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GEORS. + 928 REGIS ! _ DOUGLAS NE





EASEMENT AND RIGHT-OF-WAY

_day of 1996. THIS INDENTURE, made this between HORGAN DEVELOPMENT CO., 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, pipelines 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:

PERMANENT EASEMENT

A tract in Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

The Westerly Five Feet (5') of Lots 253 and 227; the Northerly Five Feet (5') of Lots 228 and 229; the Westerly Five Feet (5') of Lot 273 as it abuts 173rd Avenue; and the Westerly Ten Feet (10') of the Northerly Five Feet (5') of Lot 230.

Said tracts contain a total of 0.0991 of an acre, more or less, and are shown on the drawing attached hereto and made a part hereof by this reference.

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 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 executors, 13768

11/5 veturn to-R. OWENS

1723 HURNEY St. OWARA GANZ DEL. LEGAL PG administrators, 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.

5. The person executing this instrument represents that he/she has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor causes this Easement and Right-of-Way to be signed on the above date.

HORGAN DEVELOPMENT CO., a Nebraska Corporation, Grantor

By: 🖳

Title:

ACKNOWLEDGMENT

STATE OF NEBRASKA) ss COUNTY OF DOUGLAS)

This instrument was acknowledged before me on November 15, 1996, by Record of Horgan Development Co., and he/she acknowledged the execution of this instrument to be his/her voluntary act and deed as an individual and as such officer and the voluntary act and deed of said corporation.

GENERAL NOTARY-State of Nebrasia
GREG L. NISSEN
My Comm. Exp. April 18, 1999

Notary Public

NOTARIAL SEAL AFFIXED REGISTER OF DEEDS

METROPOLITAN UTILITIES			
DISTRICT OMAHA, NEBRASKA			
EASEMENT ACQUISITION			
FOR GRM 11116	0 N P L A T T E 0	NO SCALE	
	66 FOOT WIDE EASEMENT GRANTED TO NORTHERN NATURAL GAS COMPANY RECORDED IN MISC. BOOK 375 AT PAGE 669 AND MODIFIED IN MISC. BOOK 375 F2 OF THE	173rd AVE. & DOUGLAS ST.	
134	GLAS COUNTY RECORDS.		
LAND OWNER U.S. DEVELOPMENT L.L.C.	1332.39′	9,	
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TOTA! ACET	150,000	70 / 1/8/5/4/1/	
PERMANENT 0.098 ±	AVE	1 30	
TOTAL ACRE TEMPORARY	\$2.52 S12 S12 S12 S12 S12 S12 S12 S12 S12 S1	50.38 50.38	·va.
LEGEND PERMANENT EASEMENT	25.000	5.52′	
TEMPORARY EASEMENT	13. 13. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15	457.33 1451.3	
PAGE 1 0F 1	PROP. 5' PERM.	98 AZ 88	
	253 (%) (M.C.D. ESIMI).	113RV: 00 223	
DATE 11-05-96 CHECKED BY /	100 65 65 65 65 65 65 65 65 65 65 65 65 65	1.80/2.88	
DATE //-5-96 APPROVED BY	90.00	222 5 5 .	
DATE REVISED BY DATE	31.34	117	
REV. CHK'D. BY DATE	255 251 251 CDBINGS 231		
REV. APPROV. BY			
n:/cad/dqn/proposed/das/drm11116 A	A Not 5 1005 10 01 55		

n:/cad/dgn/proposed/gas/grm11116.d Nov. 5, 1996 10:07:56