

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 6th day of August, 1977, between Charles R. Turner and Beulah M. Turner, husband and wife, and Louise Anderson, Trustee, hereinafter referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the 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, 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:

A tract of land lying in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twelve (12), Township Fourteen (14) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, said tract being more particularly described as follows:

Commencing at the North quarter corner of said Section Twelve (12), Township Fourteen (14) North, Range Eleven (11) East; thence South 0°8'6" East (assumed bearing) along the East line of said Northwest Quarter (NW $\frac{1}{4}$) of Section 12, Township 14, Range 11, a distance of Four Hundred Sixty and Nine-tenths (460.9) feet; thence South 89°51'54" West a distance of Thirty-three (33) feet to a point on the West right-of-way line of 138th Street, said point being the point of beginning; thence South 86°35'31" West a distance of Two Hundred Fifty-Six and Sixty-four Hundredths (256.64) feet; thence South 0°8'6" East a distance of Thirty-five and Thirty-five Hundredths (35.35) feet; thence North 89°51'54" East a distance of Two Hundred Fifty-Six and Twenty-two Hundredths (256.22) feet, to a point on the West right-of-way line of 138th Street; thence North 0°8'6" West along said West right-of-way line a distance of Fifty (50) feet to the point of beginning.

This tract contains a total of Twenty-five Hundredths (0.25) acre, more or less, all as shown on the plat 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. The Grantors agree that neither they nor their heirs or assigns will at any time erect, construct or place on or below the surface of the South Eight (8) feet of said tract 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 Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantors have executed this easement the day and year first above written.

Charles R. Turner
Charles R. Turner


Beulah M. Turner
Beulah M. Turner

Louise Anderson
Louise Anderson, Trustee

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 6 day of January, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Charles R. Turner and Beulah M. Turner, to me personally known to be the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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

 GENERAL NOTARY - State of Nebr.
BETTY L. ERDMAN
My Comm. Exp. Oct. 1, 1979



Notary Public

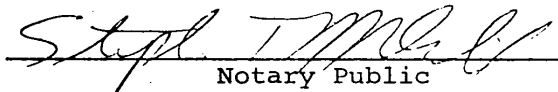
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 6th day of January, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Louise Anderson, Trustee, to me personally known to be the identical person whose name is affixed to the foregoing instrument as Grantor, and acknowledged the same to be her voluntary act and deed.

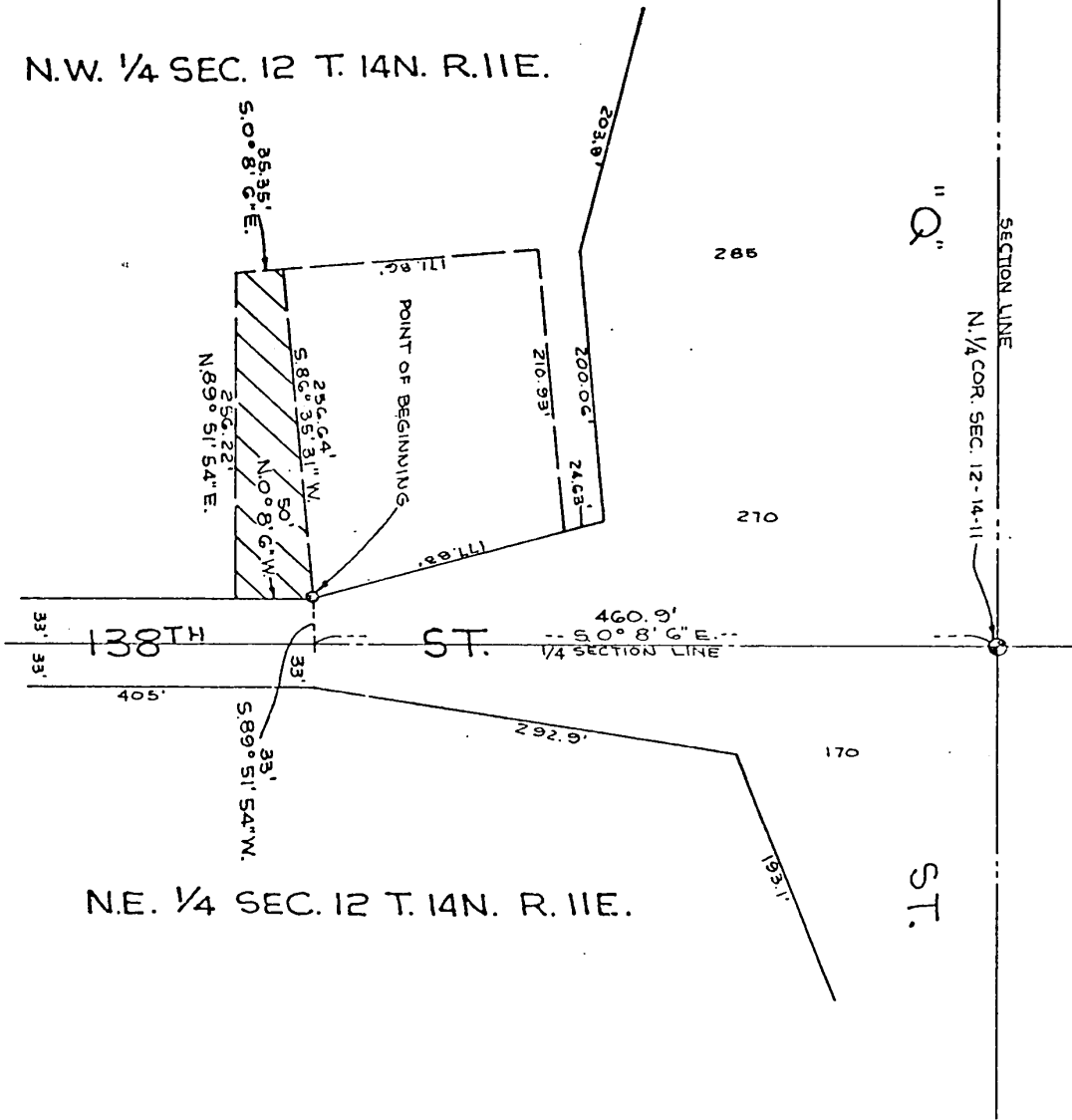
Witness my hand and Notarial Seal the day and year last above written.

 GENERAL NOTARY - State of Nebr.
STEPHEN T. MCGILL
My Comm. Exp. Dec. 23, 1979

 GENERAL NOTARY - State of Nebr.
STEPHEN T. MCGILL
My Comm. Exp. Dec. 23, 1979


Notary Public

N.W. 1/4 SEC. 12 T. 14N. R. 11E.



N.E. 1/4 SEC. 12 T. 14N. R. 11E.



DRAWN BY A.F. DATE 12-7-76
 CHECKED BY AF DATE 12-7-76
 APPROVED BY J.F. DATE 12-7-76
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PAGE 1 OF 1

LAND OWNER
 CHARLES R & BEULAH
 M. TURNER
 LOUISE ANDERSON
 TRUSTEE

EASEMENT
 ACQUISITION
 FOR
 M.C.C. 5320

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, IOWA

LEGEND
 PERMANENT EASEMENT ZZ

TOTAL ACRE 0.25

26 April

RECEIVED
 177 JAN 28 PM 2:56
 DOUGLASS COUNTY, IOWA

575
728
2000
 20
 282

11-11-27-K
 pedagog
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