

Affects Lot. 2 Rep. 1

82 - 71/72

AOP

EASEMENT AND RIGHT OF WAY

BOOK 537 PAGE 401

THIS INSTRUMENT, made this 1 day of February, 1974, between H. Lee Gendler, Trustee, 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 One Dollar (\$1.00) 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 transmission of gas and water, 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:

Several strips of land lying in Lots Ten (10) and Eleven (11) of Crosskey Villages as now platted and recorded, a subdivision in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land lying in Lot Ten (10), being Five (5) feet wide, lying along and parallel to the right-of-way line of Papillion Parkway, said strip extending from the Southwesterly property line of Lot Ten (10), Northeasterly a distance of Six hundred Thirteen and Ninety-seven One-hundredths (613.97) feet. Also a strip of land lying in Lot Ten (10), being Ten (10) feet wide, lying along and parallel to the right-of-way of Papillion Parkway. Said Strip extending from the Northwesterly property line of Lot Ten (10) Southeasterly a distance of Seven Hundred Twenty-three and Nine-four One-hundredths (723.94) feet.

A strip of land lying in Lot Eleven (11), being Five (5) feet wide, lying along and parallel to the right-of-way line of Papillion Parkway, said strip extending from the West property line of Lot Eleven (11) Southeasterly a distance of Five Hundred Ninety-three and Ninety-three One-hundredths (593.93) feet.

All as shown on the plat 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.

1. Grantor, his heirs, successors or assigns agree that they will at no time erect, construct or place on or below the surface of said strips of land any building or structure, except pavement, and that they will not give anyone else permission to do so.
2. 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 Grantor, or duties and powers of Grantee respecting the ownership, use, operations, extensions and connections to any water main or gas main constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantor has executed this easement the day and year first above written.

H. Lee Gendler, Trustee  
H. Lee Gendler, Trustee, Grantor

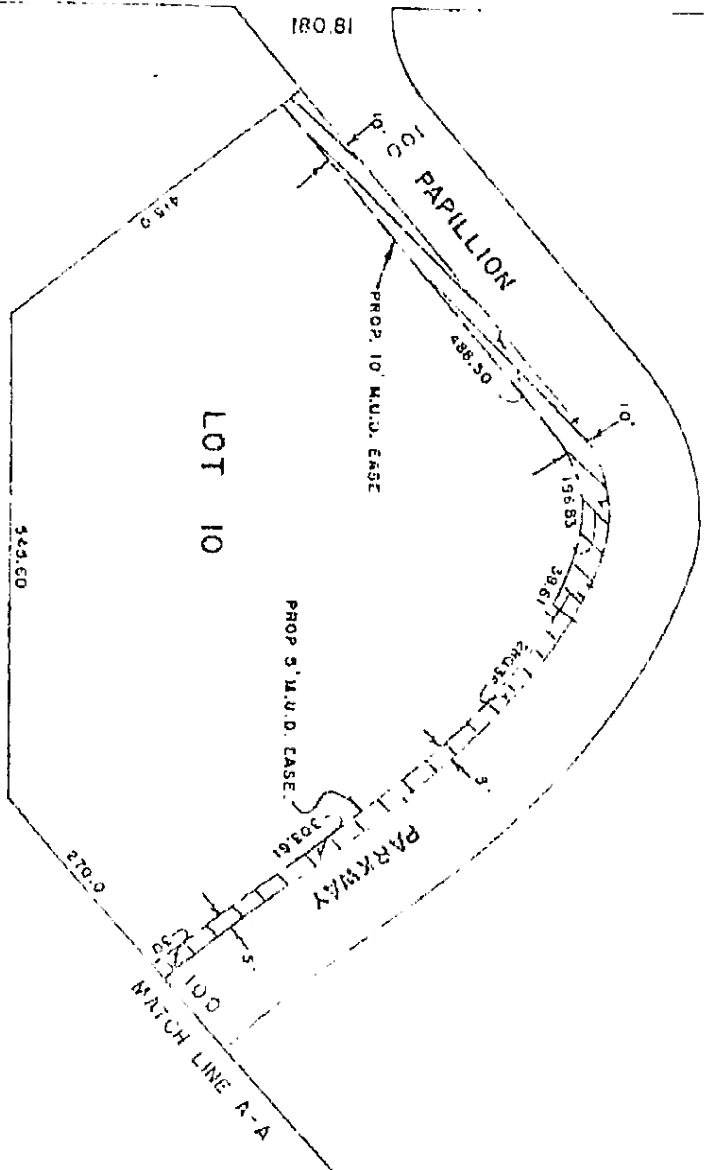
STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss

On this 1 day of February, 1974, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came H. Lee Gendler, Trustee, to be personally known to be the identical person whose name is affixed to the foregoing instrument as Grantor, and acknowledged the same to be his voluntary act and deed.

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

[Signature]  
Notary Public

LOT 12

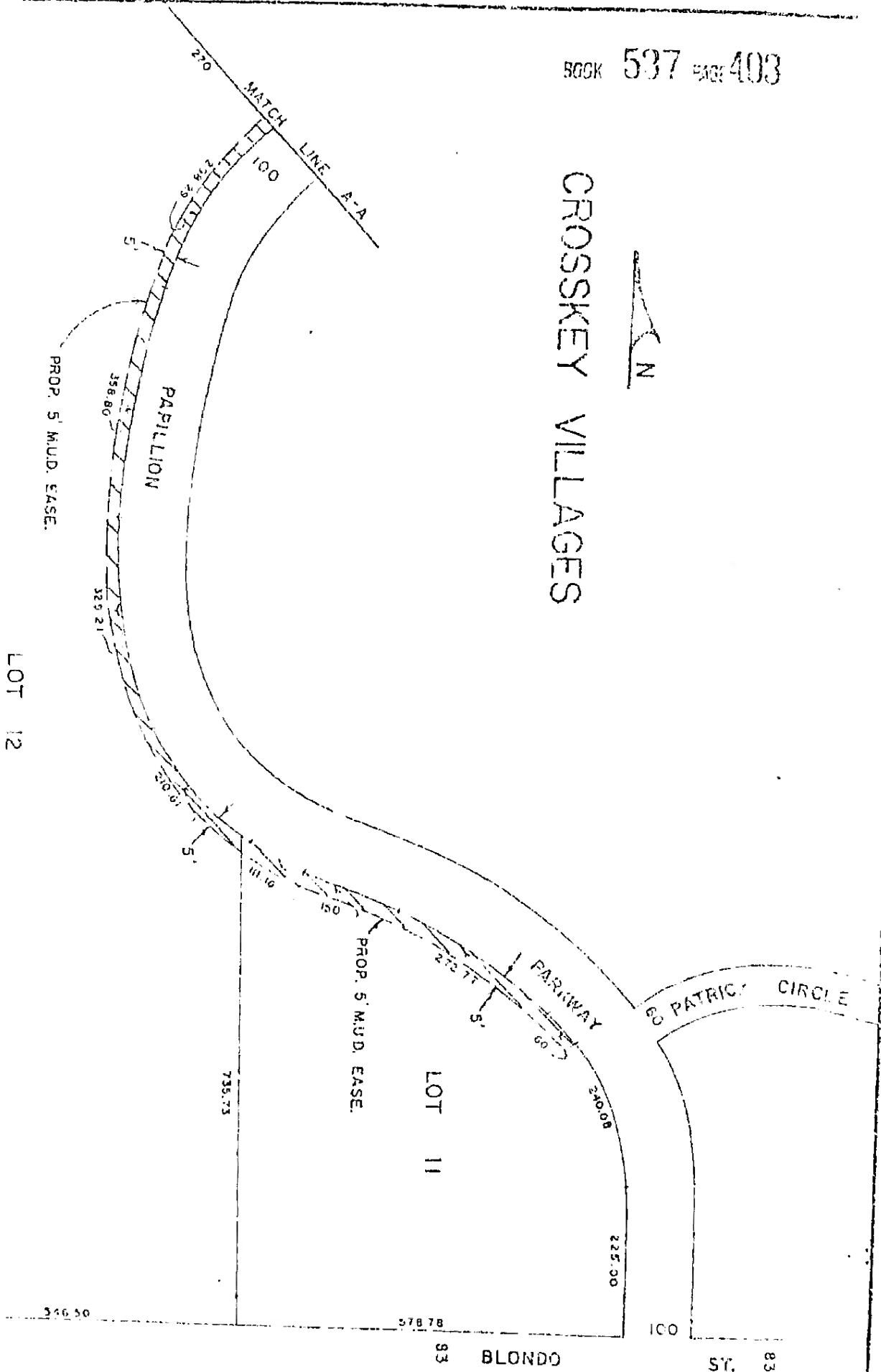


CROSSKEY VILLAGES



<p>DRAWN BY R.J.D. DATE 1-2-74          CHECKED BY L.J. DATE 1-3-74          APPROVED BY <i>PUR</i> DATE 1-8-74          REVISED BY DATE          REVISED BY DATE          REVISED BY DATE</p>	<p>PAGE 1 OF 2</p>	<p>LEGEND</p> <p>PERMANENT EASEMENT </p>	<p>SCALE PERMANENT 0.44</p>	<p>LAND OWNER: P. LEE          GENDLER, TRUSTEE</p>	<p>EASEMENT          ACQUISITION          FOR MCO 4853</p>	<p>METROPOLITAN          UTILITIES          DISTRICT          7200 N. 10TH ST.          DENVER, CO 80231</p>
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CROSSKEY VILLAGES



6 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
 7 DAY OF June 1974 AT 11:30 AM. C. HAROLD OSTLER, REGISTER OF DEEDS 950

METROPOLITAN UTILITIES DISTRICT NEBRASKA	EASEMENT ACQUISITION FOR WCC 4933	LAND OWNER: ALF GENDLER, TRUSTEE	MAKE PERMANENT 0.44	LEGEND PERMANENT EASEMENT <input type="checkbox"/>	PAGE 2 OF 2	DRAWN BY R.J.D. DATE 1-2-74 CHECKED BY U.S. DATE 1-3-74 APPROVED BY <i>CR</i> DATE 1-8-74 EXAMINED BY BY APPOINTMENT
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