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Date

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By

RICHARD N TAKECH  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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# EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 25 day of MAY, 1999, between CELEBRITY HOMES, INC., a Nebraska Corporation ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

## WITNESS:

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 gas and water and all appurtenances thereto, including but not limited to fire hydrants, valve boxes, and vault lids, together with the right of ingress and egress on, over, under and through lands described as follows:

## PERMANENT EASEMENT

Several tracts of land in Westin Hills Replat <sup>Sever 25/25/99</sup> 7, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, described as follows:

The entirety of Outlot "A".

The 7.5 feet frontage of Lots 2 and 3 as the same abut Outlot "A".

The 7.5 feet frontage of Lots 8 through 26 inclusive, as the same abut Outlot "A".

The entirety of Outlot "B".

The 7.5 feet frontage of Lot 27 as the same abuts Outlot "B".

The 7.5 feet frontage of Lot 28 as the same abuts Outlot "B".

The 7.5 feet frontage of Lot 29 as the same abuts Outlot "B".

The 7.5 feet frontage of Lot 30 as the same abuts Outlot "B".

A triangular parcel with a twenty foot (20') leg extending north of the southwest corner of Lot 8 and abutting 144th Avenue and a twenty foot (20') leg extending east of the southwest corner of Lot 8 and abutting Outlot "A".

These permanent easement tracts contain 1.265 acres, more or less, and are shown on the drawing attached hereto and made a part hereof by this reference.

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FEE 28.00 FB MC-43401  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COM 28  
DEL \_\_\_\_\_ SCAN 7 FV \_\_\_\_\_

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, except pavement and similar covering, and shall not permit anyone else to do so.

2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.

3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons asserting any right, title or interest prior to or contrary to this conveyance.

5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.

CELEBRITY HOMES, INC., a  
Nebraska Corporation, Grantor

By: *Gale Larsen*  
Gale Larsen, President

ACKNOWLEDGMENT

STATE OF NEBRASKA    )  
                                  ) ss  
COUNTY OF DOUGLAS    )

This instrument was acknowledged before me on MAY 25, 1999, by Gale Larsen, President of Celebrity Homes, Inc., a Nebraska Corporation, on behalf of the corporation.

*Loren Johnson*  
Notary Public

GENERAL NOTARY-State of Neb.  
LOREN JOHNSON  
My Comm. Exp. Oct. 30, 2001

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA	
EASEMENT ACQUISITION	
FOR	WCC 8841
	GRM 11699
LAND OWNER CELEBRITY HOMES, INC.	
14002 "L" ST.	
OMAHA, NE. 68137	
TOTAL ACRE PERMANENT	1.265 ±
TOTAL ACRE TEMPORARY	X ±
LEGEND	
PERMANENT EASEMENT	
TEMPORARY EASEMENT	
PAGE 1	OF 1
DRAWN BY LJ	
DATE 5-10-99	
CHECKED BY LJ	
DATE 5-13-99	
APPROVED BY <i>ASm</i>	
DATE 5-13-99	
REVISED BY	
DATE	
REV. CHK'D. BY	
DATE	
REV. APPROV. BY	
DATE	

