

81- 6914

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 14th day of June, 1973, between Treptow Construction Company, Inc., a Nebraska corporation, hereinafter referred to as "Grantor", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the 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 water and gas, and all appurtenances thereto, together with the right of ingress and egress to and from the same, on, over, and through lands described as follows:

A tract of land lying in Lots Fifty (50), One Hundred Forty-five (145), One Hundred Forty-six (146), and One Hundred Twenty-six (126), in Discovery Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, and in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twelve (12), Township Fourteen (14) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

A strip of land Fourteen (14) feet wide running along and parallel to the Southeasterly property line of Lot Fifty (50), said strip being the Southeasterly Fourteen (14) feet of Lot 50;

A strip of land Fourteen (14) feet wide running along and parallel to the Southeasterly property line of Lot One Hundred Twenty-six (126), said strip being the Southeasterly Fourteen (14) feet of Lot 126;

A strip of land Fourteen (14) feet wide running along and parallel to the extreme Southerly property line of Lot One Hundred Forty-six (146), said strip extending from the Southwest property line of Lot One Hundred Twenty-six (126) to the Northeasterly property line of Lot Fifty (50);

Beginning at the Northeast corner of Lot Thirty-five (35); thence North 90°0'0" West (assumed bearing), along the North property line of Lot Thirty-five (35) a distance of Ninety (90) feet; thence continuing North 90°0'0" West a distance of Fifty-eight (58) feet, more or less, to a point on the East right-of-way line of 138th Street; thence North along said right-of-way line a distance of Twenty (20) feet; thence North 90°0'0" East a distance of Fifty-eight (58) feet, more or less, to the Southwest corner of Lot Thirty-four (34); thence East along the South property line of Lot Thirty-four (34) a distance of Ninety (90) feet; thence South along the West right-of-way line of 137th Street a distance of Twenty (20)

feet to the point of beginning, this tract lying in Lot One Hundred Forty-five (145);

All these tracts containing a total of Fifteen One-hundredths (0.15) acre, more or less, all as shown on the attached plat 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, its successors or assigns agree that they will at no time erect, construct or place on or below the surface of said tracts 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.

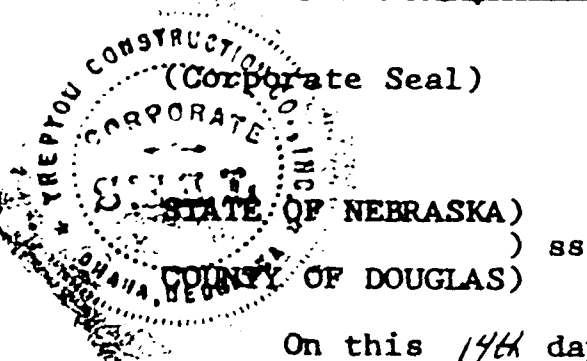
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

TREPTOW CONSTRUCTION COMPANY, INC.,
Grantor

Attest:

Gyonne L. Treptow
Title Secretary

By Harold E. Treptow
Title President



On this 14th day of June, 1973, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Harold E. Treptow, to me personally known to be the President of Treptow Construction Company, Inc., a Nebraska corporation, whose name is affixed to the foregoing instrument in that capacity and who acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

