

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 14th day of June, 1977, between United Benefit Life Insurance Company, 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 gas and water, 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 155-J1, 155-J2, 155-J3, 155-J4, 155-J5, 155-J6, 155-J7, 155-J8, 155-J9, 155-J10, 155-J11, 155-J12, 155-J13, 155-J14, 155-J15, 155-J16, 155-J17, 155-J18, 155-J19, and 155-J20 of Regency Townhomes 4th Addition, as now platted and recorded in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land lying in Lot 155-J1, being Five (5) feet wide, lying along and parallel to the right-of-way line of Fieldcrest Drive, said strip extending Northerly from the Southerly property line of said lot a distance of Ninety-three and Seven Tenths (93.7) feet, said distance measured along said right-of-way line;

A strip of land lying in Lots 155-J2, 155-J3, 155-J4, 155-J5, 155-J6, 155-J7, 155-J8, 155-J9, 155-J10, 155-J11, 155-J12, 155-J13, 155-J14, 155-J15, 155-J16, 155-J17, 155-J18, and 155-J19, being Five (5) feet wide, lying along and parallel to the right-of-way line of Fieldcrest Drive, said strip being all that portion of said lots lying within Five (5) feet of said right-of-way line;

A strip of land lying in Lot 155-J20, being Five (5) feet wide, lying along and parallel to the right-of-way line of Fieldcrest Drive, said strip extending Northerly from the Southerly property line of said lot a distance of Sixty-four and Six Hundredths (64.06) feet, said distance measured along said right-of-way line.

These strips contain a total of Thirteen Hundredths (0.13) 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.

ATTEST:

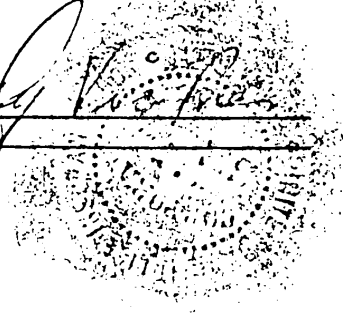
David C. Boyon

Title *Asst. Sec.*

UNITED BENEFIT LIFE INSURANCE COMPANY,
Grantor

By *Harold ...*

Title _____




(Seal)

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 14th day of June, 1977, before me, the undersigned, a Notary Public in and for said county, personally came B. G. Carnaby to me personally known to be Vice President of United Benefit Life Insurance Company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution of this instrument to be his voluntary act and deed as a person, his voluntary act and deed as such officer, and the voluntary act and deed of said United Benefit Life Insurance Company.

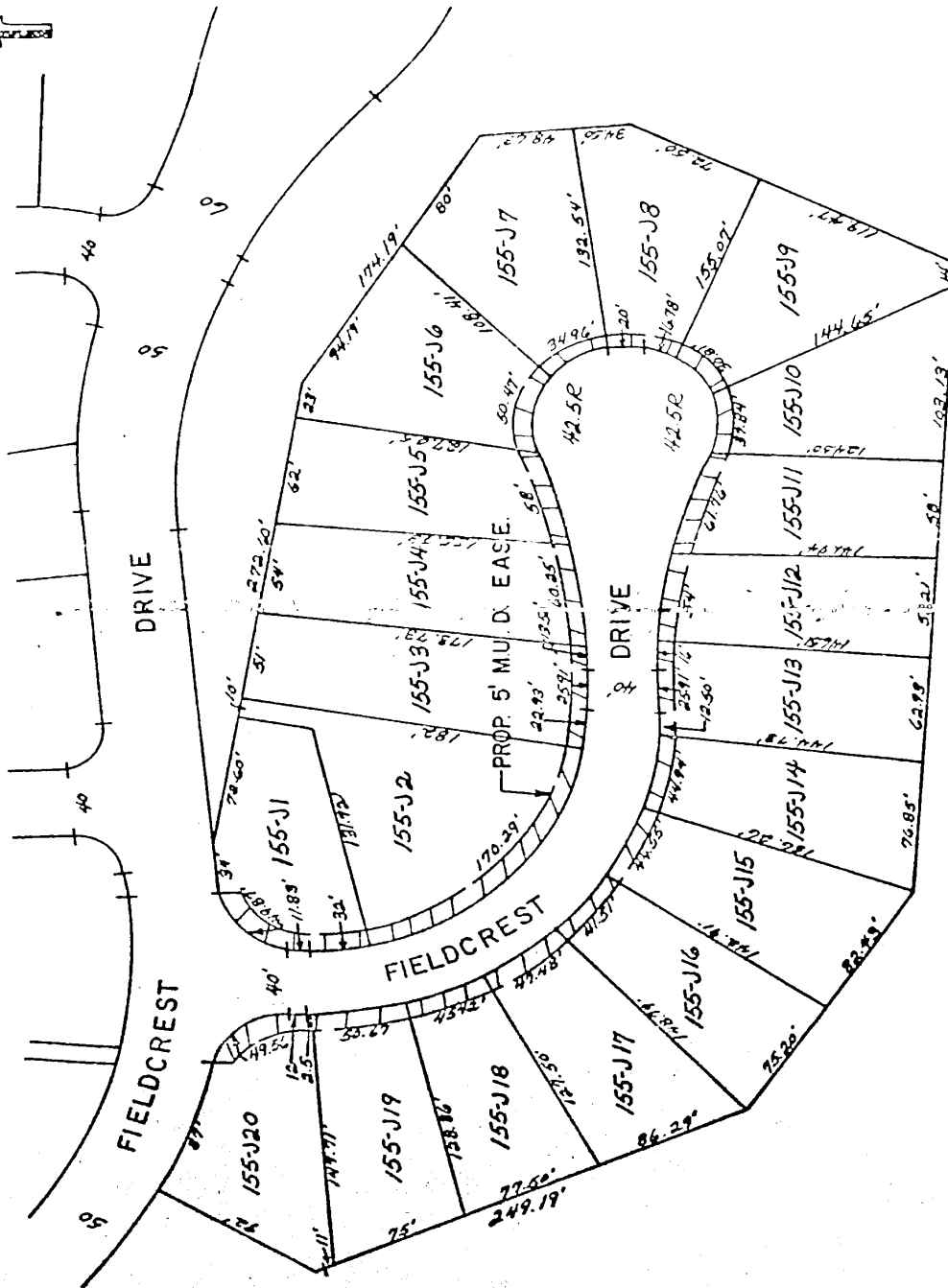
Witness my hand and notarial seal at Omaha in said County the day and year last above written.

 GENERAL NOTARY - State of Nebraska
J. T. WILSON
My Comm. Exp. Aug. 17, 1980

J. T. Wilson

Notary Public

REGENCY TOWNHOMES 4TH. ADDITION



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ENCLOSING
TO THE
SHERIFF

UNITED
BENEFIT LIFE
INSURANCE CO.
W.C.C. 5383
ACC. 7844

UNITED
BENEFIT LIFE
INSURANCE CO.

0.13
LEND
RENTAL

3-23-77
3-24-77
3-24-77

RECEIVED
1977 JUN 24 AM 11:15
REGISTER OF DEEDS
BOULDER COUNTY, MERR.

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Handwritten notes: "54 FT" and "54/303"