

EASEMENT AND RIGHT OF WAY

F1150

THIS INDENTURE, made this 11th day of October, 1972, between Byron Reed Company, Inc., a corporation, 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 gas and water, 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:

Several tracts of land lying in Lots 9, 10, 52, 53, 85, 86, 207, 208, 249 and 250 in Woodhaven Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said tract being more particularly described as follows:

A tract of land Five (5) feet wide running along and parallel to the South property line of Lot Nine (9);

A tract of land Five (5) feet wide running along and parallel to the North property line of Lot Ten (10);

A tract of land Seven and Five-tenths (7.5) feet wide running along and parallel to the Northerly property line of Lot Fifty-two (52), also the West Five (5) feet of the South Ninety-five and Five-tenths (95.5) feet, more or less, of Lot Fifty-two (52);

A tract of land Five (5) feet wide running along and parallel to the Easterly property line of Lot Fifty-three (53);

A tract of land Five (5) feet wide, being the South Five (5) feet of the East One Hundred Eighteen (118) feet, more or less, of Lot Eighty-five (85);

A tract of land Five (5) feet wide running along and parallel to the South property line of Lot Eighty-six (86);

A tract of land Five (5) feet wide running along and parallel to the Easterly property line of Lot Two Hundred Seven (207); also the South Ten (10) feet of the West Twenty-five (25) feet of the East Thirty (30) feet, more or less, of Lot Two Hundred Seven (207);

A tract of land Five (5) feet wide running along and parallel to the Westerly property line of Lot Two Hundred Eight (208);

A tract of land Five (5) feet wide running along and parallel to the Westerly property line of Lot Two Hundred Forty-nine (249); also the North Five (5) feet of the East

Twenty (20) feet, more or less, of Lot Two Hundred Forty-nine (249);

A tract of land Five (5) feet wide running along and parallel to the Easterly property line of Lot Two Hundred Fifty (250);

All these tracts containing a total of Fifteen One-hundredths (0.15) acres, 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 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 Grantor, or duties and powers of the Grantee respecting ownership, use, operations, extensions and connections to any gas main or water main constructed and maintained hereunder.

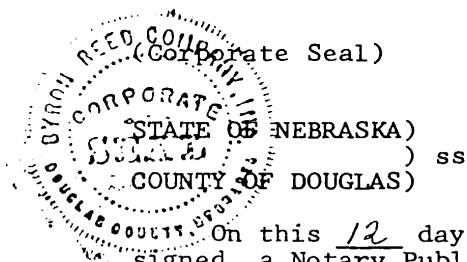
IN WITNESS WHEREOF, the Grantor has caused this agreement to be signed on the day and year first above written.

BYRON REED COMPANY, INC.,  
Grantor

ATTEST:

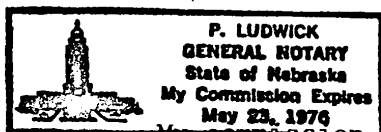
*Robert E. Kucall*  
Title *Gen. Secretary*

By *Charles E. Peterson Jr.*  
Title *President*



On this 12 day of October, 1972, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Charles E. Peterson, Jr., to me personally known to be the President of Byron Reed Company, Inc., a corporation, 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 corporation.

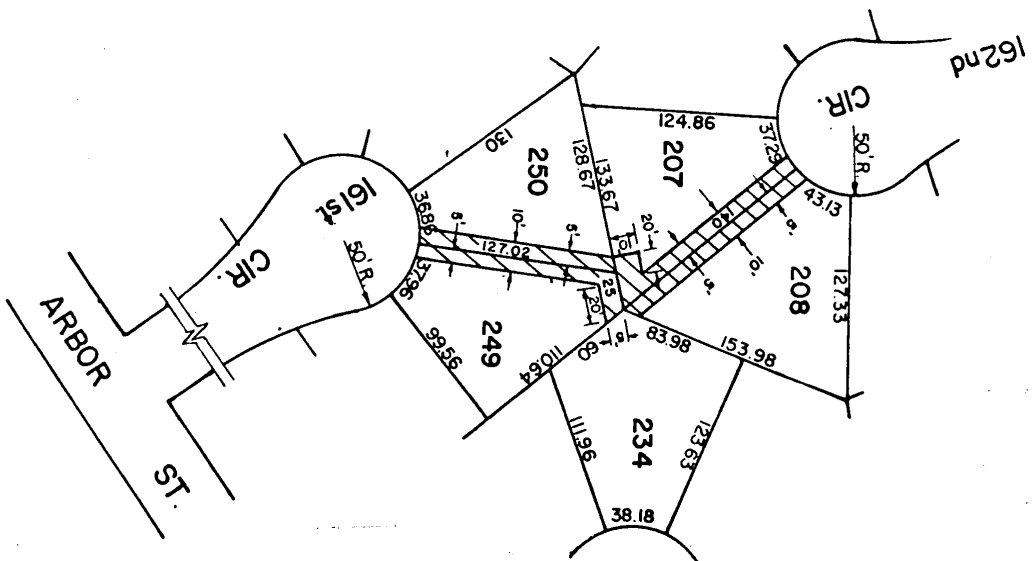
Witness my hand and Notarial Seal the day and year last above written.



*P. Ludwick*  
Notary Public

My commission expires the 23 day of May, 1976.

162nd



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## PERMANENT EASEMENT

## LEGEND

ACRE: PERMANENT .15

LAND OWNER BYRON  
REED CO. & OTHER

EASEMENT  
ACQUISITION  
FOR W.C.-C. 4641

**METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA**