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RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE  
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DEL PC TV

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 25<sup>th</sup> day of September, 1997, between TORCO DEVELOPMENT, INC., a Nebraska Corporation, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

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, pipelines for the transportation of gas and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

A tract in Mission Park 2nd Addition, a subdivision, as platted and recorded in Douglas County, Nebraska, and being described as follows:

The westerly five feet (5') of Lots 133, 136, and 137.

This permanent easement contains 0.0275 of an acre, more or less, and is shown on the attached drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, except pavement and similar covering, and shall not permit anyone else to do so.
2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.
3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons asserting any right, title or interest prior to or contrary to this conveyance.

Return To: T J Seiset  
mug Law Dept  
1723 Harney St  
Omaha, ne  
68102-1960





**METROPOLITAN  
UTILITIES  
DISTRICT**  
OMAHA, NEBRASKA

**EASEMENT  
ACQUISITION**

FOR  
G.R.M. 11271

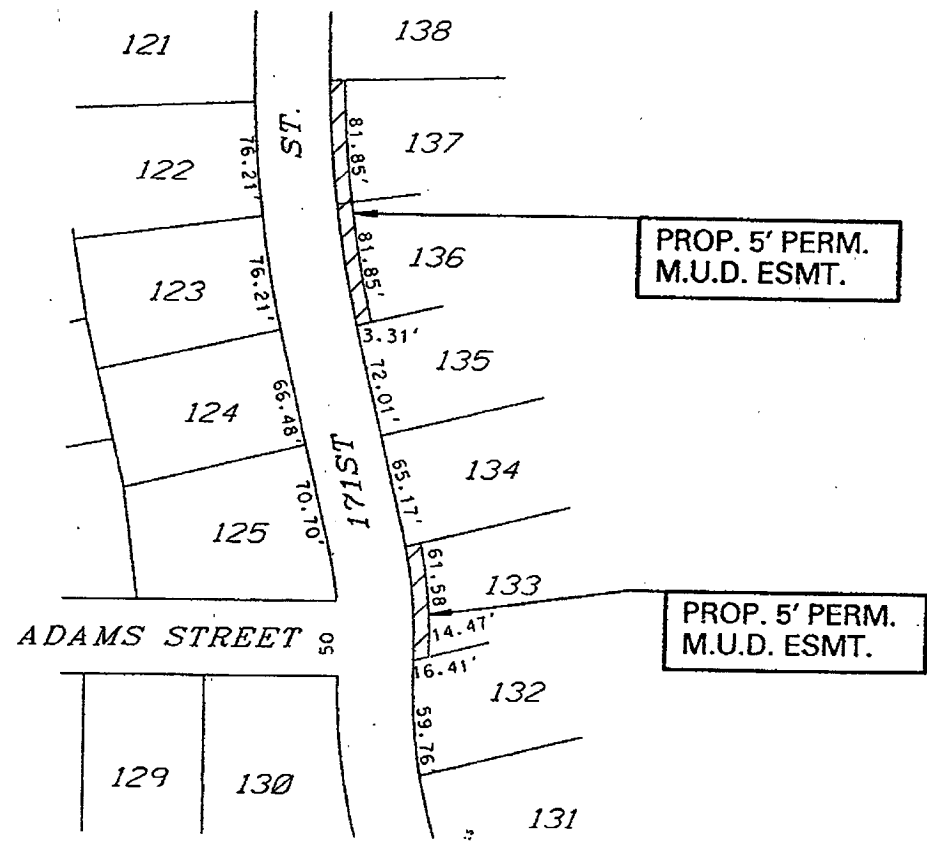
LAND OWNER  
JERRY TORCZON  
TORCO DEVELOPMENT, INC.  
5004 S. 110th ST.  
OMAHA, NE. 68137

TOTAL ACRE  
PERMANENT 0.0275 ±  
TOTAL ACRE  
TEMPORARY \_\_\_\_\_

LEGEND  
PERMANENT EASEMENT   
TEMPORARY EASEMENT 

PAGE 1 OF 1

DRAWN BY CLY.  
DATE 9-15-97  
CHECKED BY [Signature]  
DATE 9-16-97  
APPROVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REVISED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REV. CHK'D. BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REV. APPROV. BY \_\_\_\_\_  
DATE \_\_\_\_\_



NO SCALE  
MISSION PARK 2ND ADD.  
171ST ST. & WASHINGTON ST.