

EASEMENT AND RIGHT OF WAY

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THIS INDENTURE, made this 11th day of October, 1977, between Millard Plaza Associates, hereinafter referred to as "Grantor", 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 Southeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of said section; thence North 89° 10' 22" West along the South line of said Northeast Quarter (NE $\frac{1}{4}$ ) a distance of Four Hundred Ninety-seven and Fifty-six Hundredths (497.56) feet; thence North 0° 8' 6" West a distance of Twenty-five (25) feet to the point of beginning, said point lying on the North right-of-way line of "U" Street; thence North 0° 8' 6" West a distance of Seven Hundred Seventy-five and Fifty-six Hundredths (775.56) feet; thence North 89° 51' 54" East a distance of Two Hundred Eight and Twenty-seven Hundredths (208.27) feet; thence North 0° 8' 6" West a distance of Thirty-five and Thirty-five Hundredths (35.35) feet; thence South 89° 51' 54" West a distance of Two Hundred Forty-eight and Twenty-seven Hundredths (248.27) feet; thence South 0° 8' 6" East a distance of Eight Hundred Ten and Ninety-one Hundredths (810.91) feet to a point on the North right-of-way line of "U" Street; thence South 89° 10' 22" East a distance of Forty (40) feet to the point of beginning.

This tract contains a total of Ninety-one Hundredths (0.91) 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, assigns or successors will at any time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, and that they will not give anyone else permission to do so. This restriction shall only apply to lands Five (5) feet on either side of Grantee's mains.

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.

MILLARD PLAZA ASSOCIATES

By

Dale Beggs  
Dale Beggs

PARTNER

STATE OF NEBRASKA)  
                          ) ss  
COUNTY OF DOUGLAS)

On this 11th day of October, 1977, before me, the undersigned, a Notary Public, duly commissioned and qualified for said county, personally came Dale Beggs of Millard Plaza Associates, 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 his 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

*Betty L. Erdman*  
\_\_\_\_\_  
Notary Public

12-14-11

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1977 OCT 27 AM 11:07

G. MARION OSTLER  
REGISTER OF DEEDS  
DOUGLAS COUNTY, WERR.

14 Pages

METROPOLITAN UTILITIES DISTRICT  
OMAHA, NEB. ASKA

EASEMENT ACQUISITION FOR W.C.C. 5410

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

TOTAL ACRE 0.91

LEGEND  
PERMANENT EASEMENT

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DRAWN BY	AL	DATE	7-22-77
CHECKED BY	AF	DATE	7-25-77
APPROVED BY	IBS	DATE	7-27-77
REVISED BY		DATE	
DATE			
REV. CHECK'D BY		DATE	
REV. APPROV'D BY		DATE	

