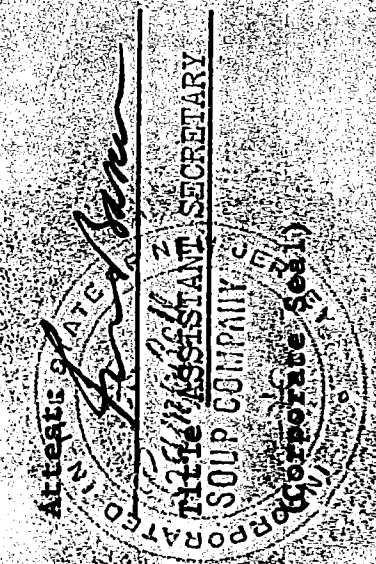
temporary construction easement being given for the period of construction and installation of water and gas mains in said permanent easement.

Subject, however, to existing highways and easements.

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 strip 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. The Grantor shall have the right, at its expense, to have the Grantee change the location of the easement and pipelines in the event the aforescribed easement conflicts with the Grantor's use of the land in the future. Grantor agrees to give whatever easement is necessary in connection with the said change in location of the pipelines.
4. 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 water or gas main constructed and maintained hereunder.

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



CAMPBELL SOUP COMPANY, a corporation,
Grantor

By *D. H. Springer*

Title Treasurer

STATE OF NEW JERSEY) ss
COUNTY OF CAMDEN)

On this 29th day of December, 1971, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came D. H. Springer to me personally

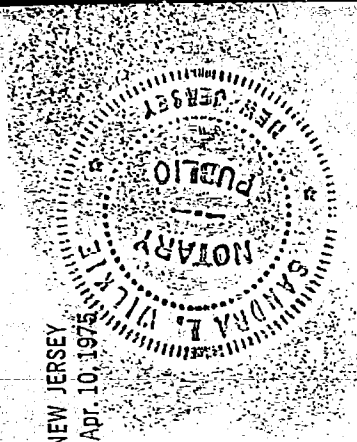
45-297B

known to be the Treasurer of Campbell Soup Company, a corporation, whose name is affixed to the foregoing instrument in that capacity and who acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

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

Sandra L. Wilkie
Notary Public

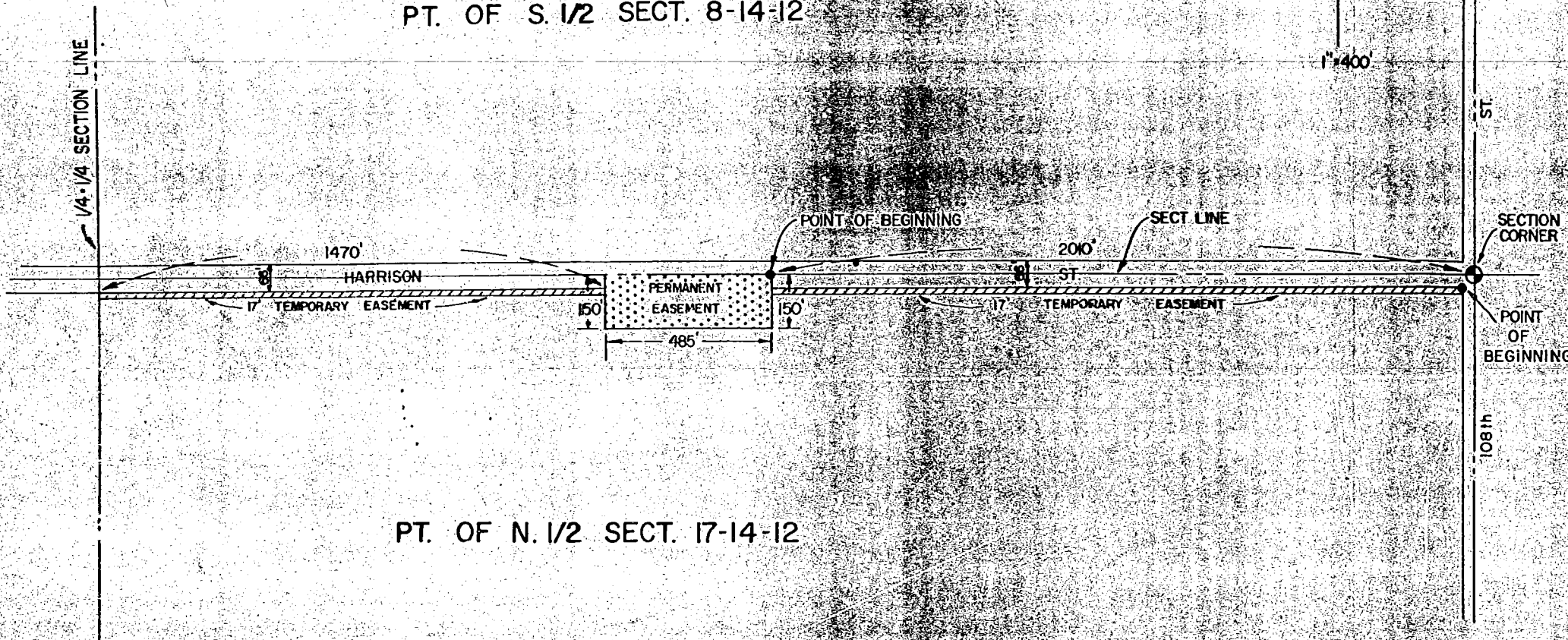
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Apr. 10, 1975



45-2970

PT. OF S. 1/2 SECT. 8-14-12

PT. OF N. 1/2 SECT. 17-14-12



**METROPOLITAN
UTILITIES
DISTRICT**

OMAHA, NEBRASKA

**EASEMENT
ACQUISITION**

FOR 36" WATER MAIN

W.C. 4431

TRACT NO. 1

LAND OWNER

CAMPBELL SOUP CO.

LINEAL FEET 3965'

AREA PERMANENT 56,745 *

TEMPORARY 59,160

ACRE PERMANENT 1.11 *

TEMPORARY 1.36

LEGEND

TEMPORARY EASEMENT

PERMANENT EASEMENT

* EXCLUDING AREA IN R.O.W.

DRAWN BY RA.W. DATE 11-18-71
 CHECKED BY DATE
 APPROVED BY DATE 19 88V.71
 REVISED BY DATE
 REV. CHK'D BY DATE