

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 22 day of November, 1983, between John Kawa and Irene Kawa, 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, a pipeline 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:

A tract of land in Lot Four (4), Block Thirteen (13), in the Village of Millard, now a part of the City of Omaha, Douglas County, Nebraska, and more particularly described as follows:

Beginning at the Southernmost corner of said Lot 4, the same being the common rear lot corner of Lot Three (3) and said Lot 4; thence Northeasterly on the common lot line between said Lots 3 and 4, a distance of 32.8 feet; thence Northwesterly along a line which is parallel to and 32.8 feet Northeasterly from the rear lot line of said Lot 4, a distance of 10 feet; thence Southwesterly along a line parallel to and 10 feet from the common lot line between said Lots 3 and 4, a distance of 32.8 feet to the Southwesterly, rear lot line of said Lot 4; thence Southeasterly along the Southwesterly lot line of said Lot 4 for 10 feet to the point of beginning.

Said tract, as shown on the plat attached hereto and made a part hereof by this reference, contains 0.01 of an acre, more or less.

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 heirs, executors, administrators, or assigns will at any time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, 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 their heirs, executors, administrators 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 signed and executed this Easement and Right of Way on the day and year first above written.

John E. Kawa
John Kawa

Irene Kawa
Irene Kawa

Grantors

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

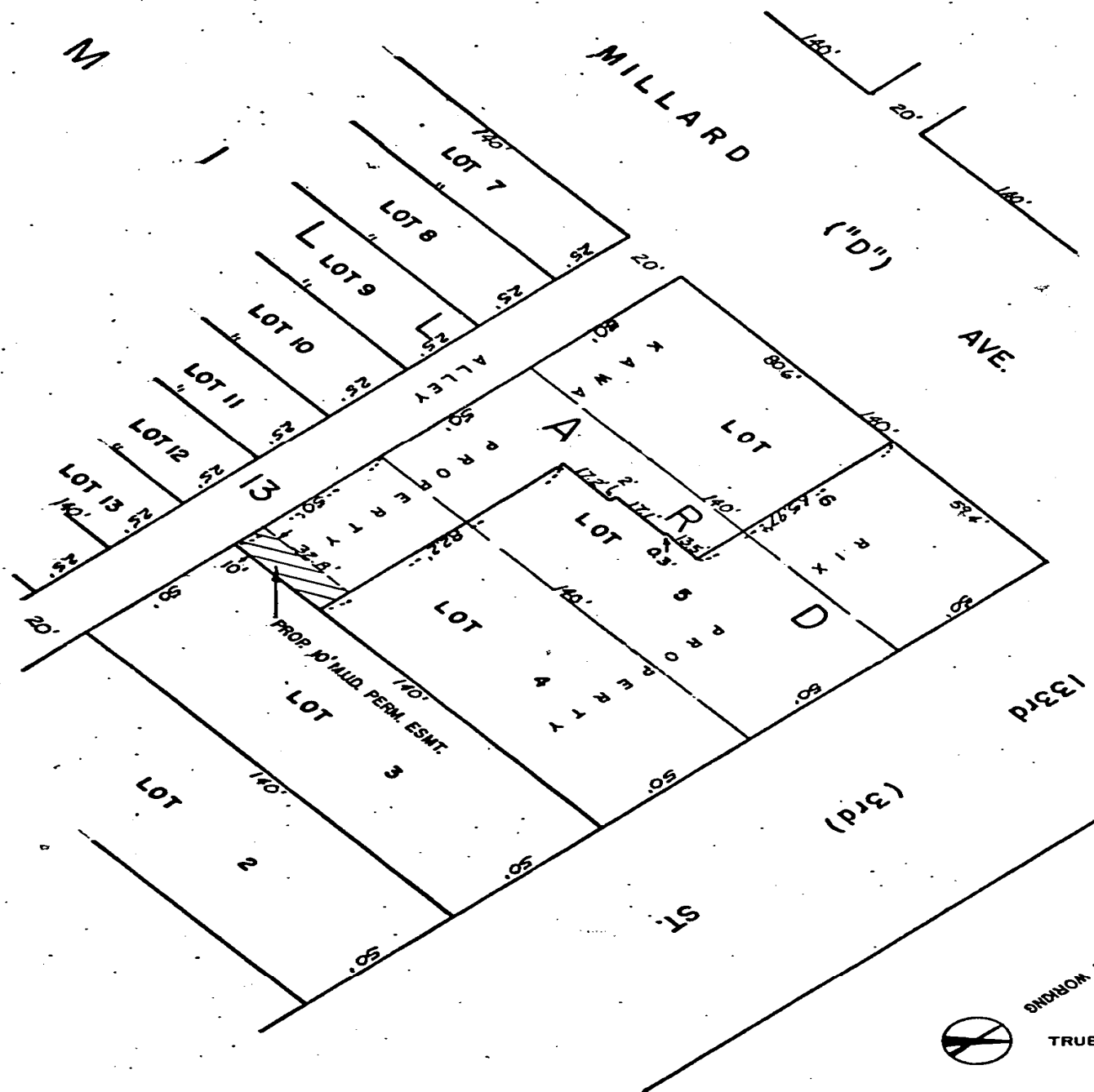
On this 22 day of NOVEMBER, 1983, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came John Kawa and Irene Kawa, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument, and he/she/they acknowledged the execution of this instrument to be his/her/their voluntary act and deed.

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



GROVE NELSON
GENERAL NOTARY State of Nebr
My Comm. Exp. Dec. 6, 1985

Grove Nelson
Notary Public



DRAWN BY THM DATE 11-10-83
 CHECKED BY GR DATE 11-15-83
 APPROVED BY GR DATE 11-17-83
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV APPROV. BY _____ DATE _____

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LEGEND
 PERMANENT EASEMENT

TOTAL ACRES .0087

LAND OWNER
JOHN KAUA

EASEMENT
 ACQUISITION
 FOR G.W.O. 9001

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEBRASKA

RECEIVED
 1983 DEC -1 PH 2: 29

C. HAROLD JONES
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

107
100
100

479
65
2157
0.1

57 hr