

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 3 day of Nov., 1980, between Two Springs Development Corp., a Nebraska corporation, 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 all appurtenances thereto, including but not limited to one water valve box, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

Several tracts of land lying in Lots 113, 114, 115, 131, 132, 178, 179, 180, 181 and 473 of Two Springs, a subdivision as now platted and recorded in Sarpy County, Nebraska. Said tracts are more particularly described as follows:

The South Five (5) feet of the East Ten (10) feet of Lot One Hundred Thirteen (113);

The South Five (5) feet of Lot One Hundred Fourteen (114);

The South Five (5) feet of the West Ten (10) feet of Lot One Hundred Fifteen (115);

The Southerly Five (5) feet of the Westerly Thirty (30) feet of Lot One Hundred Thirty-one (131);

The Southerly Five (5) feet of the Easterly Seventy (70) feet of Lot One Hundred Thirty-two (132);

The Easterly Five (5) feet of Lot One Hundred Seventy-eight (178);

The Easterly Five (5) feet of Lot One Hundred Seventy-nine (179);

The East Five (5) feet of Lot One Hundred Eighty (180);

The East Five (5) feet of Lot One Hundred Eighty-one (181);

The Easterly Twenty-five (25) feet of Lot Four Hundred Seventy-three (473) lying parallel to and adjacent to 33rd Avenue between Lots Two Hundred Ten (210) and One Hundred Seventy-four (174).

Said tracts of land, as shown on the plat attached hereto and incorporated herein by this reference, contain Seventeen Hundredths (0.17) 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. Grantor, its successors or assigns agree that they will at no time erect, construct, or place on or below the surface of said tracts of land any building or structure, except pavement or other utilities, 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.

FILED FOR RECORD 11-17-80 AT 12:58 P M. IN BOOK 53 OF Miss Bees
PAGE 750 Carl S. Hillel REGISTER OF DEEDS, SARPY COUNTY, NEB.
Rec # 09562 1150

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.

TWO SPRINGS DEVELOPMENT CORP.,
Grantor

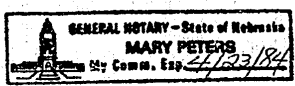
By *Duane H. Menke*
Duane H. Menke, President

Patricia A. Menke
Patricia A. Menke, Secretary

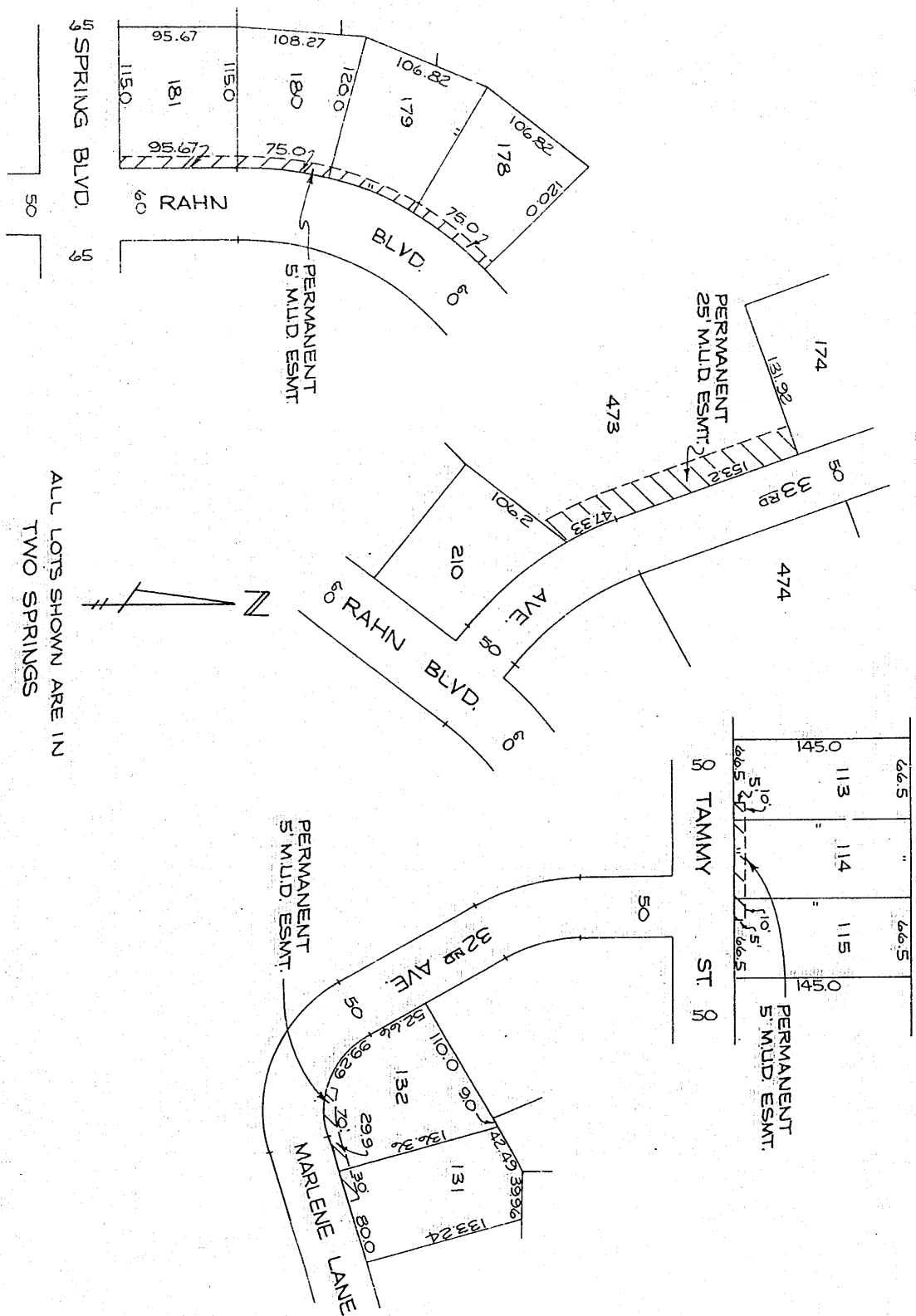
STATE OF NEBRASKA)
) ss
COUNTY OF *Sarpy*)

On this 3 day of November, 1980, before me, the undersigned, a Notary Public in and for the State of Nebraska, personally came Duane H. Menke and Patricia A. Menke, personally known to me to be the President and Secretary, respectively, of Two Springs Development Corp., a Nebraska corporation, and the identical persons whose names are affixed to the above and foregoing instrument, and acknowledged the execution of this instrument as his, her and their voluntary act and deed as individuals and as such officers, and the voluntary act and deed of said corporation.

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



Mary Peters
Notary Public



ALL LOTS SHOWN ARE IN TWO SPRINGS

66.5	113	114	66.5
145.0			145.0
66.5	5.10'	1.05'	66.5
66.5			66.5

DRAWN BY PR. DATE 9-30-80
 CHECKED BY W.W.P. DATE 10-1-80
 APPROVED BY [Signature] DATE 10-1-80
 REVISIONS BY DATE
 REV. #1 BY DATE
 REV. #2 BY DATE

PAGE 1 OF 1

TOTAL ACRE 0.17
 LEGEND
 PERMANENT EASEMENT EZZZ

LAND OWNER TWO
 SPRINGS DEVELOPMENT
 CORP.

FOR W.C.C. 5903

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEBRASKA
 EASEMENT
 ACQUISITION