

BOOK 528 PAGE 322

EASEMENT AND RIGHT OF WAY

8 1/2
15
etc \$ 14.50

THIS INDENTURE, made this 2nd day of October, 1973, between INDUSTRIAL FIVE, a partnership, hereinafter referred to as "Grantors", and METROPOLITAN UTILITIES DISTRICT, of Omaha, a municipal corporation, hereinafter referred to as "Grantee",

W I T N E S S E T H :

That 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 transmission 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 tracts of land lying in Lots 2, 49, 62, 63, 78, 79, 93, 94, 119 and 120 of Southwest Park, as now platted and recorded, a subdivision in Douglas County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot Two (2), thence West along the South property line of Lot 2 a distance of twenty-five (25) feet, thence Northeasterly along a straight line a distance of thirty-five and four-tenths (35.4) feet, more or less, to a point on the East property line of Lot 2, said point being twenty-five (25) feet North of the Southeast corner of Lot 2, thence South along the East property line of Lot 2 a distance of twenty-five (25) feet to the point of beginning;

Beginning at the Southeast corner of Lot forty-nine (49), thence West along the South property line of Lot 49 a distance of twenty-five (25) feet, thence Northeasterly along a straight line a distance of thirty-five and four-tenths (35.4) feet, more or less, to a point on the East property line of Lot 49, said point being twenty-five (25) feet North of the Southeast corner of Lot 49, thence South along the East property line of Lot 49 a distance of Twenty-five (25) feet to the point of beginning.

The West Ten (10) feet of Lot Sixty-two (62);

The East Ten (10) feet of Lot Sixty-three (63);

The East Ten (10) feet of Lot Seventy-eight (78);

The West Ten (10) feet of Lot Seventy-nine (79);

The West Ten (10) feet of Lot Ninety-three (93);

The East Ten (10) feet of Lot Ninety-four (94);

The East Ten (10) feet of Lot One Hundred Nineteen (119);

The West Ten (10) feet of Lot One Hundred Twenty (120);

All of these tracts containing a total of Thirty-four one-hundredths (0.34) 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.

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1. Grantors, their 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 Grantors, 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 Grantors have caused this easement to be signed on the day and year first above written.

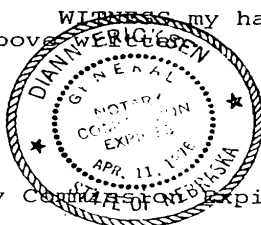
INDUSTRIAL FIVE, a Partnership

By [Signature]
General Partner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 2nd day of October, 1973, before me, the undersigned, Notary Public duly commissioned and qualified for said county, personally came [Signature], to me personally known to be a General Partner of Industrial Five, a Partnership, whose name is affixed to the foregoing instrument in that capacity and who acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said partnership.

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



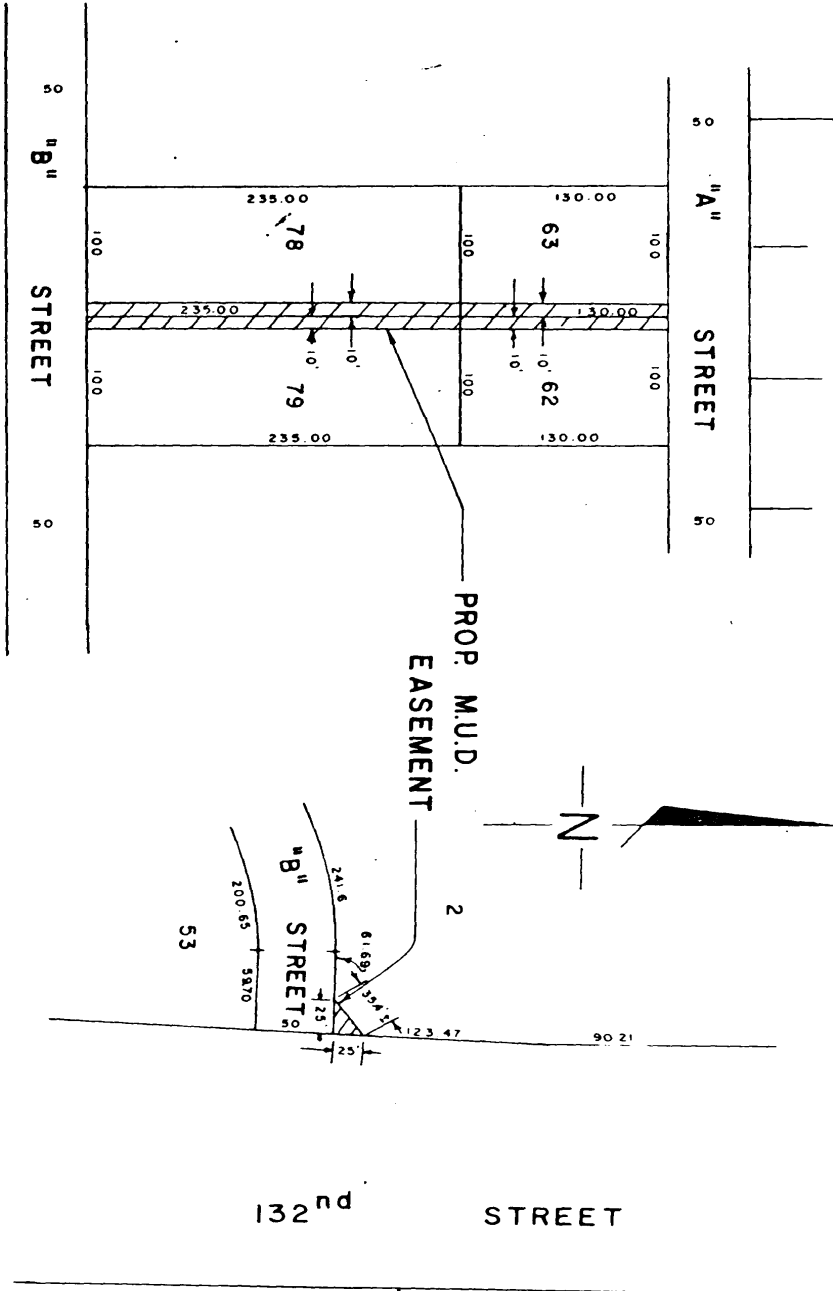
[Signature]
Notary Public

My Commission Expires:

April 11, 1976

SOUTHWEST PARK ADDITION

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DRAWN BY D.H.C. DATE 8-21-73
 CHECKED BY L.H. DATE 8-25-73
 APPROVED BY (Signature) DATE 8-27-73
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____

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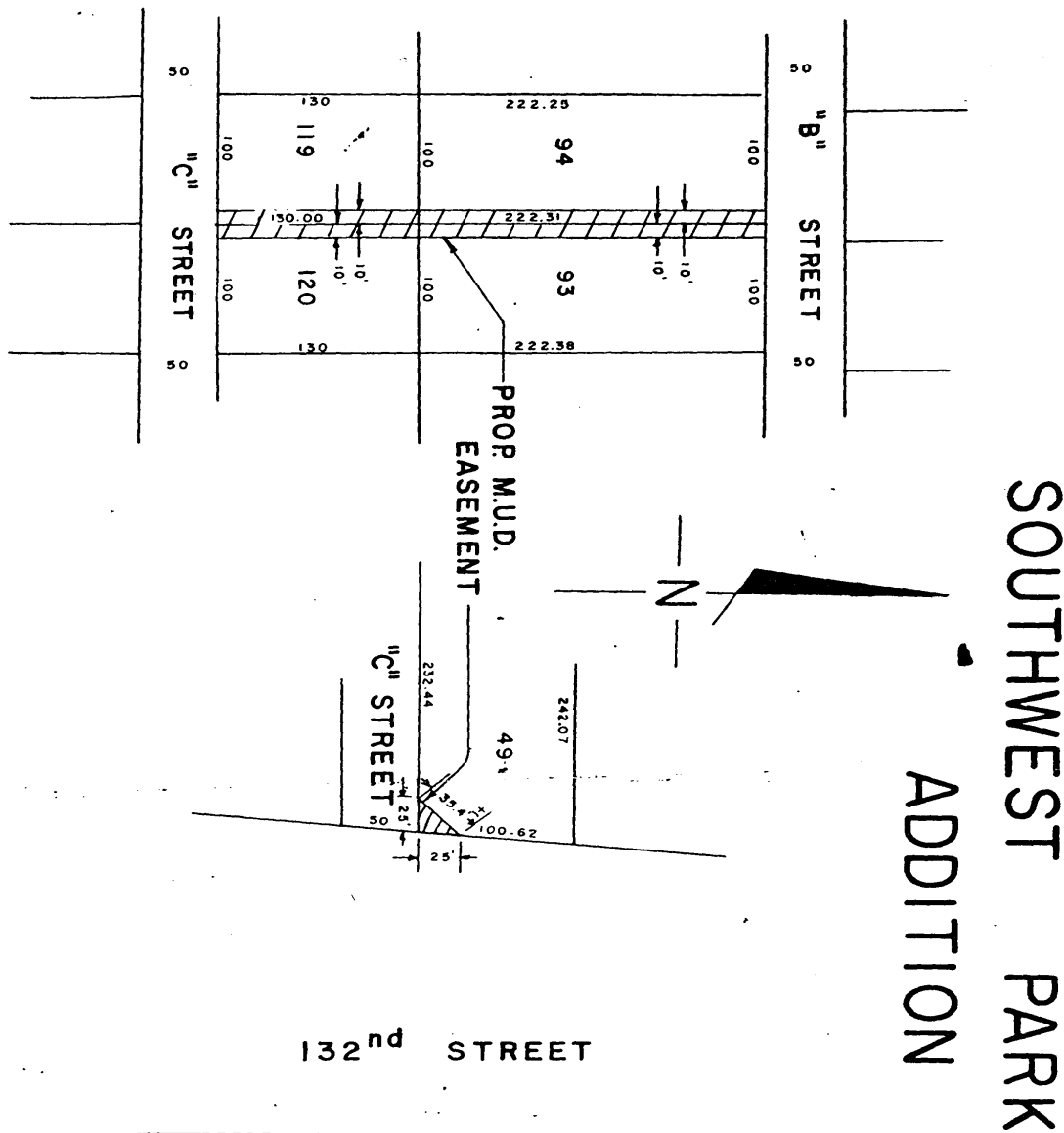
LEGEND
 PERMANENT EASMT

LAND OWNER
 INDUSTRIAL FIVE,
 LAND HOLDING CO.,
 SIDLES ENTER-
 PRISES INC.
 ACRES PERMANENT 0.34 TOTAL

EASEMENT
 ACQUISITION
 FOR WCC 4755

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEBRASKA

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132nd STREET

29
 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA, 14.50
 22 DAY OF Oct. 1973 AT 3:13 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS

DRAWN BY D.H.C. DATE 8-20-73
 CHECKED BY LLW DATE 8-25-73
 APPROVED BY G.P.R. DATE 8-27-73
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____

PAGE 2 of 2

LEGEND
 PERMANENT EASMT.

ACRE: PERMANENT 0.34702

LAND OWNER
 INDUSTRIAL FIVE,
 LAND HOLDING CO.,
 SIDLES ENTER-
 PRISES INC.

EASEMENT
 ACQUISITION
 FOR WCC 4755

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEBRASKA