

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 19<sup>th</sup> day of October, 1977, between Pedersen Construction 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 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, 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:

Several strips of land lying in Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, and 16 of Maple Village Replat III, a subdivision in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land being Five (5) feet wide, lying along and parallel to the North right-of-way line of Pratt Street, said strip being the South Five (5) feet of Lots One (1), Two (2), Three (3), Four (4), and Five (5);

A strip of land lying in Lot Six (6), being Five (5) feet wide, lying along and parallel to the South property line of said lot and extending Westerly from the East property line of said lot a distance of Thirty-eight and Eighteen Hundredths (38.18) feet, said distance measured along said South property line;

A strip of land lying in Lot Eleven (11), being Five (5) feet wide, lying along and parallel to the North property line of said lot, and extending Westerly from the East property line of said lot a distance of Thirty-eight and Eighteen Hundredths (38.18) feet, said distance measured along said North property line;

A strip of land being Five (5) feet wide, lying along and parallel to the South right-of-way line of Pratt Street, said strip being the North Five (5) feet of Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), and Sixteen (16).

These strips contain a total of Seven Hundredths (0.07) 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. Grantor, its successors or assigns agree that they will at no time erect, construct, or place on or below the surface of said strips 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 Grantor, or duties and powers of 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 to be signed on the day and year first above written.

PEDERSEN CONSTRUCTION COMPANY,  
Grantor

ATTEST:

Helena J. Pedersen  
Title Secretary - Treas.

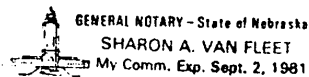
By Martin A. Pedersen  
Title President

(SEAL)

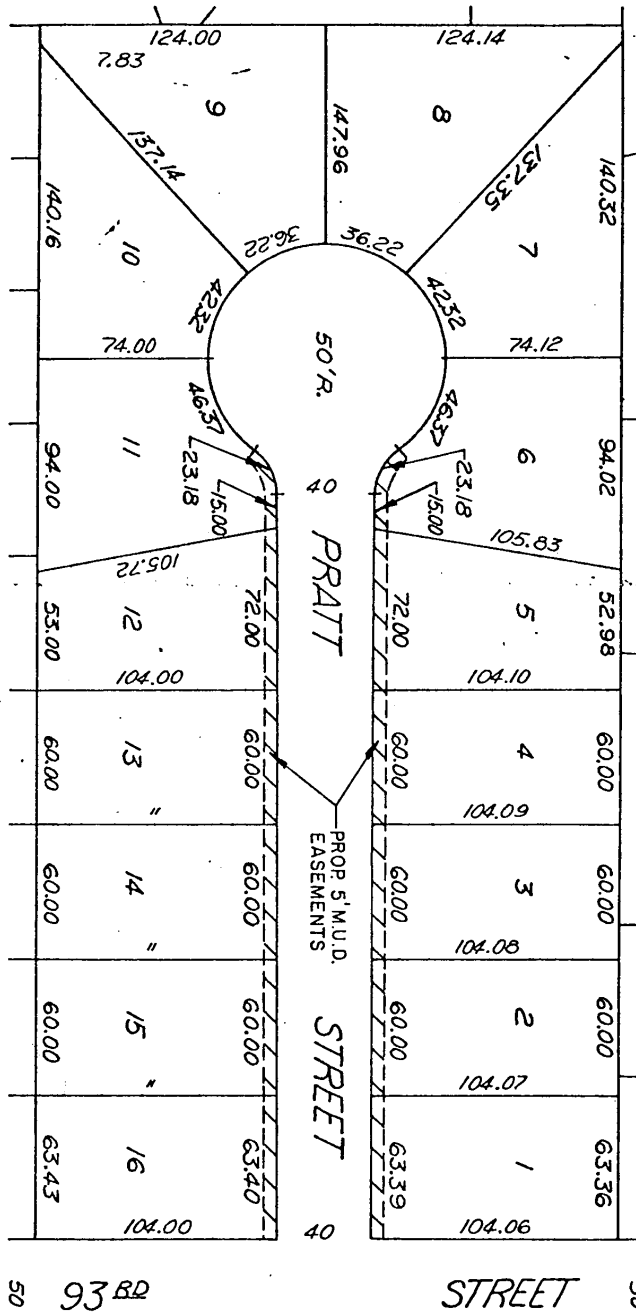
STATE OF NEBRASKA) ) ss  
COUNTY OF DOUGLAS)

On this 19 day of October, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came MARTIN A. PEDERSEN, to me personally known to be the PRESIDENT of Pedersen Construction Company, a Nebraska 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.



Sharon A. Van Fleet  
Notary Public




MAPLE VILLAGE REPLAT III

DRAWN BY S.M&G DATE 6/30/77  
CHECKED BY AF DATE 6/30/77  
APPROVED BY TPS DATE 7-7-77  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV APPROV BY \_\_\_\_\_ DATE \_\_\_\_\_

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TOTAL ACRE 0.07

LEGEND

PERMANENT EASEMENT 

LAND OWNER \_\_\_\_\_  
PEDERSEN CON - \_\_\_\_\_  
STRUCTION COMPANY \_\_\_\_\_

EASEMENT  
ACQUISITION  
FOR W.C.C. 5442 §  
G.C.C. 7909

**METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA**

RECEIVED  
1977 NOV - 8 AM 9:38  
S. MARCO COSTER  
REGISTER OF DEEDS  
DALLAS COUNTY, TEXAS.

RECEIVED

Bank 589  
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