

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 9TH day of NOVEMBER, 1972, between The Edward E. Wilczewski - Hawkins Investment Company, Inc. Limited Partnership No. One, hereinafter referred to as "Grantor", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the 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 transmission of water and gas, 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:

A tract of land lying in Lot Sixty-seven (67) of The Knolls Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, being more particularly described as follows:

A strip of land Twenty-five (25) feet wide running along and parallel to the South property line of Lot Sixty-seven (67), said strip being the South Twenty-five (25) feet of Lot Sixty-seven (67), the entire strip containing a total of Thirteen One-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 strip 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 water main or gas main constructed and maintained hereunder.

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

THE EDWARD E. WILCZEWSKI -
HAWKINS INVESTMENT COMPANY, INC.
LIMITED PARTNERSHIP NO. ONE, Grantor

By *Robert H. Bloechle*
Metropolitan Utilities Dist. Co. Limited Partnership
Partner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

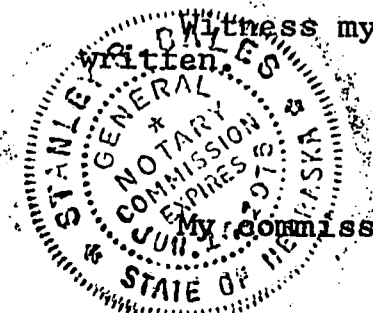
Edward E. Wilczewski

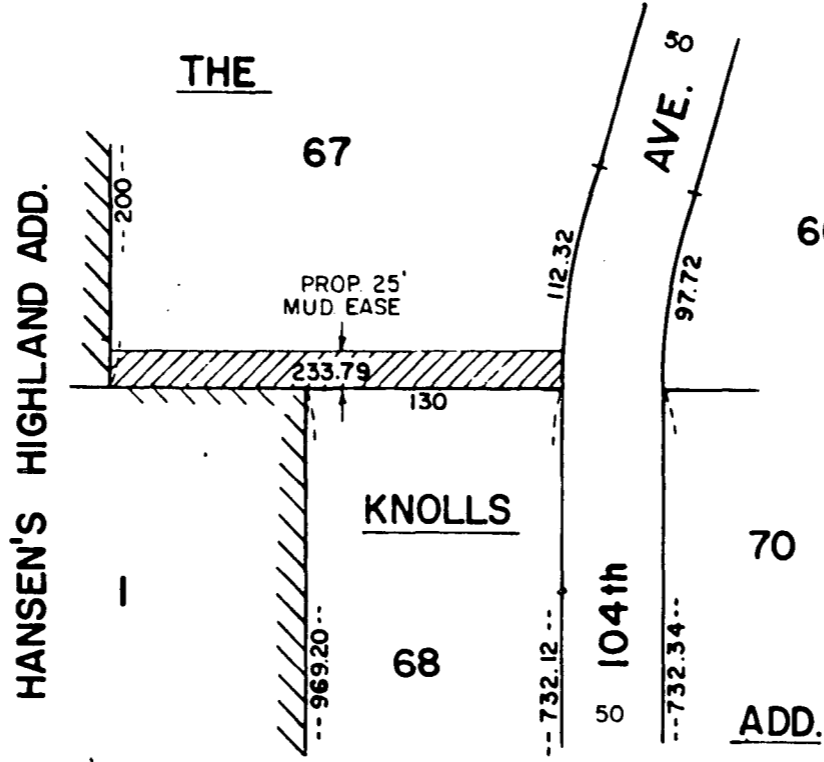
On this 9TH day of NOVEMBER, 1972, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came R. A. BLOECHLE & E. E. WILCZEWSKI, to me personally known to be a Partner in The Edward E. Wilczewski - Hawkins Investment Company, Inc. Limited Partnership No. One, 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 partnership.

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

Stanley P. Bales
Notary Public

My commission expires the 14th day of June, 1975.





N
SCALE: 1"=100'

2. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
15 DAY of November 1972 AT 9:38 A.M. C. HAROLD OSTLER, REGISTER OF DEEDS 6.25

DRAWN BY C.J.P. DATE 10-25-72
CHECKED BY [Signature] DATE 10-25-72
APPROVED BY _____ DATE _____
REVISED BY W.W.P. DATE 10-27-72
REV. CHK'D BY _____ DATE _____

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR WC-C. 4609

LAND OWNER
E.E. WILCZEWSKI & HAWKINS
INVESTMENT COMPANY, INC.
LIMITED PARTNERSHIP NO. ONE

ACRE: PERMANENT .13

LEGEND
PERMANENT EASEMENT [Hatched Box]