

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 17th day of October, 1972, between Richard Grant Builders, 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 156, 157, 174, 175, 178, 179, 196, 197, 200, 201, 218, 219, 222, 223, 240 and 241 in Park West Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said tracts being more particularly described as follows:

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot One Hundred Fifty-six (156), said strip of land being the North Seven (7) feet of Lot 156;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot One Hundred Fifty-seven (157), said strip of land being the South Seven (7) feet of Lot 157;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot One Hundred Seventy-four (174), said strip of land being the South Seven (7) feet of Lot One Hundred Seventy-four (174);

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot One Hundred Seventy-five (175), said strip of land being the North Seven (7) feet of Lot 175;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot One Hundred Seventy-eight (178), said strip of land being the North Seven (7) feet of Lot 178;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot One Hundred Seventy-nine (179), said strip of land being the South Seven (7) feet of Lot 179;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot One Hundred Ninety-six (196), said strip of land being the South Seven (7) feet of Lot 196;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot One Hundred Ninety-seven (197), said strip of land being the North Seven (7) feet of Lot 197;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot Two Hundred (200), said strip of land being the North Seven (7) feet of Lot 200;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot Two Hundred One (201), said strip of land being the South Seven (7) feet of Lot 201;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot Two Hundred Eighteen (218), said strip of land being the South Seven (7) feet of Lot 218;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot Two Hundred Nineteen (219), said strip of land being the North Seven (7) feet of Lot 219;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot Two Hundred Twenty-two (222), said strip of land being the North Seven (7) feet of Lot 222, also the East seven (7) feet of the South Thirty-three (33) feet of the North Forty (40) feet, more or less, of Lot 222;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot Two Hundred Twenty-three (223), said strip of land being the South Seven (7) feet of Lot 223;

A strip of land Seven (7) feet wide running along and parallel to the South property line of Lot Two Hundred Forty (240), said strip of land being the South Seven (7) feet of Lot 240, also the West Seven (7) feet of the North Thirty-three (33) feet of the South Forty (40) feet, more or less, of Lot 240;

A strip of land Seven (7) feet wide running along and parallel to the North property line of Lot Two Hundred Forty-one (241), said strip being the North Seven (7) feet of Lot 241;

All of these tracts containing a total of Thirty-four One-hundredths (0.34) acres, more or less, as shown on the plat attached hereto, marked "Exhibit A", and made a part hereof.

Several tracts of land lying in Lots 40, 41, 42, 43, 44, 57, 58, 59, 60, 61, 70, 71, 72, 73, 74, 83, 84, 85, 86, 87, 96, 97, 98, 99, 100, 123, 124, 125, 127, 139, 140, 141, 142, 143, 147, 148, 149, 150, 151, 152, 260, 261, 262, 263, 264, and 265 in Park West Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said tracts being more particularly described as follows:

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Forty (40);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot Forty-one (41);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot Forty-two (42);

A strip of land Five (5) feet wide running along and parallel to the curved Northeast property line of Lot Forty-three (43);

A strip of land Five (5) feet wide running along and parallel to the curved Northwest property line of Lot Forty-four (44);

A strip of land Five (5) feet wide running along and parallel to the curved Westerly property line of Lot Fifty-seven (57);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Fifty-eight (58);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Fifty-nine (59);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot Sixty (60);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot Sixty-one (61);

A strip of land Five (5) feet wide running along and parallel to the curved Westerly property line of Lot Seventy (70);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Seventy-one (71);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Seventy-two (72);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot Seventy-three (73);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot Seventy-four (74);

A strip of land Five (5) feet wide running along and parallel to the curved Westerly property line of Lot Eighty-three (83);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Eighty-four (84);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Eighty-five (85);

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

A strip of land Five (5) feet wide running along and parallel to the curved easterly property line of Lot Eighty-seven (87);

A strip of land Five (5) feet wide running along and parallel to the curved Westerly property line of Lot Ninety-six (96);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Ninety-seven (97);.

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Ninety-eight (98);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot Ninety-nine (99);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot One Hundred (100);

A strip of land Five (5) feet wide running along and parallel to the curved Westerly property line of Lot One Hundred Twenty-three (123);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot One Hundred Twenty-four (124);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot One Hundred Twenty-five (125);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot One Hundred Twenty-seven (127);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot One Hundred Thirty-nine (139);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot One Hundred Forty (140);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot One Hundred Forty-one (141);

A strip of land Five (5) feet wide running along and parallel to the curved Northeast property line of Lot One Hundred Forty-two (142);

A strip of land Five (5) feet wide running along and parallel to the curved Northerly property line of Lot One Hundred Forty-three (143);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot One Hundred Forty-seven (147);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot One Hundred Forty-eight (148);

A strip of land Five (5) feet wide running along and parallel to the curved Southeast property line of Lot One Hundred Forty-nine (149);

A strip of land Five (5) feet wide running along and parallel to the curved Northeast property line of Lot One Hundred Fifty (150);

A strip of land Five (5) feet wide running along and parallel to the curved Northerly property line of Lot One Hundred Fifty-one (151);

A strip of land Five (5) feet wide running along and parallel to the curved Northwest property line of Lot One Hundred Fifty-two (152);

A strip of land Five (5) feet wide running along and parallel to the curved Southwest property line of Lot Two Hundred Sixty (260);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Two Hundred Sixty-one (261);

A strip of land Five (5) feet wide running along and parallel to the curved Southerly property line of Lot Two Hundred Sixty-two (262);

A strip of land Five (5) feet wide running along and parallel to the curved Easterly property line of Lot Two Hundred Sixty-three (263);

A strip of land Five (5) feet wide running along and parallel to the curved Northeast property line of Lot Two Hundred Sixty-four (264);

A strip of land Five (5) feet wide running along and parallel to the curved Northerly property line of Lot Two Hundred Sixty-five (265);

These tracts containing a total of Twenty-one One-hundredths (0.21) acres, more or less, all as shown on the plat attached, marked "Exhibit B", 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.

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.

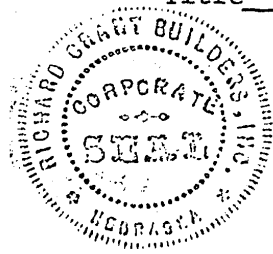
3. Nothing herein contained shall be construed as a waiver of any rights of Grantor, or duties and powers of Grantee respecting the ownership, use, operations, extensions and connections to any gas main or water main constructed and maintained hereunder.

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

RICHARD GRANT BUILDERS, INC.,
Grantor

ATTEST:

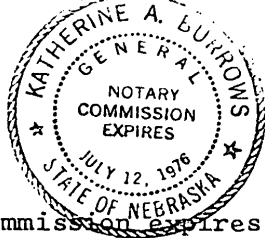
Grant L. Harscher By Richard H. Jensen
Title Secretary Title President



STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

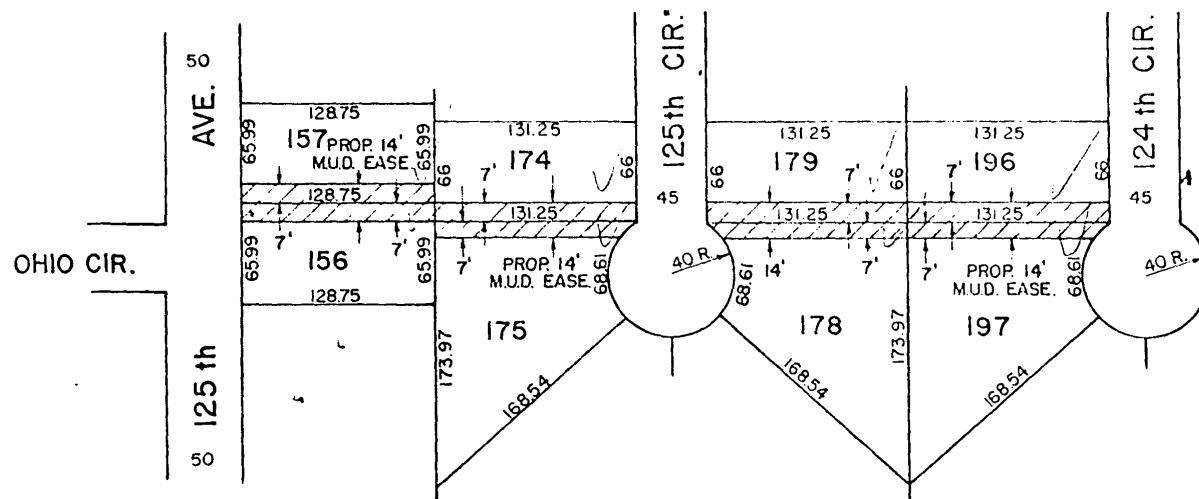
On this 19th day of October, 1972, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Richard C. Jensen, to me personally known to be the President of Richard Grant Builders, Inc., a corporation, whose name is affixed to the foregoing instrument 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 on the day and year last above written.

