- 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.

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.

HORGAN DEVELOPMENT COMPANY, a Nebraska Corporation, Grantor

Robert P. Horgan, President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

- Andrews Transmiss

This instrument was acknowledged before me on this <u>ofh</u> day of <u>SEPTEMBER</u>, 1996, by Robert P. Horgan, President of HORGAN DEVELOPMENT COMPANY, a Nebraska Corporation, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and as such officer and the voluntary act and deed of said Corporation.

A GENERAL NOTARY-State of Nebraska

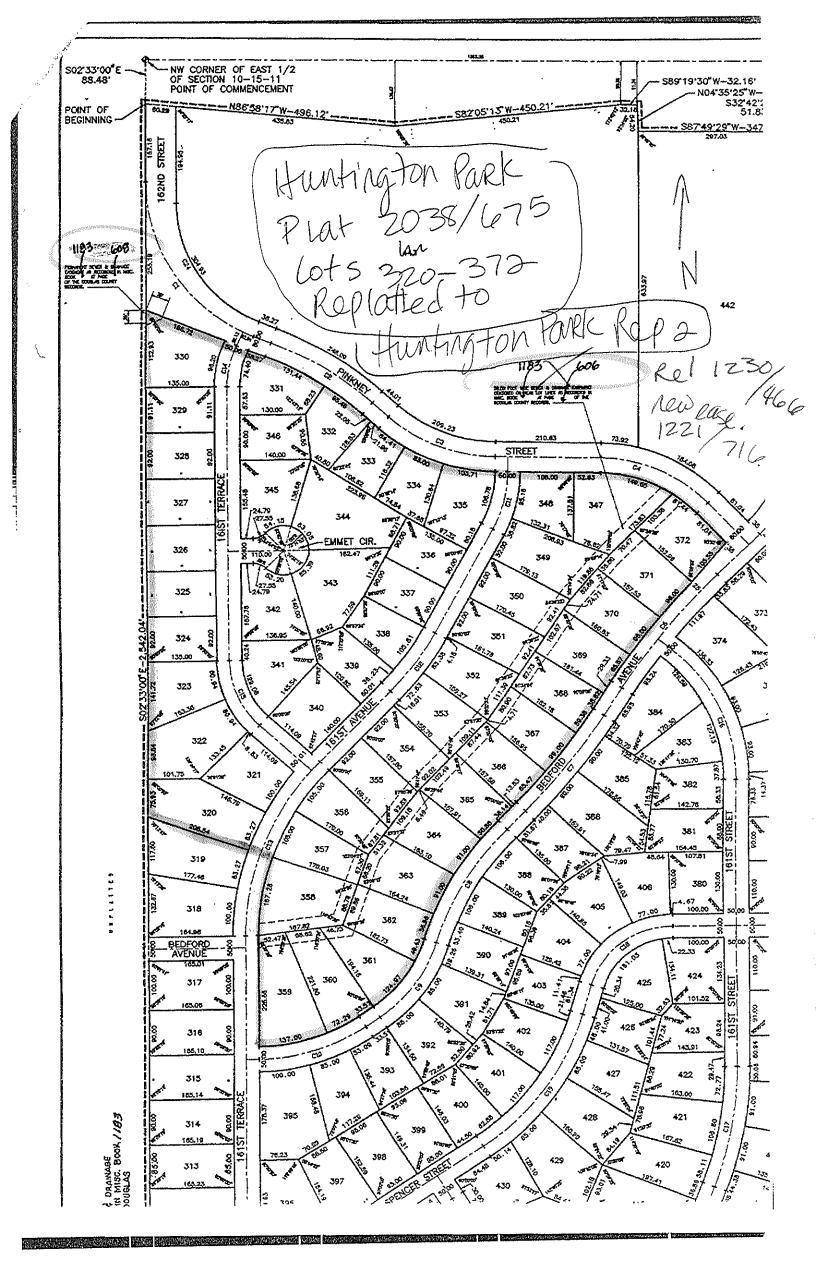
B DONNA M. NISSEN

My Comer. Exp. May 10, 1999

Notary Public

M. Musica

NGTARIAL SEAL AFFIXED REGISTER OF DEEDS.



METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA **EASEMENT ACQUISITION** NO SCALE PROP. 5' PERM. M.U.D. ESMT. SOTH, ST. & WEST MAPLE RD. W.C.C. 8247 LOT 443 210.63 73.92 LOT 442 LAND OWNER ROBERT HORGAN PINKNEY HORGAN DEVELOPMENT CO. 108.00 52.63 13215 BIRCH ST., SUITE 103 OMAHA, NE. 68164 TOTAL ACRE 347 0.182 ± PERMANENT ... 335 • TOTAL ACRE TEMPORARY . LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT PAGE _2 OF _2 DRAWN BY ______ DATE ______8-12-96 CHECKED BY LJ APPROVED BY __ DATE __ REVISED BY _ DATE . REV. CHK'D. BY DATE ___ REV. APPROV. BY DATE .

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METROPOLITAN -WEST---UTILITIES DISTRICT OMAHA, NEBRASKA **EASEMENT** 450.21 435.83 **ACQUISITION** NO SCALE 160TH ST. & WEST MAPLE RD. W.C,C. 8247 STREE LAND OWNER ROBERT HORGAN 162ND HORGAN DEVELOPMENT CO. 19215 BIRCH ST., SUITE 103 OMAHA, NE. 68164 443 TOTAL ACRE 0.182 ± PERMANENT ... TOTAL ACRE TEMPORARY _ LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT PROP. 5' PERM. M.U.D. ESMT. 330 PAGE 1 OF 2 135.00 CHECKED BY LJ DATE 8-15-96 329 130.00 61ST APPROVED BY DATE . REVISED BY DATE REV. CHK'D. BY_ DATE REV. APPROV. BY _

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METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA EASEMENT **ACQUISITION** NO SCALE G.R.M. 11125 330 160TH ST. & WEST MAPLE RD. 135.00 331 TERRACE LAND OWNER 329 130.00 ROBERT HORGAN HORGAN DEVELOPMENT CO. 332 346 13215 BIRCH ST., SUITE 103 161ST 210.63 OMAHA, NE. 68164 328 140.00 STREET TOTAL ACRE 0.1161 ± PERMANENT TOTAL ACRE 334 & TEMPORARY 345 PROP. 5' PERM. M.U.D. ESMT. LEGEND 335 347 PERMANENT EASEMENT TEMPORARY EASEMENT PROP. 5' PERM. M.U.D. ESMT. 372 PAGE 2 OF 3 DRAWN BY ______ PATE ______ 8-12-96 CHECKED BY _____L_I DATE _______8-15-96_ APPROVED BY __ DATE __ REVISED BY DATE ___ REV. CHX'D. BY .__ DATE ____ REV. APPROV. BY __ DATE _ n:/cad/dgn/proposed/gas/grm11125.d Aug. 13, 1996 14:11:37

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UTILITIES DISTRICT OMAHA, NEBRASKA 316 AVE. EASEMENT 165.10 BEDFORD **ACQUISITION** FOR NO SCALE 100.00 315 G.R.M. 11125 160TH ST. & WEST MAPLE RO. 165.14 90.00 TERRACE 394 395 314 PROP. 5' PERM. LAND OWNER M.U.D. ESMT. ROBERT HORGAN 165.19 HORGAN DEVELOPMENT CO. 76.23 10.89.50 313 398 13215 BIRCH ST., SUITE 103 OMAHA, NE. 68164 TOTAL ACRE 165.23 397 0.0656± PERMANENT _ TOTAL ACRE 396 312 TEMPORARY 51. 165.27 LEGEND 501 148.24 PERMANENT EASEMENT SPENCER TEMPORARY EASEMENT 311 165.32 100.00 PAGE 1 OF 2 50' 438 310 PROP. 5' PERM. DRAWN BY KL
DATE 8-12-96 161ST 165.36 M.U.D. ESMT. 39. 75 52 137.85 DATE 8-15-96 309 177.60 APPROVED BY __ DATE _ 165.41 440 REVISED BY DATE _ 171.71 REV. CHK'D. 8Y_ 240 DATE _ REV. APPROV. BY __ n:/cad/dgn/proposed/gas/grml1125.d Aug. 13, 1996 14:11:03

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