

BOOK 580 PAGE 720

46.25

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 1st day of May, 1977, between Oak Hills Highland Association, Inc., 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:

All that land lying in the SW $\frac{1}{4}$  of Section 8, Township 14 North, Range 12 East and in the SE $\frac{1}{4}$  of Section 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, designated as Oak Hills Highlands Condominium Property Regime No. 1, Oak Hills Highlands Condominium Property Regime No. 2, and Oak Hills Highlands Condominium Property Regime No. 3, as described in the master deeds recorded at the Douglas County Register of Deeds Office in Deed Book 1491, Page 619, Deed Book 1528, Page 693 (and amended in Miscellaneous Book 577 Page 545), and Deed Book 1563, Page 383, respectively.

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 tract of land any building or structure, except pavement, and that they will not give anyone else permission to do so. This limitation shall only apply to property 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 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.

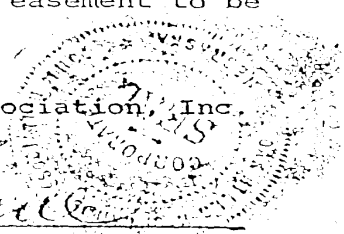
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

Oak Hills Highland Association, Inc.  
Grantor

ATTEST:

Carolyn K. Ruache  
Title Sec.

By Harold E. Pratt  
Title Pres.



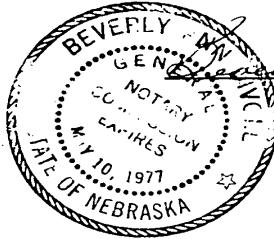
(SEAL)

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STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

On this 1st day of May, 1977,  
before me, the undersigned, a Notary Public duly commissioned  
and qualified for said county, personally came \_\_\_\_\_  
Harold E. Stone  
to me personally known to be President  
of Oak Hills Highland Association, Inc.,  
a 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.



Beverly A. Duvall  
Notary Public

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RECEIVED  
1977 MAY 20 AM 8:34  
C. HAROLD OSTLER  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

*2/1/12*