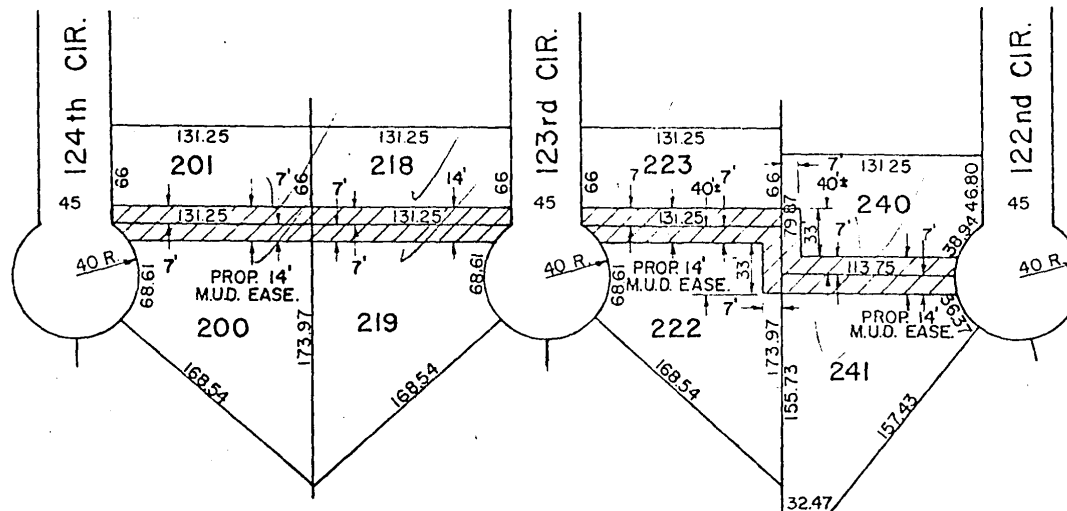


Katherine A. Burrows
Notary Public

My commission expires the 12th day of July, 1976.



ALL LOTS SHOWN ARE IN
PARK WEST



SCALE: 1" = 100'

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR WC-C. 4595-2

LAND OWNER WALTER
W. & ISABELLE L.
PEDERSEN HSB. & WF.

ACRES PERMANENT 0.34

LEGEND

PERMANENT EASEMENT

DRAWN BY C.J.P. DATE 6-30-72
CHECKED BY LLJ DATE 7-6-72
APPROVED BY CR DATE 8-4-72
REVISED BY _____ DATE _____
REV. CHK'D BY _____ DATE _____

EXHIBIT A

PETROLEUM
UTILITY
DISTRICT

EASEMENT
ACQUISITION
FOR W.C.C. 4595-1

LAND OWNER, RICHARD
GRANT BLDGS. INC.

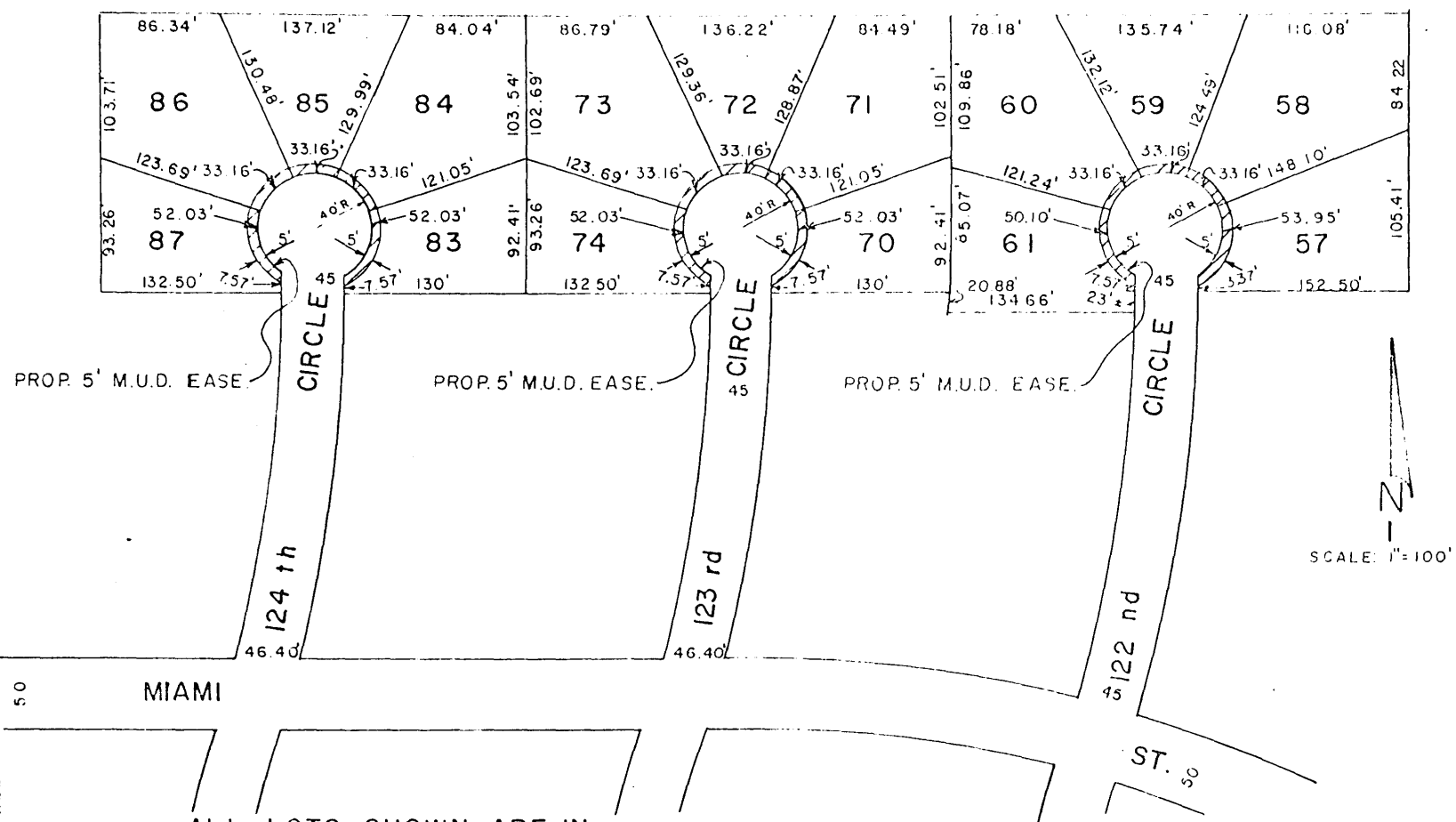
ACRE PERMANENT EASEMENT

LEGEND
PERMANENT EASEMENT

PAGE 1 OF 3

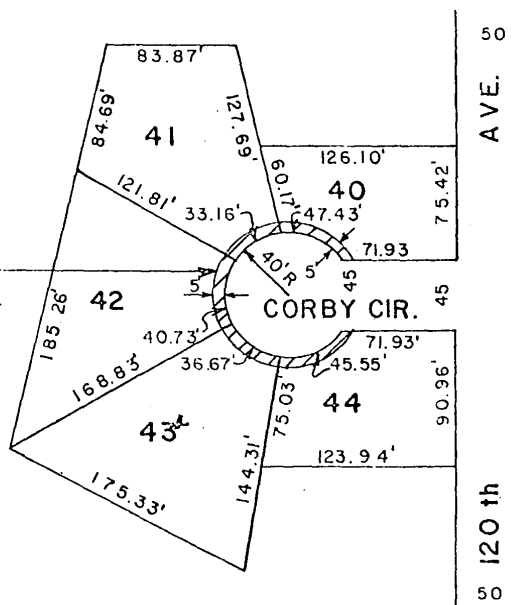
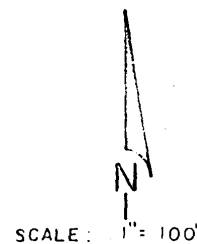
