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RICHARD II. TAKECHI REGISTER OF DEEDS DOUGLAS COUNTY, NE

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**EASEMENT AND RIGHT-OF-WAY** 

day of May THIS INDENTURE, made this  $_{25}$ 1999, between HARLAN SPRAGUE DAWLEY, INC., an Indiana Corporation, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

Handred + Fifty APP? 250,00 GAB 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, 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 on, over, under and through lands described as follows:

## PERMANENT EASEMENT

A parcel of land situated in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-four (34), Township Sixteen North (16N), Range Eleven East (11E) of the 6th P.M., as surveyed and recorded in Douglas County, Nebraska, said parcel described as follows:

Commencing at the East Quarter Corner of said Section 34; thence along the northerly line of said Southeast Quarter, South 87 degrees 37 minutes 15 seconds West, 45.00 feet to the POINT OF BEGINNING; thence continuing along said northerly line, South 87 degrees 37 minutes 15 seconds West. 5.00 feet; thence parallel with the easterly line of said Southeast Quarter, South 2 degrees 47 minutes 56 seconds East, 454.50 feet; thence parallel with the northerly line of said Southeast Quarter, North 87 degrees 37 minutes 15 seconds East, 5.00 feet to a point on the westerly right-of-way line of 156th Street, as now established; thence along said westerly rightof-way line, North 2 degrees 47 minutes 56 seconds West, 454.50 feet to the POINT OF BEGINNING.

This permanent easement contains 0.052 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 to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

and Secret

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- 2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.
- 3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
- 4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance.
- 5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.

HARLAN SPRAGUE DAWLEY, INC., an Indiana Corporation, Grantor

By: //////
Gregg Baumbaugh, CFO

**ACKNOWLEDGMENT** 

Indiana
STATE OF NEBRASKA )
) ss
COUNTY OF Marion )

This instrument was acknowledged before me on May 25, 1999, by Gregg Baumbaugh, CFO of Harlan Sprague Dawley, Inc., an Indiana Corporation, on behalf of the corporation.

**Notary Public** 

Muchelle

Michelle F. Stackman

Commission Expires:

NOTARIAL SEAL AFFIXED REGISTER OF DEEDS

