

EASEMENT FOR WATER MAIN RIGHT OF WAY

THIS AGREEMENT, made and entered into this 11th day of May, 1962, in Omaha, Nebraska, by and between Watson Bros. Enterprises, Inc., a corporation, hereinafter called the grantor, and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter called the grantee, witnesseth:

WHEREAS, Metropolitan Utilities District owns and maintains a 30-inch water main in the line of the continuation of Twenty-Seventh Street to Boulevard Street over, across and through Tax Lot Fourteen (14) in Section Thirty-Three (33), Township Fifteen (15) North, Range Thirteen (13) East in Douglas County, Nebraska, under an easement dated October 30, 1895, recorded in Book 200, Page 12, in the office of the Register of Deeds of Douglas County, Nebraska, as shown on the plat attached hereto, and, because of Interstate Highway construction, it is required to extend said main westerly across property owned by Watson Bros. Enterprises, Inc., or abandon said main and install another elsewhere across the property of said Watson Bros. Enterprises, Inc.:

NOW, THEREFORE, in consideration of the relinquishment and release of the easement above referred to, and the abandonment in place of its said 30-inch water main, within the area bounded by the east and west property lines of 27th Street extended and the north and south lines of Part of Tax Lot 14, Block 2, 2nd Replat of Sherman Addition, Douglas County, Nebraska, all in the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 33, Township 15 North, Range 13 East of the 6th P.M., by Metropolitan Utilities District, the grantor, Watson Bros. Enterprises, Inc., does by these presents grant and convey to said Metropolitan Utilities District, grantee, its successors and assigns, an exclusive perpetual easement for a 30-inch water main in, over and upon the following described real estate:

An area of thirty feet (30') in width, being fifteen feet (15') on either side of a line which is described as follows:

Starting at the Southeast corner of Part of Out Lot 6, Block 2, 2nd Replat of Sherman Addition, Thence proceeding North  $80^{\circ}-13'$  West along the South line of Part of Out Lot 6 a distance of 123 feet, said line also being the North right-of-way line of the Interstate Highway, thence North  $52^{\circ}-59'$  West a distance of 70 feet along the North right-of-way line of the Interstate Highway to the TRUE POINT OF BEGINNING, thence North  $12^{\circ}-34'$  East a distance of 334.51 feet to a point on the North line of Part of Out Lot 6, said point being 15.37 feet east of the Northwest corner of Part of Out Lot 6, all in the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 33, Township 15 North, Range 13 East of the 6th P.M., in Douglas County, Nebraska, as shown on the plat attached hereto.

Said easement and right of way is for the purpose of constructing, reconstructing, altering, repairing, inspecting, maintaining, changing, substituting, renewing or removing a 30-inch water main which is a part of the water utility system now serving the city of Omaha and adjacent territory.

Grantee, Metropolitan Utilities District, agrees that in performing any work on the granted premises, it will not unnecessarily obstruct grantor's access to its facilities, and, whenever grantee excavates on the granted premises, that it will restore the surface of same without cost to the grantor.

Grantor covenants that it will erect no structures other than pavement or railroad tracks in or over said right of way herein granted and will carry on no activities in or over same which will, in the free discretion of the grantee, its successors and assigns, in any way endanger the grantee's installations in or use of said right of way or its access thereto, at all times, for the purposes for which this easement is granted.

It is understood that the grantor may continue to use said right-of-way for truck and automobile parking.

Grantor agrees that upon the abandonment by Metropolitan Utilities District of that portion of its existing 30-inch water main hereinabove referred to, from which the grantor now receives water service, the grantor will make any and all changes in its water service pipes and connections, now connected to said main, at its own expense and cost, and connect its water service pipes to the new main which Metropolitan Utilities District will install to replace the abandoned one, at no charge by the grantee.

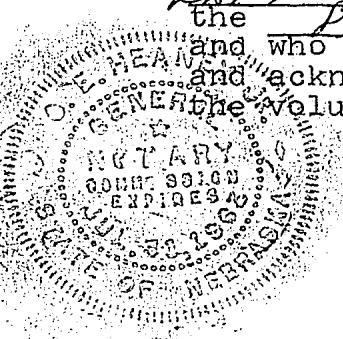
Signed, sealed and delivered this 11th day of May, 1962.

WATSON BROS. ENTERPRISES, INC.,  
a corporation

By Ray E. Watson  
PRESIDENT

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss

On this 11th day of May, 1962, personally appeared before me, a Notary Public in and for said county, the above named Ray E. Watson, who is personally known to me to be the PRESIDENT of Watson Bros. Enterprises, Inc., and who executed the foregoing grant of easement in my presence and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said Watson Bros. Enterprises, Inc.