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

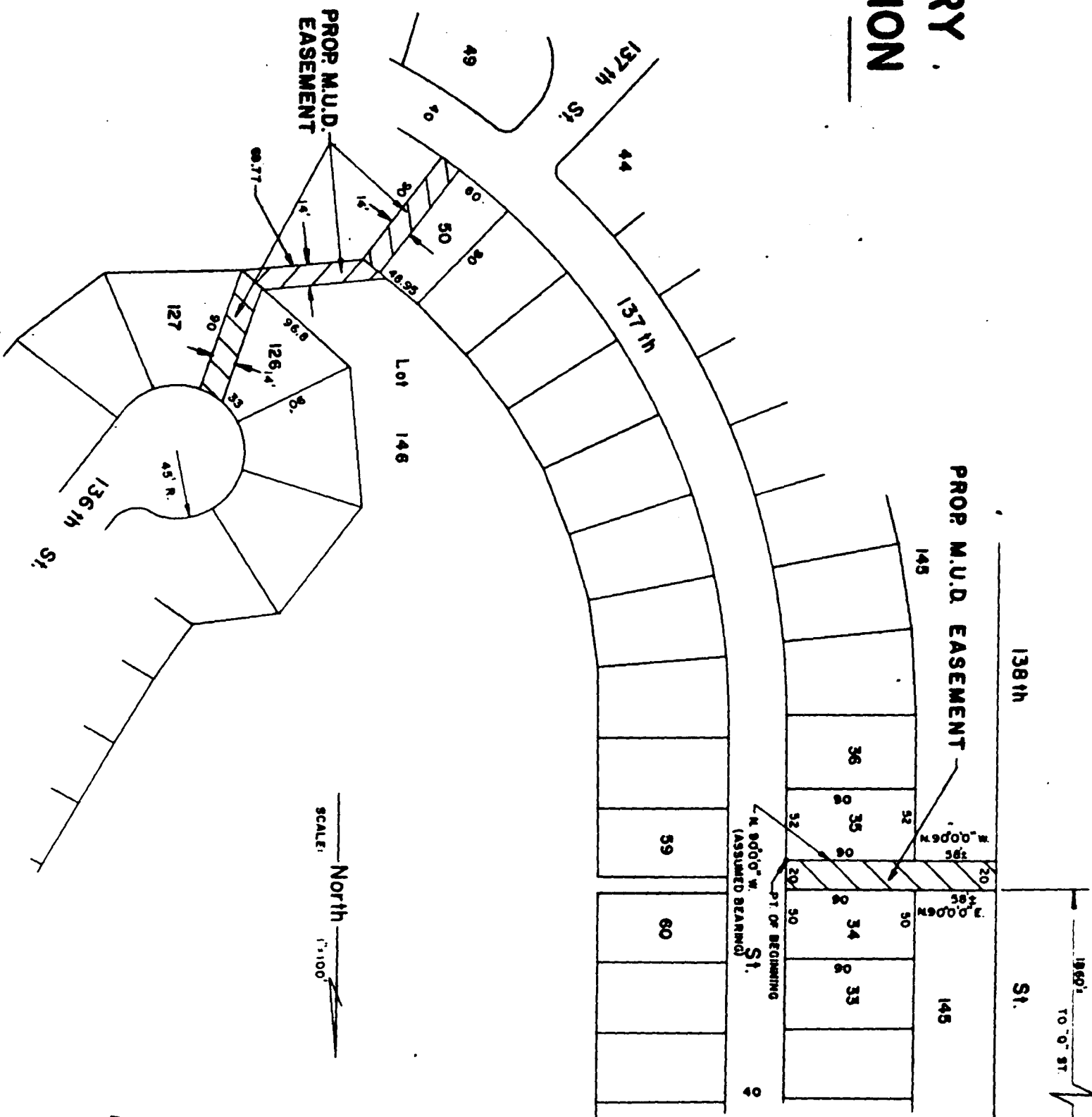


LYNNE E. KISSELBURGH
NOTARY PUBLIC, State of Neb.
My Commission Expires
September 18, 1976

Lynne E. Kisselburgh
Notary Public

My commission expires the 19th day of September, 1976.

DISCOVERY ADDITION



ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA

8 DAY OF August 1973 AT 3:00 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS

1000

DRAWN BY R.W.J. DATE FEB. 27, 1973
 CHECKED BY LW DATE 2-28-73
 APPROVED BY [Signature] DATE [Signature]
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____

PERMANENT EASEMENT

LEGEND

ACRE: PERMANENT .015

LAND OWNER TREPTOW CONSTRUCTION COMPANY, INC.

EASEMENT ACQUISITION FOR W.C.-C. 4880

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA