

47-558

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 3rd day of September, 1974, between Arlon R. Miller and Doris Y. Miller, husband and wife, Richard Johnson and Irene Johnson, husband and wife, and Frank Satorie and Betty Satorie, husband and wife, hereinafter referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the Grantors, in consideration of the sum of Four Hundred Dollars (\$400.00), receipt of which is hereby acknowledged, do 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, a pipeline for the transmission of water, and all appurtenances thereto, together with the right of ingress and egress to and from the same, on, over and through lands described as follows:

PERMANENT EASEMENT

A tract of land lying in Lot Thirteen (13) of Rose Dale Heights No. 2, a subdivision in Sarpy County, Nebraska, said strip being more particularly described as follows:

Beginning at the Northeast corner of Lot Thirteen (13); thence West a distance of Ten (10) feet along the North property line of said Lot Thirteen (13); thence Southeasterly along a straight line a distance of One Hundred One and Fifty-nine One-hundredths (101.59) feet to the Southeast corner of Lot Thirteen (13); thence North along the East line of Lot Thirteen (13) a distance of One Hundred One and One-tenth (101.1) feet to the point of beginning, this tract containing One One-hundredth (0.01) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

TEMPORARY EASEMENT

A tract of land lying in Lot Thirteen (13) of Rose Dale Heights No. 2, a subdivision in Sarpy County, Nebraska, said strip being more particularly described as follows:

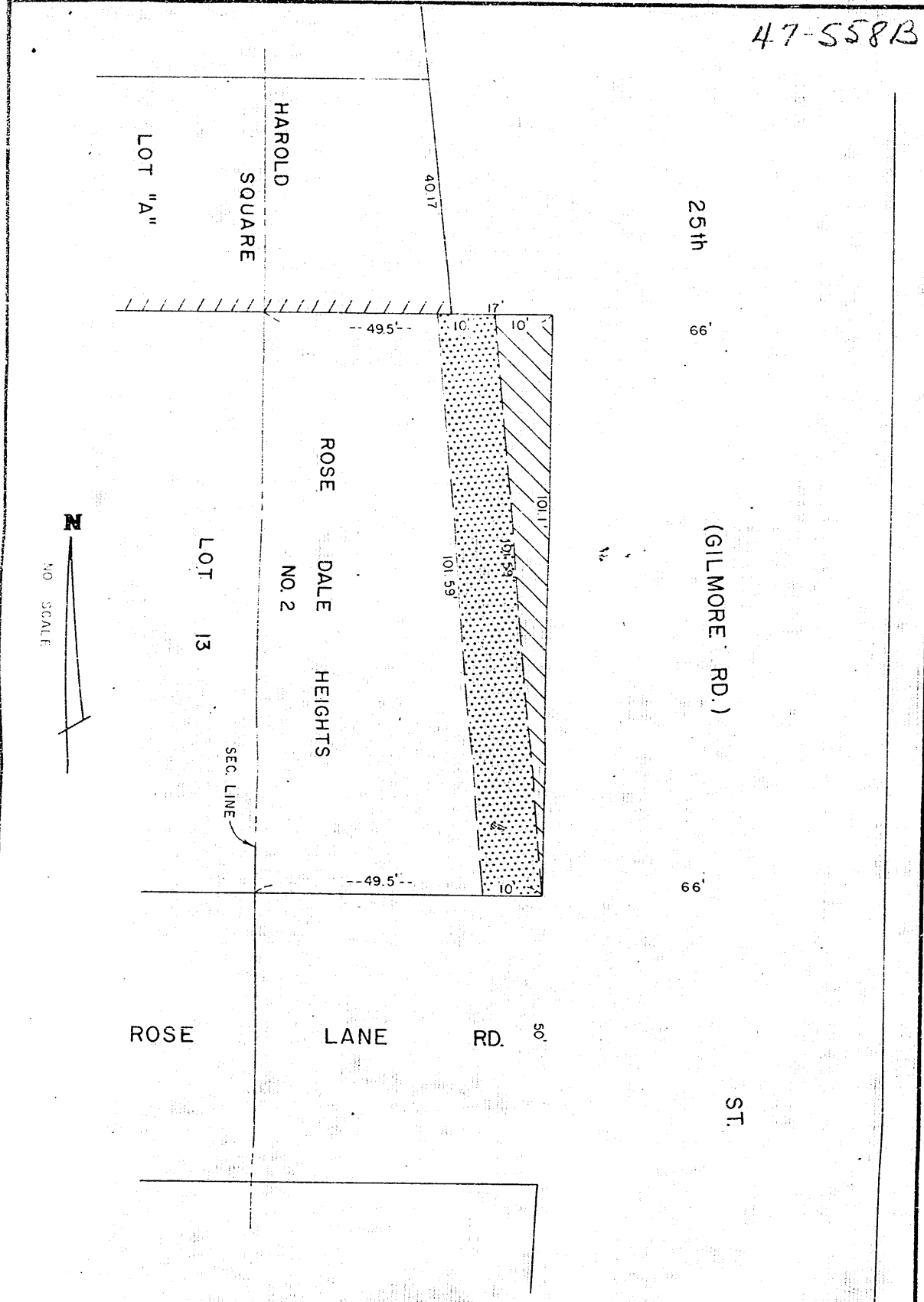
Beginning at the Southeast corner of Lot Thirteen (13); thence Northwesterly along a straight line a distance of One Hundred One and Fifty-nine One-hundredths (101.59) feet to a point on the North property line of Lot Thirteen (13), said point being Ten (10) feet West of the Northeast corner of Lot Thirteen (13); thence West a distance of Ten (10) feet along the North property line of Lot Thirteen (13); thence Southeasterly along a straight line a distance of One Hundred One and Fifty-nine One-hundredths (101.59) feet to the South property line of Lot Thirteen (13); thence East along the South property line of Lot Thirteen (13) a distance of Ten (10) feet to the point of beginning, this tract containing Two One-hundredths (0.02) 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. The Grantors agree that neither they nor their heirs or assigns will at any 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.
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 Grantors, or duties and powers of the Grantee respecting the



47-558B



25th ST. (GILMORE RD.) 66' 66'

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION FOR W.C-P 4610

LAND OWNER: ANITA R. MILLER & CHRIS Y. MILLER HUSBAND & WIFE

ACRE: PERMANENT 0.01 TEMPORARY 0.02

LEGEND TEMPORARY EASEMENT PERMANENT EASEMENT

DRAWN BY P.M.R. DATE 6-14-74  
 CHECKED BY LW DATE 6-14-74  
 APPROVED BY DATE  
 REVISED BY DATE  
 REV CHKD BY DATE  
 REV APPROV. BY DATE