O. E. Healey  
Notary Public

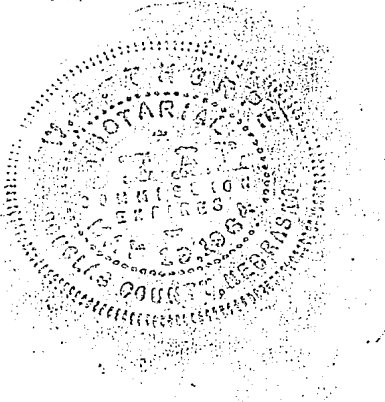
METROPOLITAN UTILITIES DISTRICT,  
a municipal corporation,

By R. N. Trester  
General Manager

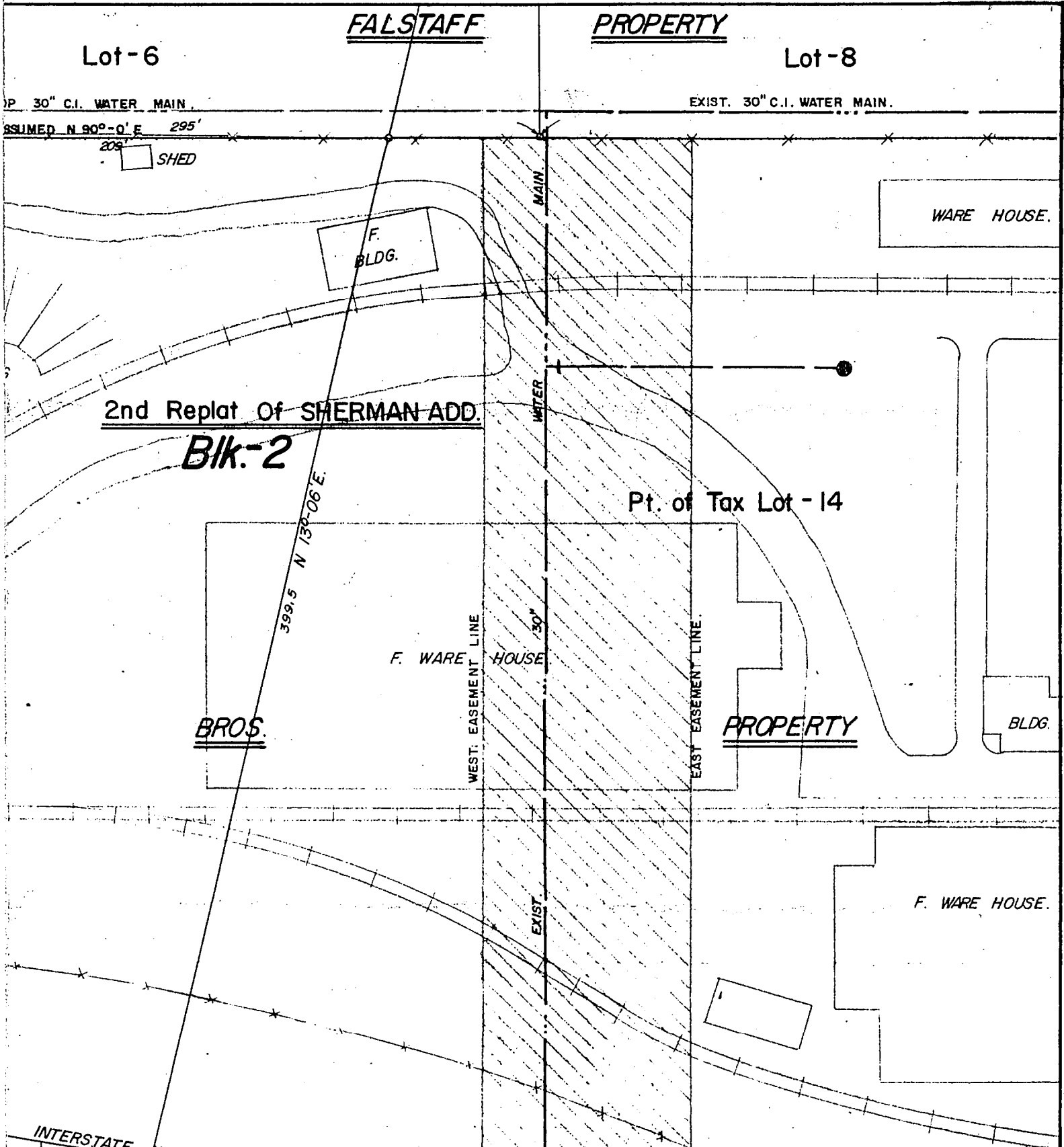
STATE OF NEBRASKA )  
                          ) ss  
COUNTY OF DOUGLAS )

On this 11 day of May, 1962, personally appeared before me, a Notary Public in and for said county, the above named R. H. Trester, who is personally known to me to be the General Manager of Metropolitan Utilities District, of Omaha, Nebraska, a municipal corporation, and who executed the foregoing grant of easement in my presence and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said Metropolitan Utilities District.

W. B. Thompson  
Notary Public







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|---|---------------------------|
| <b>METROPOLITAN UTILITIES DISTRICT<br/>OMAHA, NEBRASKA</b>                |                           |
| DESCRIPTION   | PROPERTY MAP FOR EASEMENT |
| 30" WATER MAIN - VICINITY 27th & VALLEY ST.<br>FOR WATSON BROS. PROPERTY. |                           |

|             |               |
|-------------|---------------|
| SCALE       | 1" = 50'      |
| DRAWN BY    | W.H.L.        |
| DATE        | APR. 27, 1962 |
| REVISED BY  |               |
| CHECKED BY  | CEB           |
| APPROVED BY | CEB           |

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*Mues*

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THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DEPT. OF COUNTY CLERK

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*[Handwritten signature]*

BY MAIL 26

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