

EASEMENT FOR PIPE LINE RIGHT OF WAY

THIS INDENTURE, made and entered into this 22 day of May, 1962, by and between Falstaff Brewing Corporation, a corporation organized under the laws of the State of Delaware with its principal place of business in the city of St. Louis, Missouri, hereinafter called the grantor, and Metropolitan Utilities District of Omaha, a municipal corporation of the State of Nebraska, hereinafter called the grantee, witnesseth:

WHEREAS, grantor did, on the 28th day of March, 1949, convey to grantee an easement across its property for the installation and maintenance of a 30-inch water main, said easement having been recorded in Book 242, Page 137, in the office of the Register of Deeds of Douglas County, Nebraska; and

WHEREAS, by reason of Interstate Highway construction it has become necessary for Metropolitan Utilities District to make changes in the location of its 30-inch water main west and south of the area now occupied by said main, and, for that purpose, said Metropolitan Utilities District has negotiated with the grantor for an additional easement across grantor's property and grantor has agreed to convey such an easement to said District:

NOW, THEREFORE, grantor, in consideration of the sum of FIVE HUNDRED DOLLARS (\$500.00), receipt of which is hereby acknowledged, does hereby grant to the grantee, 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, a 30-inch water main on, over, through, under, and across, and at all times to enter upon, a strip of land fifteen feet (15') in width, owned by grantor, described as follows:

Starting at the Northwest corner of Part of Out Lot Six (6), Block Two (2), 2nd Replat of Sherman Addition, thence East a distance of 267.8 feet along the South line of Lot 6, Block 2, 2nd Replat of Sherman Addition to a point one foot (1') East of the Southeast corner of Lot 6, all in the South Half ($S\frac{1}{2}$) 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 which is 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.

The grantor and grantee do covenant, promise and agree, for themselves, their successors and assigns, as follows:

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

2. Grantor covenants that it will erect no structures 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.

3. This easement shall also be for the benefit of the owner of the property lying immediately south of said strip of land, for the purpose of enabling and permitting said owner to connect its water service line to said 30-inch water main, and to maintain the same.

Signed, sealed and delivered this 22 day of May, 1962.

FALSTAFF BREWING CORPORATION,
a corporation,

By [Signature]

ATTEST:

[Signature: Harry J. Felley]

(SEAL)

STATE OF Missouri)
COUNTY OF St. Louis) ss

On this 22 day of May, 1962, personally appeared before me, a Notary Public in and for St. Louis, Missouri, the above named Harvey B. [Signature] and Harry J. Felley, who are personally known to me to be respectively the Vice President and Secretary of the Falstaff Brewing Corporation, and who individually executed the foregoing grant of easement in my presence and acknowledged the same to be their voluntary act and deed and the voluntary act and deed of said Falstaff Brewing Corporation.

[Signature: Mery J. McNamee]
Notary Public
My Commission Expires March 18, 1964

METROPOLITAN UTILITIES DISTRICT
OF OMAHA, a municipal corporation,

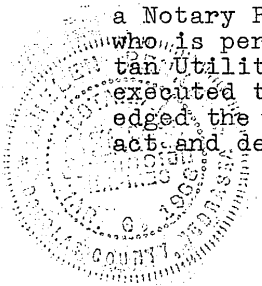
(NO SEAL)

By [Signature: R. H. Trester]
General Manager

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss

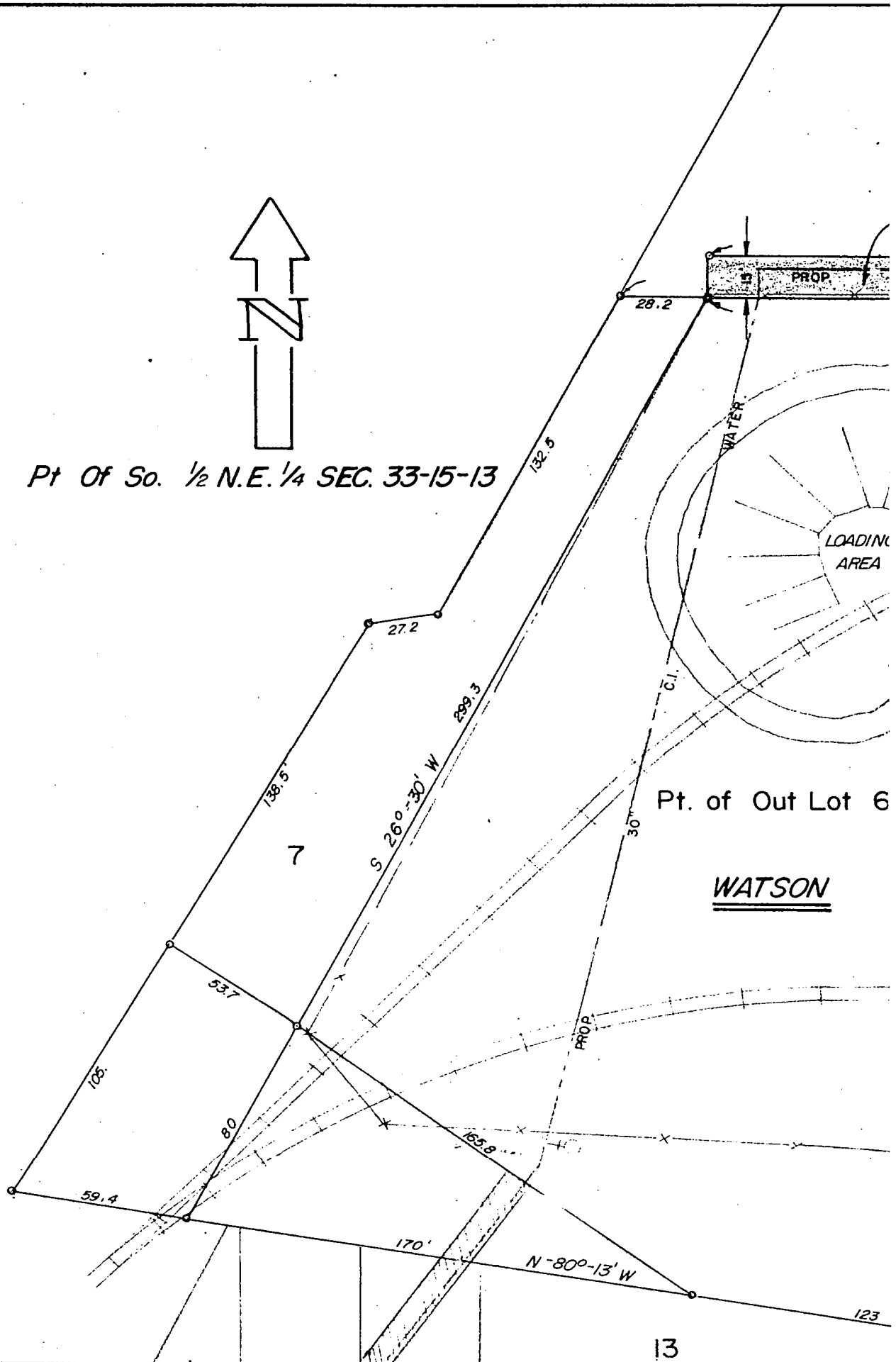
On this 22 day of May, 1962, personally appeared before me, a Notary Public in and for said county, the above named R. H. Trester, who is personally known to me to be the General Manager of Metropolitan Utilities District of Omaha, a municipal corporation, and who executed the foregoing grant of easement 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 of Omaha.

[Signature: Helen Penke]
Notary Public





Pt Of So. 1/2 N.E. 1/4 SEC. 33-15-13

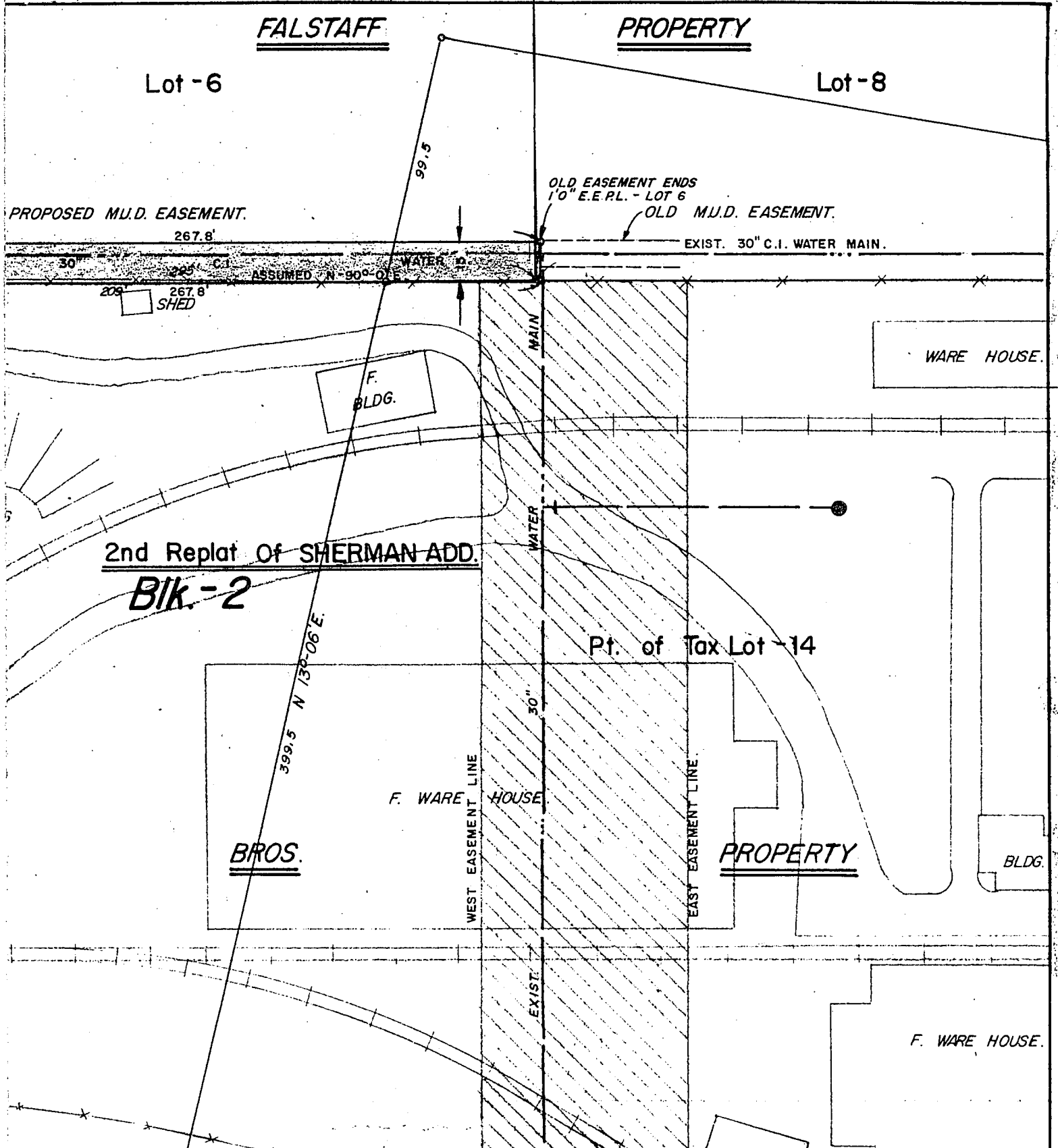


Pt. of Out Lot 6

WATSON

13

123



2nd Replat Of SHERMAN ADD.
Blk. - 2

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA		SCALE 1" = 50'
		DRAWN BY W.H.L.
		DATE APR. 27, 1962
DESCRIPTION PROPERTY MAP FOR EASEMENT		REVISED BY
30" WATER MAIN - VICINITY 27th & VALLEY ST. FOR FALSTAFF PROPERTY		CHECKED BY
		APPROVED BY

RECEIVED

1962 JUN 13 AM 11 36

THOMAS J. O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

12
Maid

THE STATE OF NEBRASKA }
Douglas County }
Entered in Numerical Index and Book
for Record in the office of the Register of
Deeds of said County and recorded in
Book 381 Page 731

Thomas J. O'Connor
Register of Deeds

DATE 1962 JUN 13
FILE NO. 44-77
SERIAL NO. 800

60