



BK 0841 PG 583



MISC 1988 03545

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 29<sup>th</sup> day of February, 1988, between CHARLES G. SMITH, TRUSTEE, 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 water and all appurtenances thereto, including but not limited to one (1) fire hydrant and one (1) valve box, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

RECEIVED

PERMANENT EASEMENT

1988 MAR -9 PM 3:30

A tract in the Northeast Quarter (NE 1/4) of Section Seven (7), Township Fifteen (15) North, Range Twelve (12) East of the 6th P.M. in Douglas County, Nebraska. Said tract is described as follows:

GEORGE J. EUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

Commencing at the south end of the west right-of-way line of 124th Street; thence northeasterly on a curve to the left with a radius of 249.95 feet, an arc distance of 195.01 feet to a point, said curve having a long chord which bears N.22°07'23"E. and has a long chord of 190.10 feet; thence N.0°13'40"W. for a distance of 98.26 feet to a point on the south right-of-way line of West Maple Road; thence west along the south right-of-way line of West Maple Road a distance of 5.00 feet; thence S.0°13'40"E. for a distance of 98.26 feet to a point of curvature; thence southwesterly on a curve to the right with a radius of 244.95 feet, an arc distance of 191.11 feet to a point, said curve having a long chord which bears S.67°52'37"W. and has a long chord of 186.30 feet; thence S.44°28'27"E. for a distance of 5.00 feet to the point of beginning.

Said parcel, shown on the drawing attached hereto and made a part hereof by this reference contains 0.034 of an acre, more or less.

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 agrees that neither he nor his successors or assigns will at any time erect, construct or place on or below the surface of said easement tract any building or structure, except pavement, and neither he nor they will give anyone else permission to do so.

2. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original condition thereof and as soon after such work is performed as may be reasonably possible to do so.

841 N 7-15-12 MA C/O FEE 15.50  
583-585 7-15-12 DEL JN MC WK  
DE [Signature] COMP SR F/B 01-60770

3. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and he and his executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Grantor has caused this Easement and Right-of-Way to be signed and executed on the day and year first above written.

CHARLES G. SMITH, TRUSTEE  
Grantor

ATTEST:

*[Signature]*

*[Signature]*  
Charles G. Smith, Trustee

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
COUNTY OF Douglas ) SS

On this 29<sup>th</sup> day of February, 1988 before me, the undersigned, a Notary Public in and for said State and County, personally came Charles G. Smith, Trustee, to me personally known and the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and his capacity as said Trustee for and on behalf of the underlying Trust.

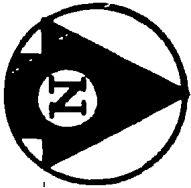
WITNESS my hand and Notarial Seal the day and year last above written.

*[Signature]*  
Notary Public

My Commission expires:



Metropolitan Utilities District  
Omaha, Nebraska  
Engineering Department



N.W. 1/4 OF NE. 1/4 OF SEC. 7 T.15N. R.12E.

PROP. 5' M.U.D. PERM. ESM'T.

WEST

MAPLE

RD.

PLACE

ST.

50

5

60

124 TH

195.10

98.26

80

50

EMMET

6

7

TRANQUILITY

DRAWN BY C.G. DATE 2-3-87  
CHECKED BY W.W.P. DATE 9-3-87  
APPROVED BY ASM DATE 9-7-87  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

PAGE | OF |

PERMANENT EASEMENT

LEGEND

TOTAL ACRE 0.034

LAND OWNER

CHARLES SMITH

EASEMENT ACQUISITION

FOR W.C.C. 6819-1-1

OMAHA, NEBRASKA

METROPOLITAN UTILITIES DISTRICT

OMAHA, NEBRASKA