

B. CASH 00028 BK 1107 R 15-15-11 VP FB 01-60000
 TYPE Hy PG 132-137 C/O --- COMP S SCAN MB
 FEE 30⁰⁰ OF Wisc LEGL PG 132+136 MC --- FV ---

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 18 day of Nov., 1993, between NEBRASKA METHODIST HEALTH SYSTEM, INC., a Nebraska Non-Profit 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 Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, a non-exclusive 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, under and through lands described as follows:

The easement area is situated upon a parcel of land located in the South one-half (S½) Section 15, Township 15, Range 11 East of the 6th P.M., in Douglas County, Nebraska, and is legally described on Exhibit "A" and shown on Exhibit "B", both attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Easement and Right-of-Way unto this Said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor agrees that during the term of this easement, neither it nor its successors or assigns, nor any other person or entity acting at the direction of any one or more of them, will at any time erect, construct or place on or below the surface of said easement area any building or structure, except pavement and other similar impervious covering, landscaping, street lighting, other utility lines and services, and water irrigation lines for landscaping, all of which shall not unreasonably interfere with the operation of the gas and water lines installed by Grantee in the easement area.

2. All installations made by District, other than fire hydrants, shall be at or below grade. The Grantee shall restore and properly compact the surface of any soil excavated for any purpose hereunder, as near as may be reasonable possible, to the original contours thereof as soon after such work is performed as may be reasonably possible to do, and shall replace any pavement, landscaping or other permitted improvement that is removed or

Return to:
 R. OWENS
 M.U.D.
 1723 HARVEY STREET
 OMAHA, NE 68102

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 RECORDS OF DEEDS
 DOUGLAS COUNTY, NE

damaged by Grantee in the easement area. Grantor shall be allowed to receive service from any water or gas main installed in the easement area to serve any of Grantee's property abutting such easement area upon compliance with the Grantee's rules and regulations relating to such service and upon payment of the appropriate charges then in effect for such service at the time of the application or applications for service.

3. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, 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 Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its 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 in the easement area prior to or contrary to this conveyance except as to easements previously granted over the easement area by Grantor or its predecessors in title.

5. This easement shall automatically terminate as to any portions of the easement which are dedicated to the Public for right-of-way purposes, such termination to be effective as of the effective date of such dedication.

6. The person executing this instrument represents he has the requisite authority to execute same and make this conveyance on behalf of said Corporation.

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

NEBRASKA METHODIST HEALTH SYSTEM,
INC., a Nebraska Non-Profit
Corporation Grantor

(Corporate Seal)

ATTEST:

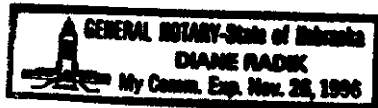
By: 
Stephen D. Long, President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 18th day of November, 1993, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Stephen D. Long, President of Nebraska Methodist Health System, Inc., a Nebraska Non-Profit Corporation, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as an individual and as such officer and the voluntary act and deed of said Corporation.

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



Diane Radik
Notary Public

My Commission expires: Nov 26, 1996

Two 12-94

LEGAL DESCRIPTION

(Incl. SW 1/4 and SE 1/4 of SE 1/4 and SE 1/4 of SW 1/4)

That part of the South 1/4 of Section 15, T15N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows, commencing at the SW corner of the SE 1/4 of said Section 15; thence N00°07'03"W (the South line of said SE 1/4 assumed S89°54'24"E in direction) 95.00 feet to an angle point on the North line of U.S. Highway No. 6 and the point of beginning, thence N86°36'41"W 292.55 feet on the North line of U.S. Highway No. 6; thence N00°03'06"W 842.49 feet to a point on the South line of Lot 252, Barrington Park, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska; thence N64°30'50"E 164.95 feet on the South line of said Lot 252; thence N67°32'37"E 358.79 feet on the South line of said Lot 252; thence N76°29'53"E 51.14 feet on the South line of said Lot 252; thence S07°14'29"E 73.97 feet; thence Northeasterly on a 635.00 foot radius curve to the right, chord bearing N89°10'51"E, chord distance 19.30 feet, an arc distance of 19.30 feet to a point of tangency; thence S89°56'55"E 304.39 feet to a point of curve; thence Southeasterly on a 385.00 foot radius curve to the right, chord bearing S73°21'06"E, chord distance 219.94 feet, an arc distance of 223.05 feet to a point of tangency; thence S56°45'16"E 408.67 feet to a point of curve; thence Southeasterly on a 565.00 foot radius curve to the left, chord bearing S73°21'05"E, chord distance 322.77 feet, an arc distance of 327.33 feet to a point of tangency; thence S89°56'55"E 131.99 feet to a point of curve; thence Southeasterly on a 535.00 foot radius curve to the right, chord bearing S80°50'21"E, chord distance 169.40 feet, an arc distance of 170.12 feet to a point of tangency; thence S71°43'47"E 260.00 feet; thence N18°16'13"E 10.00 feet; thence S85°41'18"E 171.96 feet; thence N19°38'26"E 36.46 feet to the South line of Lot 252 said Barrington Park, thence S55°03'40"E 5.18 feet on the South line of said Lot 252; thence N19°38'26"E 118.48 feet on the Southeasterly line of Lots 252 and 32 said Barrington Park; thence Northeasterly on the Southeasterly line of Lots 32, 31 and 29 said Barrington Park on a 354.04 foot radius curve to the right, chord bearing N50°12'28"E, chord distance 360.09 feet, an arc distance of 377.76 feet to the Northerly line of U.S. Highway No. 6; thence Southerly and Westerly on the Northerly line of U.S. Highway No. 6 on the following described eight courses; thence S21°53'59"W 417.07 feet; thence S14°08'04"W 206.16 feet; thence S00°05'55"W 115.00 feet; thence S72°48'55"W 489.57 feet; thence N85°45'51"W 601.67 feet; thence S81°24'56"W 404.46 feet; thence S89°56'48"W 499.99 feet; thence S85°22'05"W 313.19 feet to the point of beginning

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

Commencing at the SW corner of the SE 1/4 of said Section 15; thence N00°07'03"W (the South line of said SE 1/4 assumed S89°54'24"E in direction) 95.00 feet to an angle point on the Northerly line of U.S. Highway No. 6; thence N86°36'41"W 62.13 feet on the Northerly line of U.S. Highway No. 6; thence N00°03'12"W 86.27 feet to the point of beginning; thence Northwesterly on a 165.00 foot radius

Exhibit "A"

curve to the right, chord bearing N45°03'09"W, chord distance 233.35, feet an arc distance of 259.19 feet to a point of tangency; thence N00°05'06"W 411.38 feet to a point of curve, thence Northeasterly on a 165.00 foot radius curve to the right, chord bearing N33°23'19"E, chord distance 181.85 feet, an arc distance of 192.60 feet to a point of tangency; thence N66°49'44"E 185.66 feet to a point of curve; thence Northeasterly on a 565.00 foot radius curve to the right, chord bearing N78°26'25"E, chord distance 227.44 feet, an arc distance of 229.00 feet to a point of tangency; thence S89°56'55"E 304.39 feet to a point of curve; thence Southeasterly on a 315.00 foot radius curve to the right, chord bearing S73°21'06"E, chord distance 179.95 feet, an arc distance of 182.49 feet to a point of tangency; thence S56°45'16"E 408.67 feet to a point of curve, thence Southeasterly on a 635.00 foot radius curve to the left, chord bearing S73°21'05"E, chord distance 362.76 feet, an arc distance of 367.89 feet to a point of tangency; thence S89°56'55"E 131.99 feet to a point of curve, thence Southeasterly on a 465.00 foot radius curve to the right, chord bearing S80°50'21"E, chord distance 147.24 feet, an arc distance of 147.86 feet to a point of tangency; thence S71°43'47"E 268.10 feet to a point of curve; thence Southeasterly on a 2435.00 foot radius curve to the left, chord bearing S73°47'51"E, chord distance 175.73 feet, an arc distance of 175.77 feet to a point of tangency; thence S75°51'56"E 41.92 feet to a point of curve; thence Southeasterly on a 30.00 foot radius curve to the right, chord bearing S30°51'56"E, chord distance 42.45 feet, an arc distance of 47.12 feet to a point of tangency, thence S14°08'04"W 38.30 feet to a point of curve; thence Southwesterly on a 181.24 foot radius curve to the right, chord bearing S43°28'29"W, chord distance 177.61 feet, an arc distance of 185.62 feet to a point of tangency; thence S72°48'55"W 35.81 feet to a point of curve; thence Southwesterly on a 565.00 foot radius curve to the right, chord bearing S81°22'51"W chord distance 168.31 feet an arc distance of 168.93 feet to a point of tangency; thence S89°56'48"W 656.09 feet to a point of curve; thence Southwesterly on a 1035.00 foot radius curve to the left, chord bearing S82°57'47"W, chord distance 251.68 feet, an arc distance of 252.30 feet to a point of tangency; thence S75°58'47"W 352 feet to a point of curve; thence Southwesterly on a 965.00 foot radius curve to the right, chord bearing S82°57'48"W, chord distance 234.66 feet, an arc distance of 235.24 feet to a point of tangency; thence S89°56'48"W 782.96 feet to the point of beginning.

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