

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 11th day of September, 1978, between Turtle Creek Joint Venture, a Nebraska joint venture, 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 water and 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:

Several strips of land lying in Lots 19, 20, 36, 53, 54, 55, 56, 57, 58, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, and Outlot 1 of Turtle Creek, a subdivision, as now platted and recorded, in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land Five (5) feet wide, lying along and parallel to the right-of-way line of "Y" Street, said strip being the front Five (5) feet of Lots Nineteen (19) and Twenty (20) lying along the right-of-way line of "X" Street;

A strip of land lying in Lot Thirty-six (36), said strip being further described as follows: Commencing at the Southeast corner of said Lot Thirty-six (36); thence South $89^{\circ}59'55''$ West (assumed bearing) along the South property line of said Lot Thirty-six (36) a distance of Thirty-five and Thirteen Hundredths (35.13) feet to the point of beginning; thence continuing along said South property line a distance of Twenty and Eight Hundredths (20.08) feet; thence North $5^{\circ}0'10''$ West a distance of One Hundred Thirty and Five Tenths (130.5) feet to a point on the North property line of said Lot Thirty-six (36); thence North $89^{\circ}59'55''$ East along said North property line a distance of Twenty and Eight Hundredths (20.08) feet; thence South $5^{\circ}0'10''$ East a distance of One Hundred Thirty and Five Tenths (130.5) feet to the point of beginning;

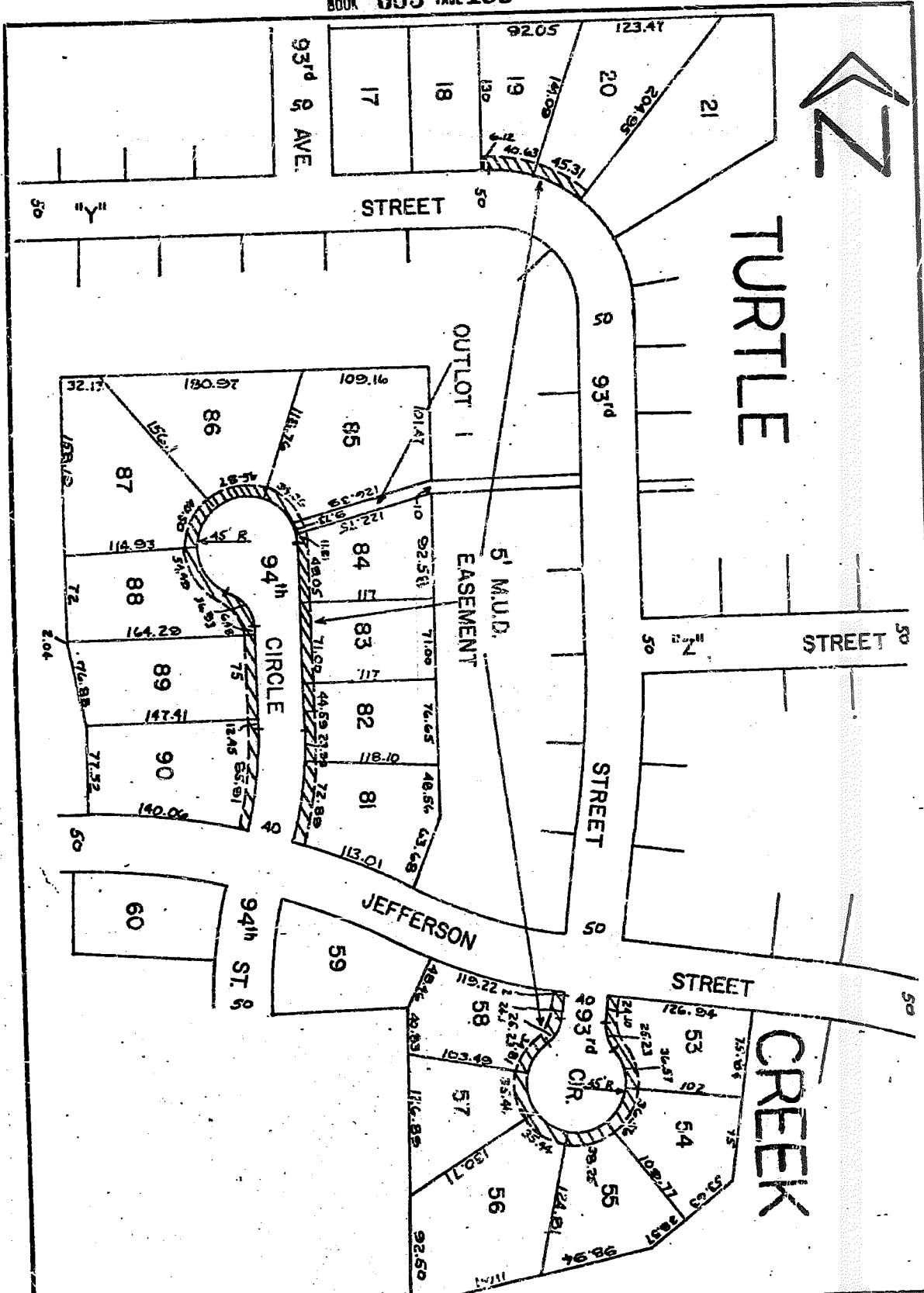
A strip of land Five (5) feet wide, lying along and parallel to the right-of-way line of 93rd Circle, said strip being the front Five (5) feet of Lots Fifty-three (53), Fifty-four (54), Fifty-five (55), Fifty-six (56), Fifty-seven (57), and Fifty-eight (58) lying along the right-of-way line of 93rd Circle;

A strip of land Five (5) feet wide, lying along and parallel to the right-of-way line of 94th Circle, said strip being the front Five (5) feet of Lots Eighty-one (81), Eighty-two (82), Eighty-three (83), Eighty-four (84), Outlot One (1), Eighty-five (85), Eighty-six (86), Eighty-seven (87), Eighty-eight (88), Eighty-nine (89), and Ninety (90) lying along the right-of-way line of 94th Circle.

These strips contain a total of Eighteen Hundredths (0.18) 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.



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR L.D.C.C. 5540
G.C.C. BILL

LAND OWNER
TURTLE CREEK
JOINT VENTURE

TOTAL ACRES 0.18

LEGEND
PERMANENT EASEMENT ZZZ

PAGE 1 OF 2

DRAWN BY J.H. DATE 6-28-78
 CHECKED BY A.E. DATE 6-28-78
 APPROVED BY T.P.S. DATE 6-28-78
 REVISED BY _____ DATE _____
 REV. CHR'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

