

47-161
\$18.50

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 11th day of March, 1974, between C. O., Inc., 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 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 transportation of gas and water, 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:

Several strips of land lying in Lots 1, 2, 3, 4, 5, 6, 14, 15, 16, 17, 18, 21, 22, and 23, of 370 Square, a subdivision in Sarpy County, Nebraska, as now platted and recorded, said strips being more particularly described as follows:

A strip of land lying in Lot One (1), being Five (5) feet wide, running along and parallel to the right-of-way line of 39th Street, said strip extending from the South property line of said Lot One (1) North a distance of Sixty-nine and Eighty-nine One-hundredths (69.89) feet;

The East Five (5) feet of Lot Two (2);

The East Five (5) feet of Lot Three (3);

The East Five (5) feet of Lot Four (4);

The East Five (5) feet of Lot Five (5) lying along 39th Street;

The East Five (5) feet of Lot Six (6) lying along 39th Street;

A strip of land lying in Lot Fourteen (14), being Five (5) feet wide, running along and parallel to the right-of-way line of 37th Street, said strip extending from the South property line of Lot Fourteen (14) to the North property line of Lot Fourteen (14);

A strip of land lying in Lot Fifteen (15), being Five (5) feet wide, running along and parallel to the right-of-way line of 370 Plaza, said strip extending from the Northerly property line of Lot Fourteen (14) to the Easterly property line of Lot Sixteen (16);

A strip of land lying in Lot Sixteen (16), being Five (5) feet wide, running along and parallel to the right-of-way line of 370 Plaza, said strip extending from the Easterly property line to the Westerly property line of said Lot Sixteen (16);

The Southerly Five (5) feet of Lot Seventeen (17), lying along 370 Plaza;

A strip of land lying in Lot Eighteen (18), being Five (5) feet wide, running along and parallel to the right-of-way of 370 Plaza, said strip extending from the Easterly property line of Lot Eighteen (18) West a distance of One Hundred Forty and Seventy-two One-hundredths (140.72) feet;

A strip of land lying in Lot Twenty-one (21), being Five (5) feet wide, running along and parallel to the right-of-way line of 37th Street, said strip extending from the South property line of Lot Twenty-one (21) to the North a distance of One Hundred Seventy-eight (178) feet;

A strip of land lying in Lot Twenty-two (22), being Five (5) feet wide, running along and parallel to the right-of-way lines of 37th Street and Wilshire Plaza, said strip extending from the North property line to the West property line of said Lot Twenty-two (22);

The South Five (5) feet of Lot Twenty-three (23) lying along Wilshire Plaza;

All these strips containing a total of Twenty-seven One-hundredths (0.27) 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 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 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 easement to be signed on the day and year first above written.

C. Q., INC., Grantor

ATTEST:

Donald M. Morrison Title President X By Courtney Quinn Title Pres

(Corporate Seal) *no seal*

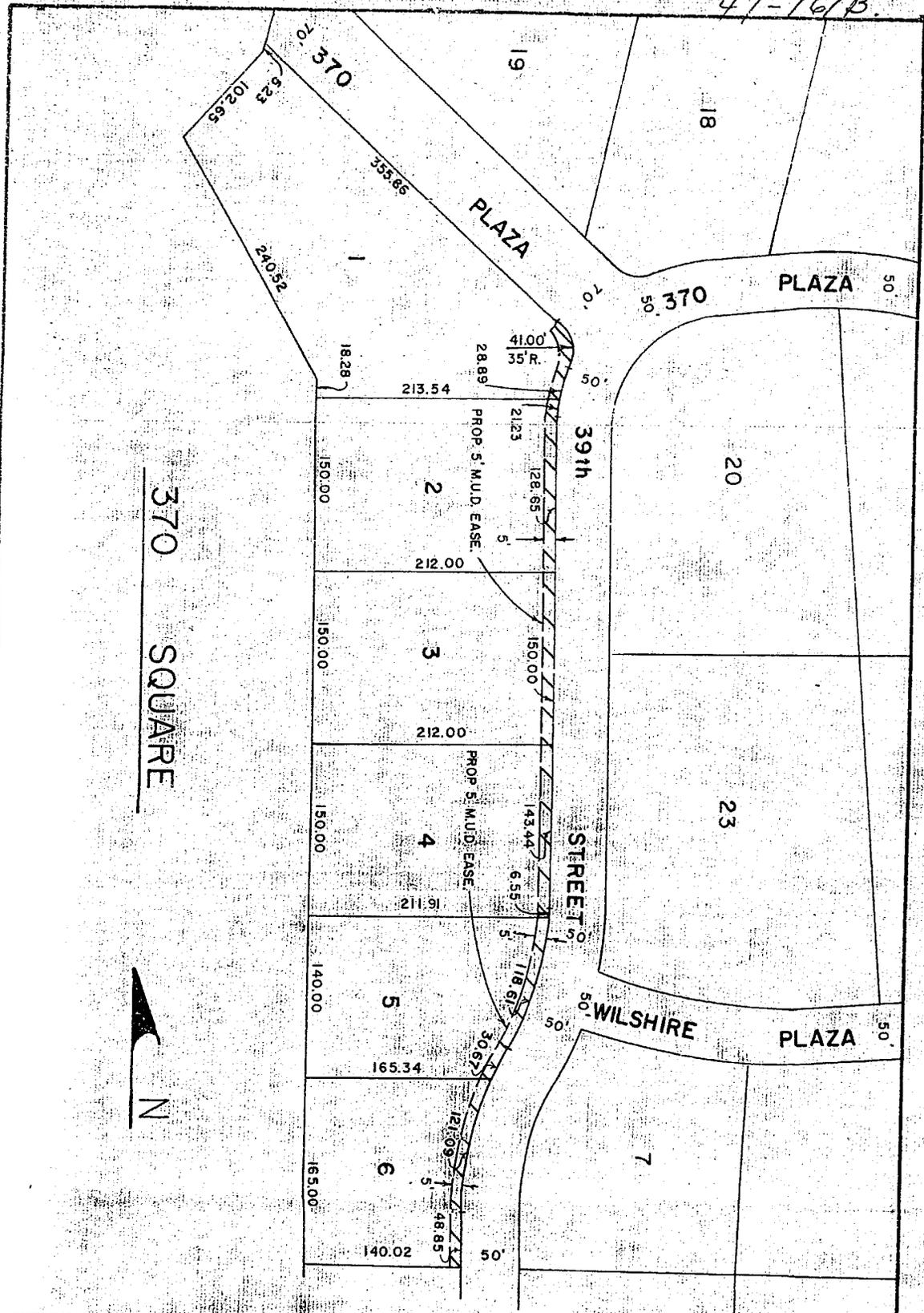
STATE OF NEBRASKA)
COUNTY OF Douglas) ss

On this 11 day of March, 1974, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Courtney Quinn and Donald Morrison, to me personally known to be the Pres of C. Q., Inc., a Nebraska 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.

Cinda C. Weiss
CINDA C. WEISS
GENERAL
NOTARY
COMMISSION
EXPIRES
JAN. 25, 1975
STATE OF NEBRASKA

47-161B.



370 SQUARE



DRAWN BY R.J.D. DATE 1-8-74
 CHECKED BY L.J. DATE 1-22-74
 APPROVED BY [Signature] DATE 1-22-74
 REVISED BY _____ DATE _____
 REV. CHK'D. BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PAGE 1 OF 3

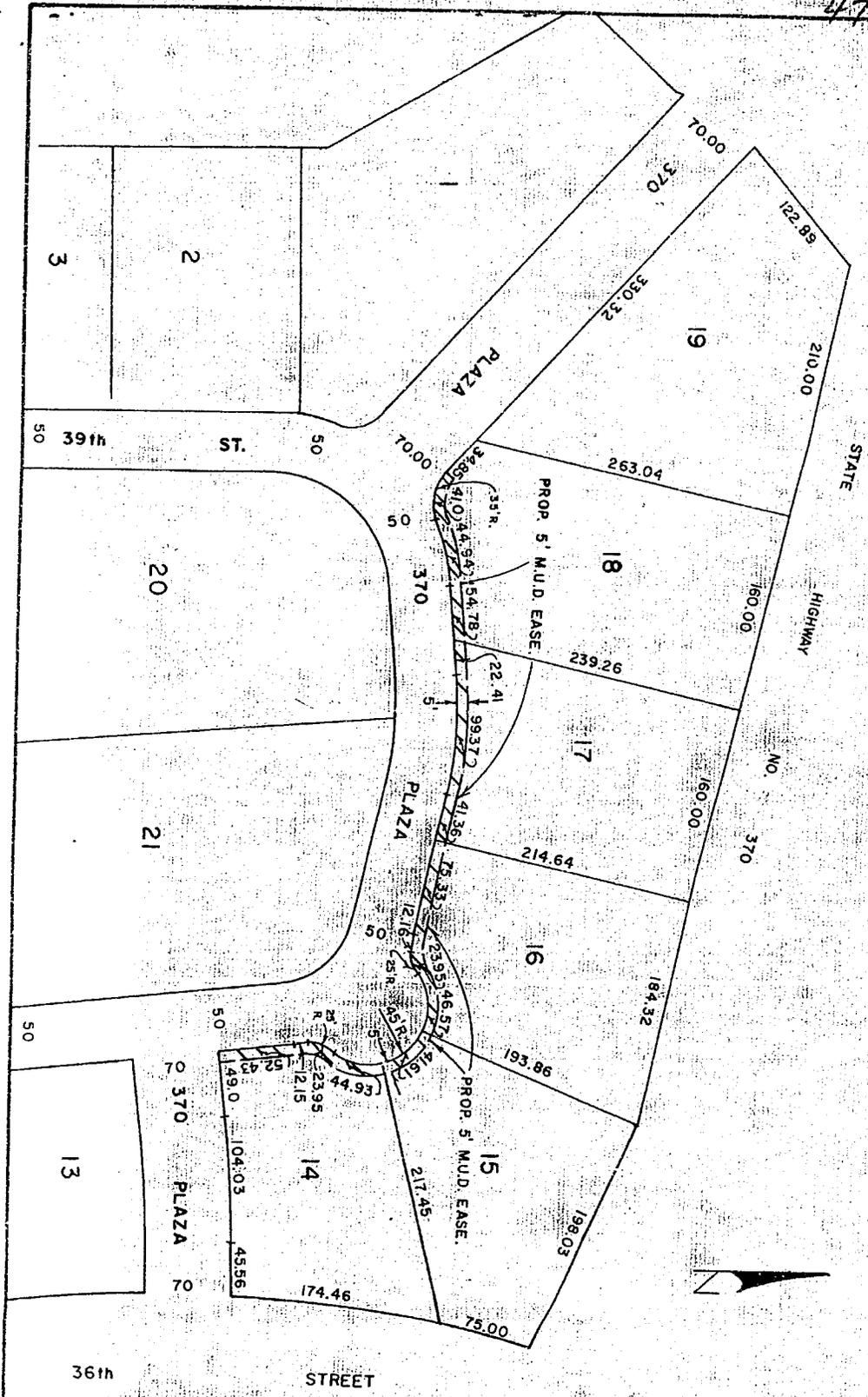
TOTAL ACRES 0.27
 LEGEND
 PERMANENT EASEMENT [Symbol]

LAND OWNER: _____
 C.O. INC.
 EASEMENT ACQUISITION FOR WCC 4877

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA

47-161C

370 SQUARE



DRAWN BY R.J.D. DATE 1-7-74
 CHECKED BY LLJ DATE 1-22-74
 APPROVED BY GJR DATE 1-22-74
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DA _____

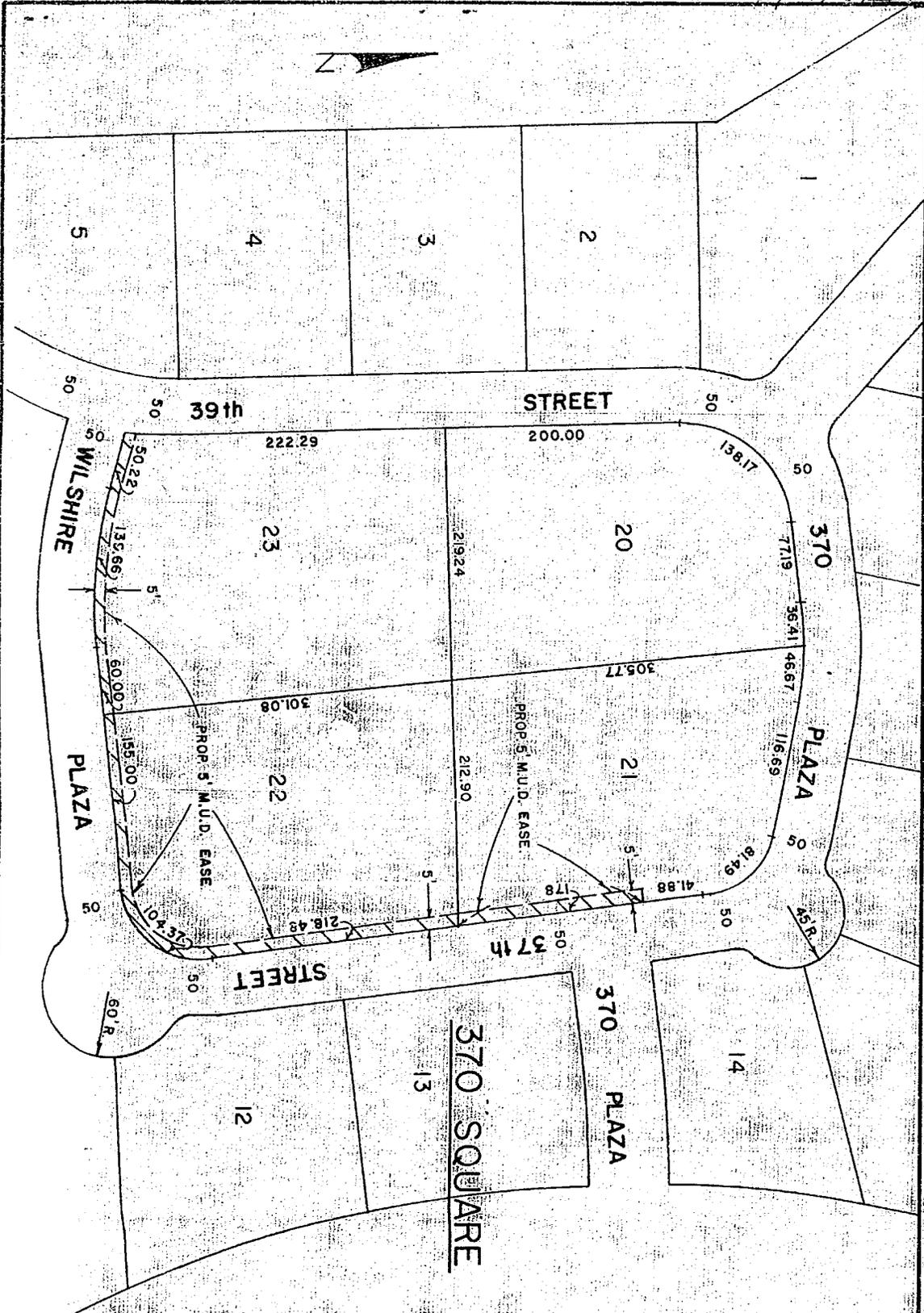
PAGE 2 OF 3

TOTAL ACRES 0.27
 PERMANENT EASEMENT LEGEND

LANDOWNER: _____
 C.O. INC.

EASEMENT ACQUISITION
 FOR WGC-4877

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA



DRAWN BY <u>RJD</u> DATE <u>1-7-74</u>		METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA EASEMENT ACQUISITION FOR <u>WCC 4877</u> LAND OWNER: _____ C.O. INC. _____ TOTAL ACRES <u>0.27</u> LEGEND PERMANENT EASEMENT <u> </u>
CHECKED BY: <u>LLJ</u> DATE <u>1-22-74</u>		
APPROVED BY: <u>[Signature]</u> DATE <u>1-22-74</u>		
REVISED BY: _____ DATE _____		
REV. CHK'D. BY: _____ DATE _____		
REV. APPROV. BY: _____ DATE _____		
PAGE 3 OF 3		