

52-245

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 29<sup>th</sup> day of March, 1979, between Richard H. Cordes, single, Wallace Hopkins and Marie A. Hopkins, husband and wife, and Paul A. Rauth and Martha A. Rauth, husband and wife, herein-after referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee",  
WITNESSETH:

That the Grantors, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do 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:

Four tracts of land located in Offutt Towers Replat, a subdivision located in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section Nine (9), Township Thirteen (13) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska, as surveyed, platted and recorded, more particularly described as follows:

A tract of land located in Lots One (1), Two (2) and Three (3) of the above described land, beginning at the Southeast corner of Lot (1); thence Northerly on the East property line of said Lot One (1) a distance of Two and One-half (2 $\frac{1}{2}$ ) feet; thence Westerly on a line Two and One-half (2 $\frac{1}{2}$ ) feet North of and parallel to the South line of Lots One (1) and Two (2), to the West line of Lot Three (3); thence Southerly on the West property line of Lot Three (3) to the Southwest corner of said lot; thence Easterly on the South property line of Lots Three (3), Two (2) and One (1) to the point of beginning.

A tract of land located in Lot Seven (7) of the above described land, beginning at the Southeast corner of said lot; thence Northerly on the East line of said lot a distance of Four and Sixty-four Hundredths (4.64) feet to a point of curvatura; thence Northerly on a curve to the right a distance of One Hundred Forty-seven and Seven Hundredths (147.07) feet; thence Southerly on a line One Hundred and Thirty-eight and Eight Hundredths (138.08) feet East of and parallel to the West property line of said lot to the Southerly property line of said lot; thence Easterly on the Southerly property line of said Lot Seven (7) to the point of beginning.

A tract of land located in Lots Eight (8) and Nine (9) of the above described land, beginning at the Northeast corner of Lot Nine (9); thence Southerly on the East property line of said Lot Nine (9) a distance of Two and One-Half Feet (2 1/2'); thence Westerly on a line Two and One-Half (2 1/2) feet South of and parallel to the North line of Lot Nine (9), to a point where said line intersects with the Northerly line of Lot Eight (8), thence Easterly on the Northerly line of Lot Eight (8) and Nine (9) to the point of beginning.

The North Two and one-half (2 $\frac{1}{2}$ ) feet of Lot Ten (10) of the above described land.

The previously described tracts contain Twenty-three Hundredths (0.23) 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 Metropolitan Utilities District of Omaha, its successors and assigns.

52-245 Carl S. Hibbler REGISTER OF DEEDS, SARPY COUNTY, NEB.  
1375 Act (13671)

52-215 A

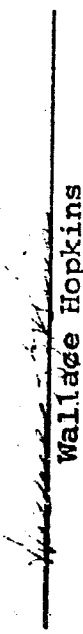
1. Grantors agree that neither they nor their heirs or assigns will at any time erect, construct or place on or below the surface of said tracts of land any building or structure, except pavement, and that they will not give anyone else permission to do so.

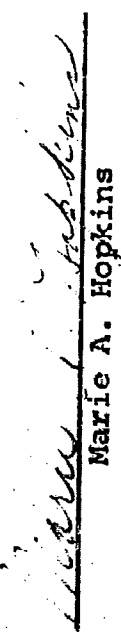
2. Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

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

IN WITNESS WHEREOF, the Grantors have executed this easement the day and year first above written.

  
Richard H. Cordes

  
Wallace Hopkins

  
Marie A. Hopkins

  
Paul A. Rauth

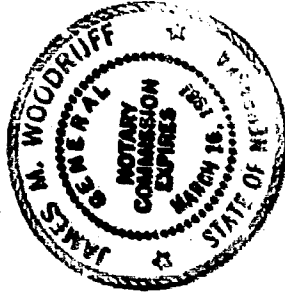
  
Martha A. Rauth

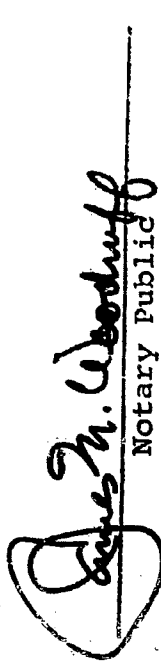
Grantors

STATE OF NEBRASKA)  
COUNTY OF Dodge) ss

On this 29 day of March, 1979, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Richard H. Cordes, single, to me personally known to be the identical person whose name is affixed to the foregoing instrument as Grantor, and acknowledged the same to be his voluntary act and deed.

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



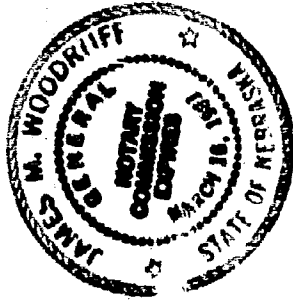
  
Notary Public

52-245 B

STATE OF NEBRASKA )  
COUNTY OF Douglas ) ss

On this 29 day of March, 1979, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Wallace Hopkins and Marie A. Hopkins, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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



James M. Woodruff  
Notary Public

STATE OF NEBRASKA )  
COUNTY OF Douglas ) ss

On this 2 day of April, 1979, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Paul A. Rauth and Martha A. Rauth, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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



James M. Woodruff  
Notary Public

METRO  
 UTILITIES  
 DISTRICT  
 OMAHA, NEBRASKA

EASEMENT  
 ACQUISITION  
 FOR W.C.C. 3377  
G.C. 5595

LAND OWNERS


RICHARD H. JORDS  
 WALLACE HOPKINS  
 MARIE A. HOPKINS  
 PAUL A. RAUTH  
 MARTHA A. RAUTH

TOTAL ACRE 0.23

LEGEND

PERMANENT EASEMENT 

PAGE 1 OF 1

DRAWN BY R.J.D. DATE DEC. 6, 78  
 CHECKED BY J.A.P. DATE 12-1-78  
 APPROVED BY  DATE 2-22-79  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