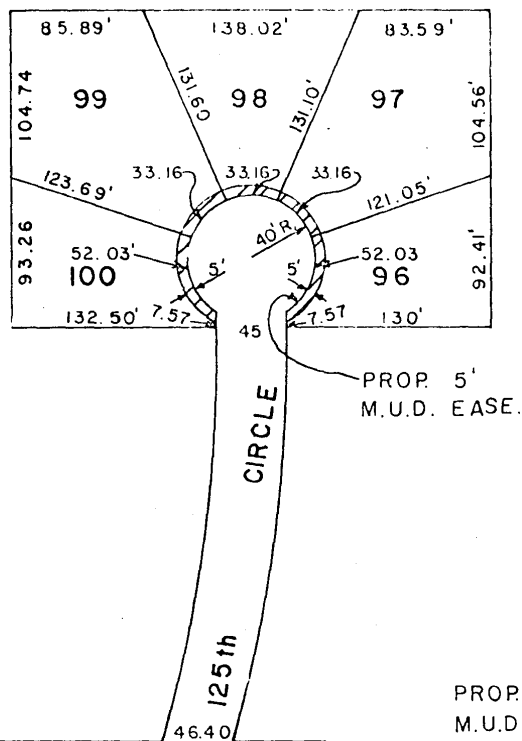
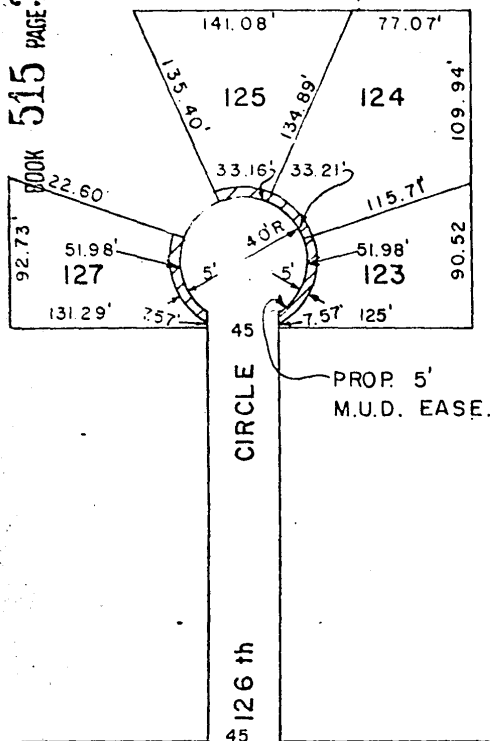
DRAWN BY G.D.D. DATE 7-27-72
CHECKED BY L.W. DATE 7-31-72
APPROVED BY [Signature] DATE 8-4-72
REVISED BY DATE
REV CHD BY DATE

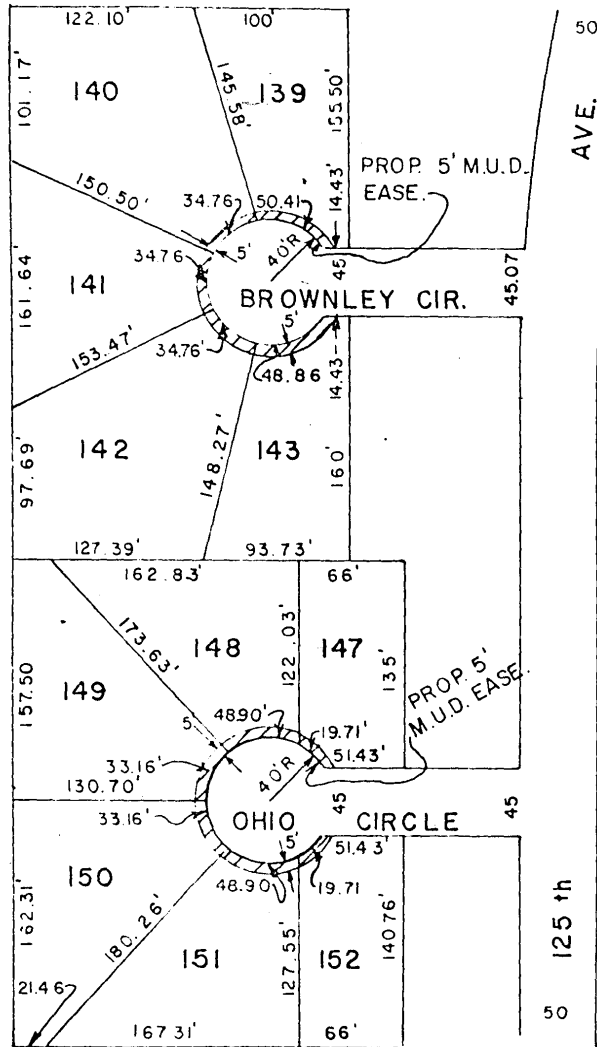
EXHIBIT B (Page 1 of 3)



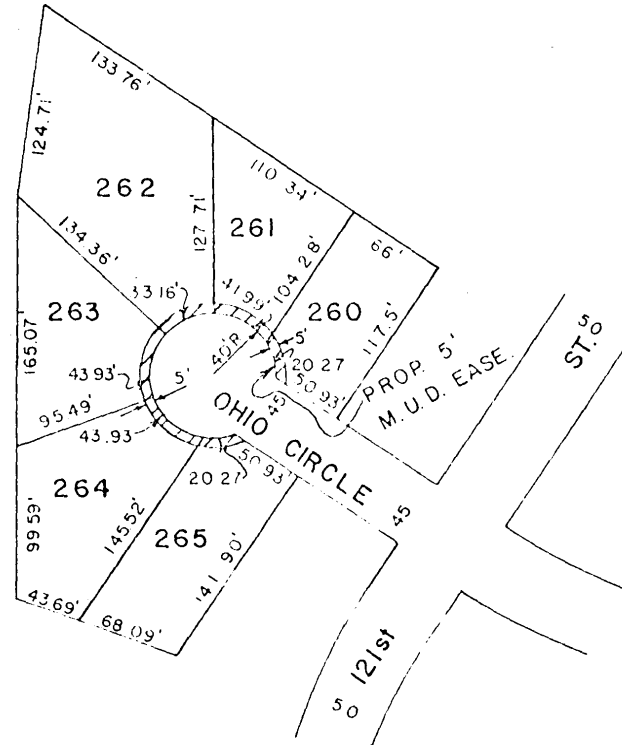
ALL LOTS SHOWN ARE IN
PARK WEST

BOOK 515 PAGE 396

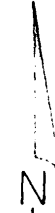




ALL LOTS SHOWN ARE IN
PARK WEST



SCALE: 1" = 100'



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA
EASEMENT
ACQUISITION
FOR W.C.C. 4595-2

LAND OWNER RICHARD
GRANT BLDGS. INC.

LEGEND
PERMANENT EASEMENT

PAGE 3 OF 3

DRAWN BY G.O.D. DATE 7-28-72
CHECKED BY H.L. DATE 7-31-72
APPROVED BY [Signature] DATE 8-4-72
REVISED BY _____ DATE _____
REV CHKO BY _____ DATE _____

ENTERED IN NEBRASKA INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
17 27 DAY OF October 1972 AT 1655 PM C. HAROLD OSTLER, REGISTER OF DEEDS

EXHIBIT B (Page 3 of 3)