

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 7th day of OCTOBER, 1993, between PETER LARRY JOSOFF and DONNA L. JOSOFF, Husband and Wife, hereinafter referred to as "Grantors", and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, hereinafter referred to as "Grantee",

WITNESSETH:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) 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 transportation of gas 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:

PERMANENT EASEMENT

That portion of Tax Lot W in the North One-Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Sixteen (16), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., in Sarpy County, Nebraska and described as follows:

Commencing at the NE corner of Lot Two (2), Pleasant Hill Martins Subdivision, an Addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, at the point-of-beginning; thence 10.00 feet easterly on the south ROW line of Chandler Road; thence southerly 50.00 feet on a line perpendicular to the south ROW line of Chandler Road; thence easterly 132.49 feet on a line parallel to the south ROW line of Chandler Road to the east ROW line of abandoned Rock Island Railroad ROW, said point also being on the west ROW line of Cedar Island Road; thence southwesterly 20.50 feet on the east ROW line of abandoned Rock Island Railroad ROW; thence westerly 153.76 feet on a line parallel to the south ROW line of Chandler Road to the west ROW line of abandoned Rock Island Railroad; thence northeasterly 71.76 feet on the west ROW line of abandoned Rock Island Railroad to the point of-beginning.

Said tract contains 0.0885 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

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. The Grantors agree that neither they nor their successors or assigns will at any time erect, construct or place on or below the surface of said easement tract any building or structure, except pavement or other such covering, and they will not give anyone else permission to do so.

2. The 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 the Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. It is further agreed the Grantors have lawful possession of said real estate, good right and lawful authority to make such conveyance and they and their executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Grantors have caused this Easement and Right-of-Way to be signed and executed on the day and year first above written.

PETER LARRY JOSOFF and DONNA L. JOSOFF, Husband and Wife, Grantors

ATTEST:

Randall W. Owens

Peter L. Josoff
Peter Larry Josoff

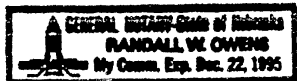
Donna L. Josoff
Donna L. Josoff

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF SARDY)

On this 14 day of OCTOBER, 1993, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Peter Larry Josoff and Donna L. Josoff, husband and wife, to me personally known to be the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution of this instrument to be their voluntary act and deed as individuals and as husband and wife.

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



Randall W. Owens
Notary Public

My Commission expires: 12/22/95.

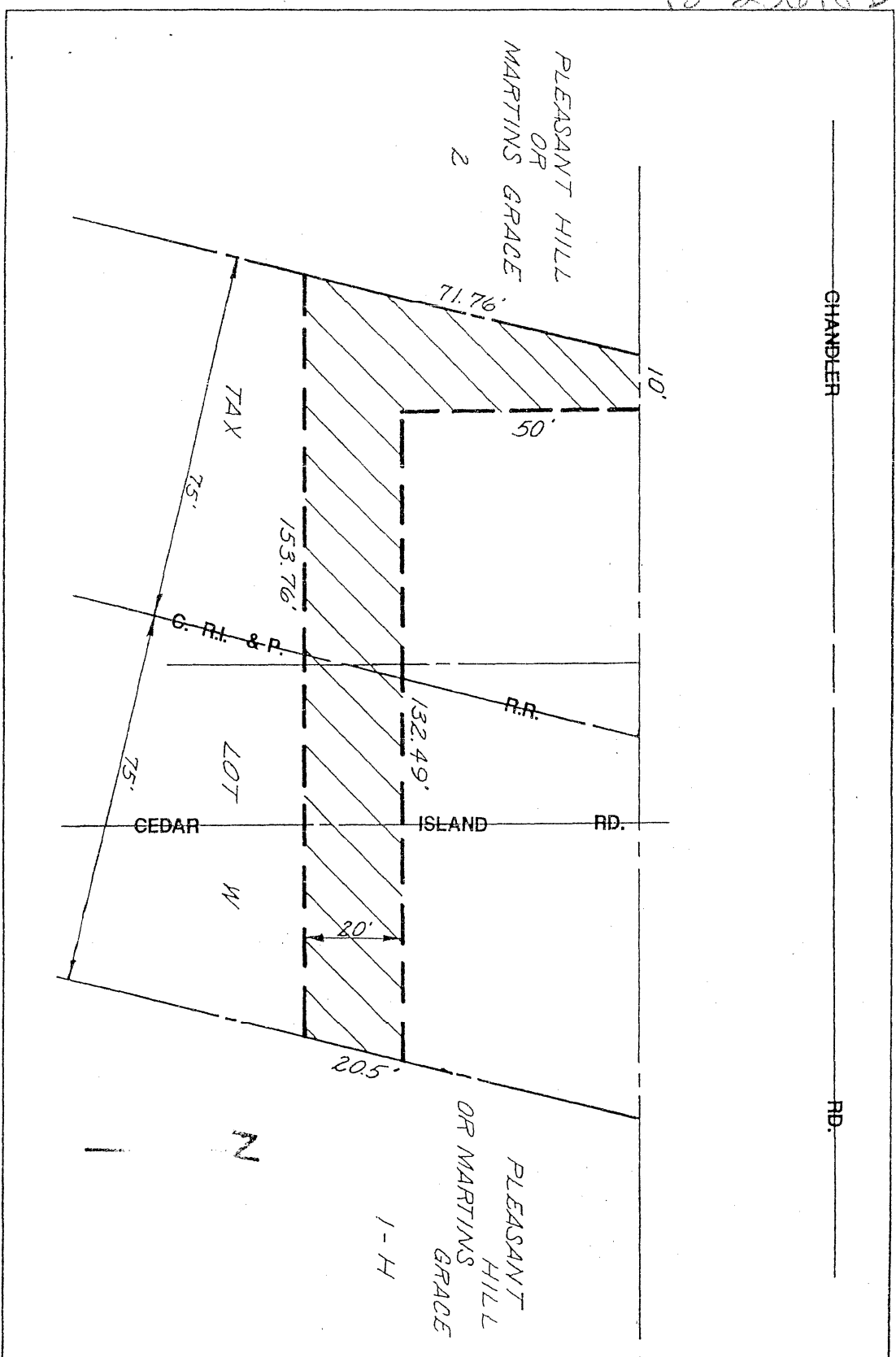
FILED
INSTRUMENT NUMBER
93-025618

93 OCT 12 PM 1:11

Randall W. Owens
REGISTER OF DEEDS

Proof
D.E.
Verify
Filmed _____
Checked _____
Fee \$ 15.50

93-25618 B



METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION FOR G.C. 10460-1

LAND OWNER
 PETER LARRY JASOFE
 7054 CEDAR ISLAND RD.
 OMAHA NE

TOTAL ACRE PERMANENT 0.0885

LEGEND
 PERMANENT EASEMENT

PAGE 1 OF 1
 DRAWN BY S.R.W.
 DATE 09-08-93
 CHECKED BY
 DATE
 APPROVED BY J.T.P.
 DATE 9/8/93
 REVISED BY
 DATE
 REV. CHK'D. BY
 DATE
 REV. APPROV. BY
 DATE