

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 9th day of June, 1981, between Riverdale Development Company, a Nebraska 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 Two Dollars (\$2.00) 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, 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:

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

Commencing at the Northeast corner of said Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12); thence South 00° 08' 06" East (assumed bearing) along the East line of said Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12), also known as the center line of 138th Street, a distance of Four Hundred Sixty and Ninety Hundredths (460.90) feet; thence South 89° 51' 54" West a distance of Thirty-three (33.00) feet to a point on the West right-of-way line of 138th Street; thence South 86° 35' 31" West a distance of Two Hundred Fifty-six and Sixty-four Hundredths (256.64) feet; thence North 82° 46' 04" West a distance of One Hundred Fifty-two and Sixty-two Hundredths (152.62) feet to the point of beginning; thence North 03° 24' 29" West a distance of Fifty-eight and Thirty-two Hundredths (58.32) feet; thence North 89° 10' 23" West a distance of Fifteen and Four Hundredths (15.04) feet; thence South 03° 24' 29" East a distance of Fifty-six and Sixty-one Hundredths (56.61) feet; thence South 82° 46' 04" East a distance of Fifteen and Twenty-six Hundredths (15.26) feet to the point of beginning.

Said tract of land, as shown on the plat attached hereto and incorporated herein by this reference, contains Two Hundredths (0.02) of an acre, more or less.

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 Grantor agrees that neither it nor its successors or assigns 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 neither it nor they will 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 Grantor, 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 Grantor has caused this easement and right of way to be signed and executed on the day and year first above written.

RIVERDALE DEVELOPMENT COMPANY, Grantor

ATTEST:

Irma R. Allen
Title Vice Pres.

(SEAL)

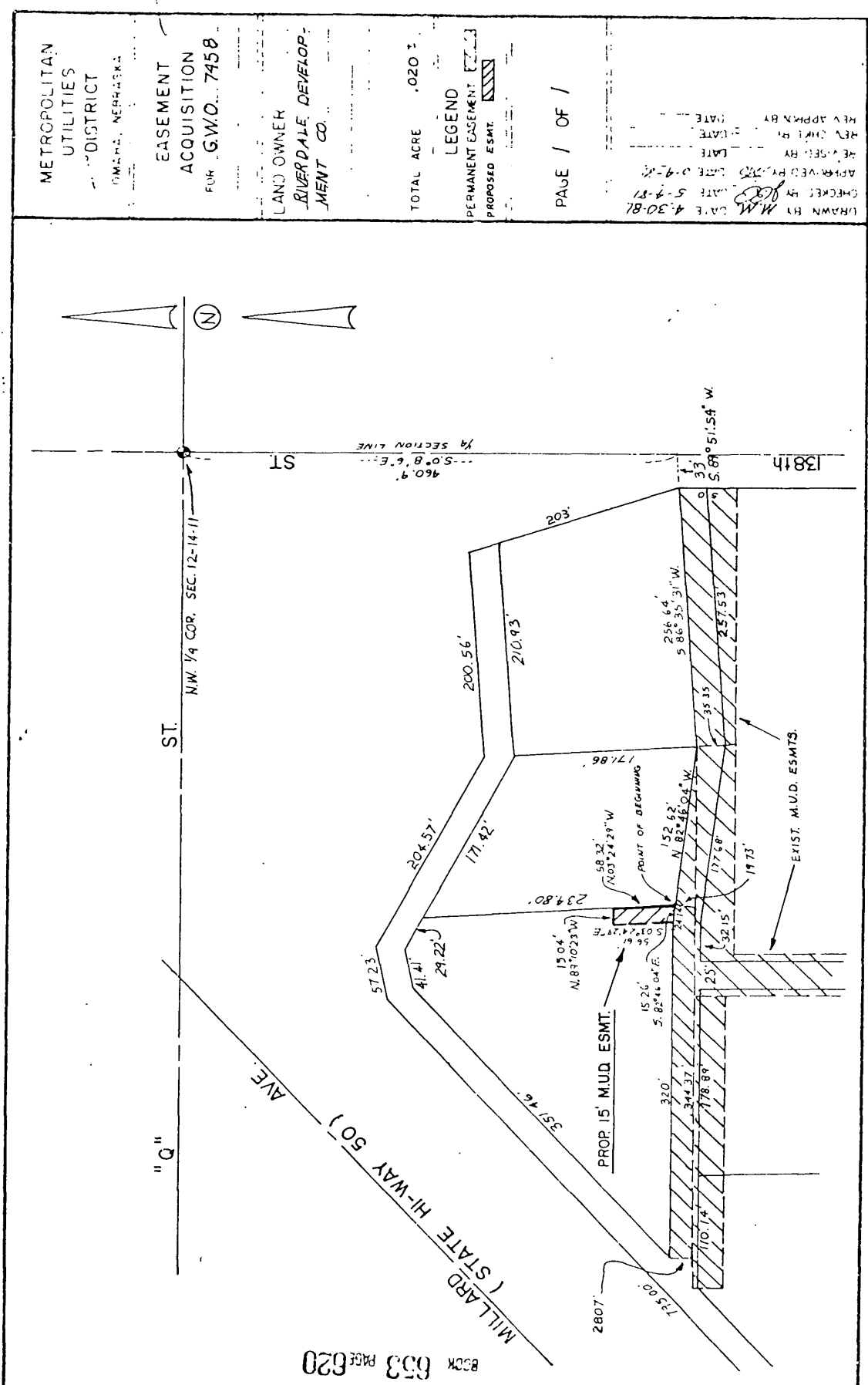
By Larry Schae
Title Sec/Treas

34 Revised

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PLANNING DEPARTMENT
CITY OF DOUGLAS
DOUGLAS, NEBRASKA

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METROPOLITAN UTILITIES DISTRICT
DOWNEY, NEBRASKA

EASEMENT ACQUISITION
FOR G.W.O. 7458

LAND OWNER
RIVERDALE DEVELOPMENT CO.

TOTAL ACRE .020 ±

LEGEND
PERMANENT EASEMENT [Hatched Box]
PROPOSED ESMT. [Hatched Box]

PAGE 1 OF 1

DRAWN BY M.M. DATE 4-30-81
CHECKED BY [Signature] DATE 5-4-81
APPROVED BY [Signature] DATE 5-4-81
REVISED BY [Signature] DATE [Blank]
REV APPRN BY [Signature] DATE [Blank]