

79-123
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EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 14th day of October, 1975, between Old Mill Land and Holding Company, a 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 9, 10, 11, 12, and 15, Old Mill Plaza Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said strips being more particularly described as follows:

The Northerly Five (5) feet of Lot Nine (9);

The Northeasterly Five (5) feet of Lot Ten (10);

The Northeasterly Five (5) feet of Lot Eleven (11);

The Westerly Five (5) feet of Lot Twelve (12), said strip lying along and parallel to the right of way of Old Mill Road;

The West Ten (10) feet of the North Two Hundred Fifty-four and Ninety-five Hundredths (254.95) feet and the East Fifteen (15) feet of the West Seventy-seven (77) feet of the South Three Hundred Ninety-five (395) feet of Lot Fifteen (15).

These strips contain a total of Thirty-six Hundredths (0.36) 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 strip 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 pipeline constructed and maintained hereunder.

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

ATTEST:

OLD MILL LAND AND HOLDING COMPANY,
Grantor

[Signature]
Title

By *[Signature]*
Title *[Signature]*



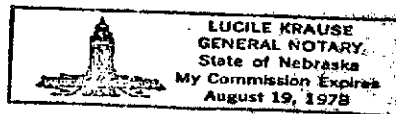
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STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 14th day of October, 1975, before me, the undersigned
a Notary Public duly commissioned and qualified for said county, there
came Therese Jacobs, to me personally known to be the
President of Old Mill Land and Holding Company, 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.

Lucile Krause
Notary Public



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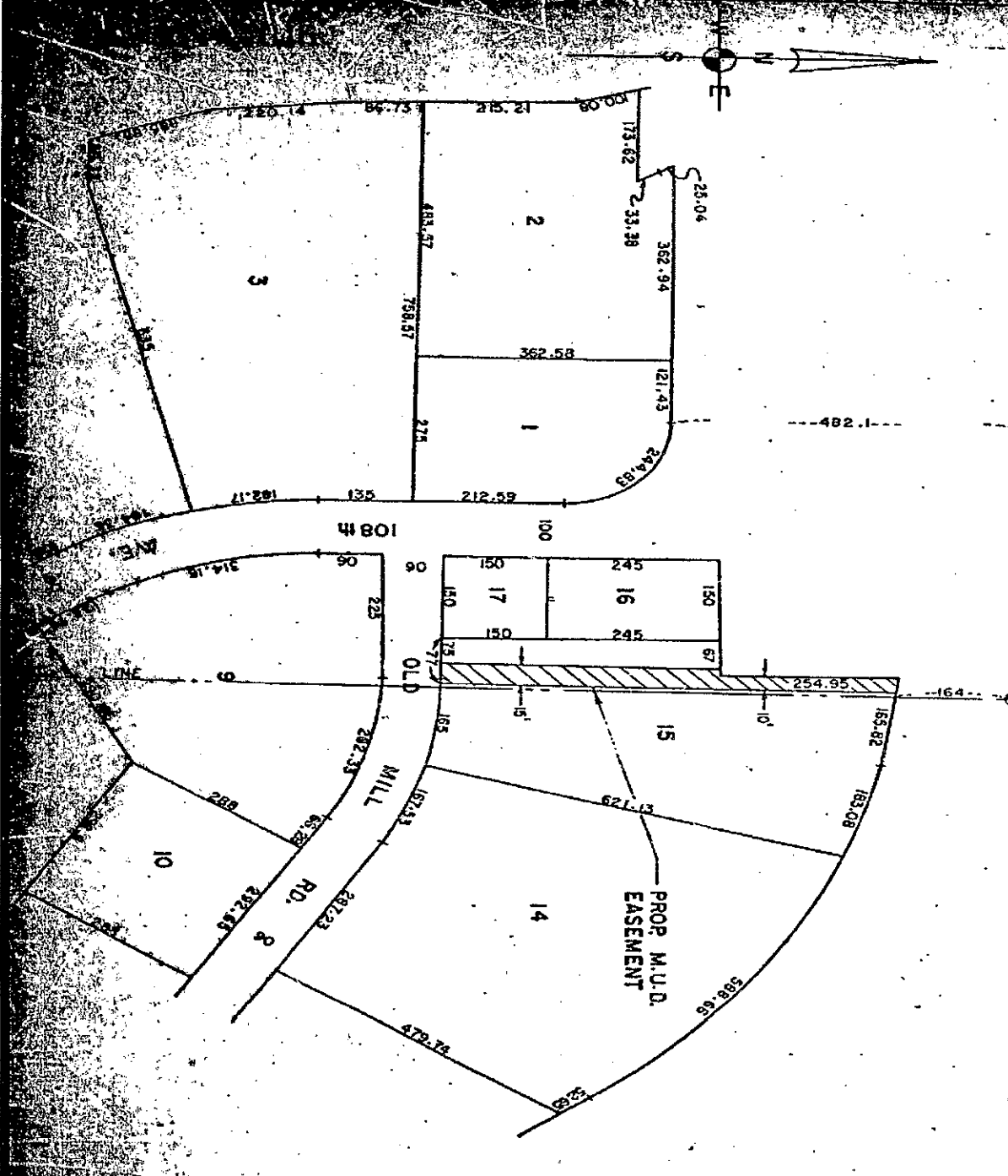
ALL LOTS SHOWN ARE IN
OLD MILL PLAZA

WEST

DODGE

SEC. LINE

RD.



