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Nov 14 2:17 PM '94

RECORDS SECTION
DOUGLAS COUNTY, NE



PERMANENT EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 4th day of NOVEMBER, 1994, between CINNAMON CREEK LAND CORPORATION, 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 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 one gas valve and CC box in Lots 195 and 202, one hydrant with a valve and CC box in Lots 171 and 172, one water valve and CC box in Lots 151, 185 and 192, and two air taps with vaults in Lot 37, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

Several tracts in Cinnamon Creek, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

The south five feet (5') of each of Lots 37, 171, 172, 173, 174, 184, 185, 192, 152 and 151 as the same abut the public right-of-way of "Y" Street; and

The north five feet (5') of each of Lots 209, 208, 207, 206, 205, 204, 203, 202, 201, 200, 199, 198, 197, 196, 195, 194 and 193 as the same abut the public right-of-way line of "Y" Street.

Said tracts contain a total 0.297 of an acre, more or less, and are shown on the drawing attached hereto and made a part hereof by this reference.

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. 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.

Please return to -
R. OWENS
M.U.D.
1723 Harney St.
Omaha 68102

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FEE 28.50 R Comp MI-06445
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13351 94 550-552

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.

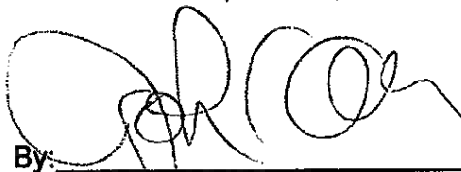
4. The Grantor is a lawful possessor of this real estate; has good, right, and lawful authority to make such conveyance; and Grantor and its executors, administrators, successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims 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 causes this Easement and Right-of-Way to be signed on the above date.

CINNAMON CREEK LAND CORPORATION,
a Nebraska Corporation, Grantor

(Corporate Seal)

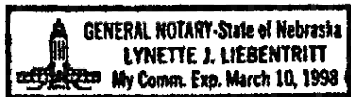
By: 
John C. Allen, President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF Douglas)

This instrument was acknowledged before me on November 4, 1994 by John C. Allen, in his capacity as President, and on behalf of said Corporation.

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




Notary Public

My Commission expires: 3-10-98



METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR **W.C.C. 7809**
G.R.M. 10729

LAND OWNER
Cinnamon Creek Land Corp.
c/o Mike McMaekin
Limp Ryeharson & Assoc.
14747 California St.
Omaha, No. 68154-1952

TOTAL ACRE 0.297±
PERMANENT _____
TEMPORARY _____

LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 1 OF 1

DRAWN BY CLY.
DATE 10-25-94
CHECKED BY *[Signature]*
DATE 10-20-94
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____