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR G.C.C. 7607

LAND OWNER
OLD MILL LAND
HOLDING CO.

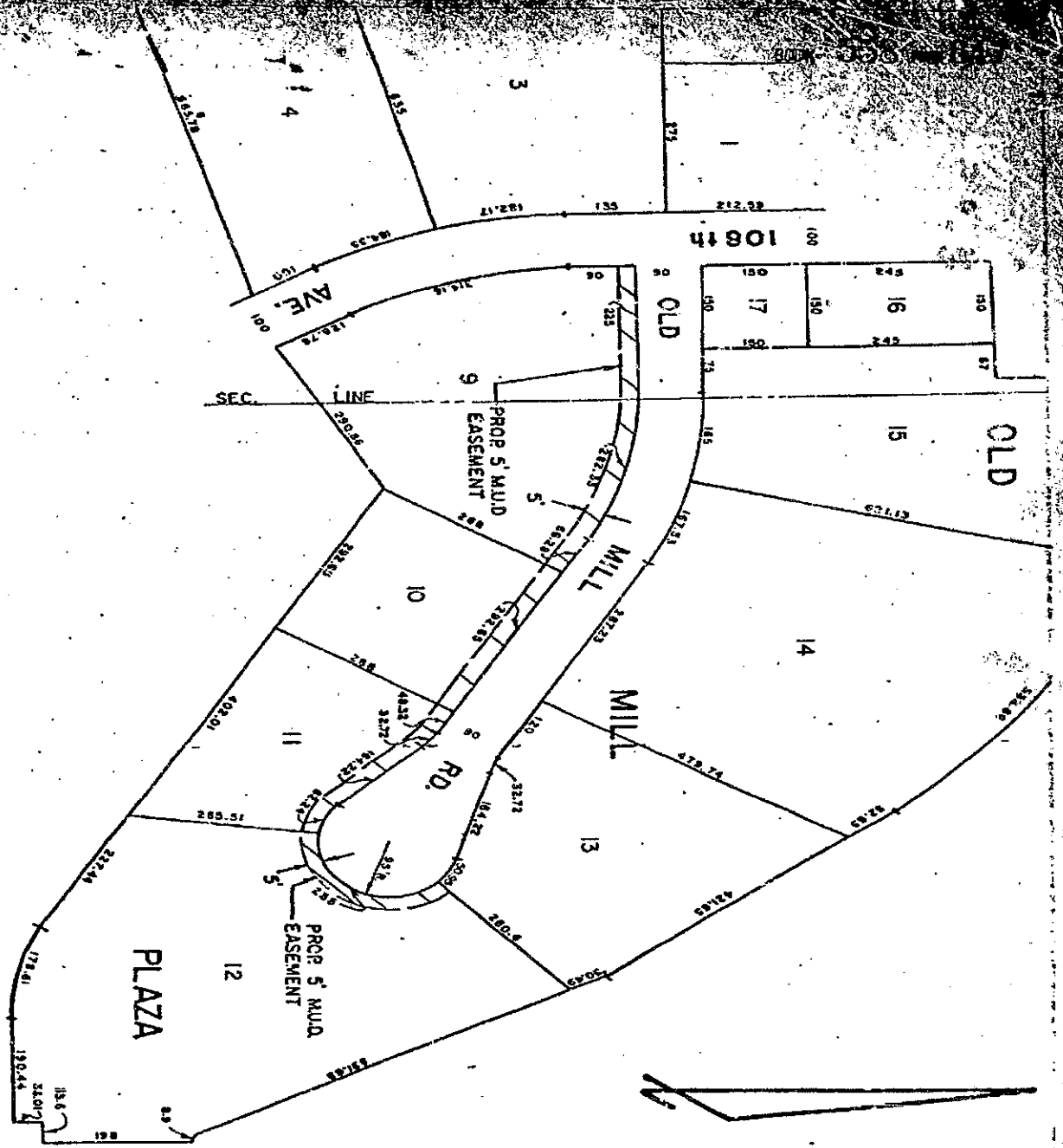
TOTAL ACRE 0.36

LEGEND
PERMANENT EASEMENT

PAGE 1 OF 2

DATE 8-27-75
DATE 8-27-75
DATE 8-27-75
DATE
DATE

ALL LOTS SHOWN ARE IN



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 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
 12 DAY OF *Dec* 1975 AT 10:05 AM C. HAROLD OSTLER, REGISTER OF DEEDS 1375

R.J.D. 9/25/75
 J.R.P. 9-29-75
 DRS 9-27-75

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0.36

MILL LAND AND HOLDING CO.

CCC 7607

METROPOLITAN UTILITIES