

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 24th day of January, 1977, between Northland Mortgage Company, a 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 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 transportation 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 9, 19 through 24, 45 through 49, 104 through 115, and 128 through 142, and 147, Discovery Addition, and Lots 8 and 23 of Discovery Replat Addition, both subdivisions as now platted and recorded in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land Five (5) feet wide in Lot Nine (9), lying adjacent and parallel to 136th Avenue;

A continuous strip of land Five (5) feet wide in Lots Nineteen (19) through Twenty-four (24), lying adjacent and parallel to "V" Street;

A continuous strip of land Five (5) feet wide in Lots Forty-five (45) through Forty-nine (49), lying adjacent and parallel to the 137th Street cul-de-sac;

A continuous strip of land Five (5) feet wide in Lots One Hundred Four (104) through One Hundred Fifteen (115), lying adjacent and parallel to "W" Street;

A strip of land Five (5) feet wide in Lots One Hundred Twenty-eight (128) through One Hundred Forty-two (142), and Lot One Hundred Forty-seven (147), lying adjacent and parallel to 136th Street;

The North Five (5) feet of Lot Eight (8), Discovery Replat Addition, lying adjacent and parallel to "W" Street;

A strip of land Five (5) feet wide adjacent and parallel to 136th Street, said strip covering the entire 136th Street frontage of Lot Twenty-three (23), Discovery Replat Addition;

All as shown on the drawings 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, its 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 pipeline constructed and maintained hereunder.

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



NORTHLAND MORTGAGE COMPANY, Grantor

By [Signature]
Title Vice President

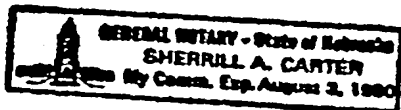
Title [Signature]
Vice President

(SEAL)

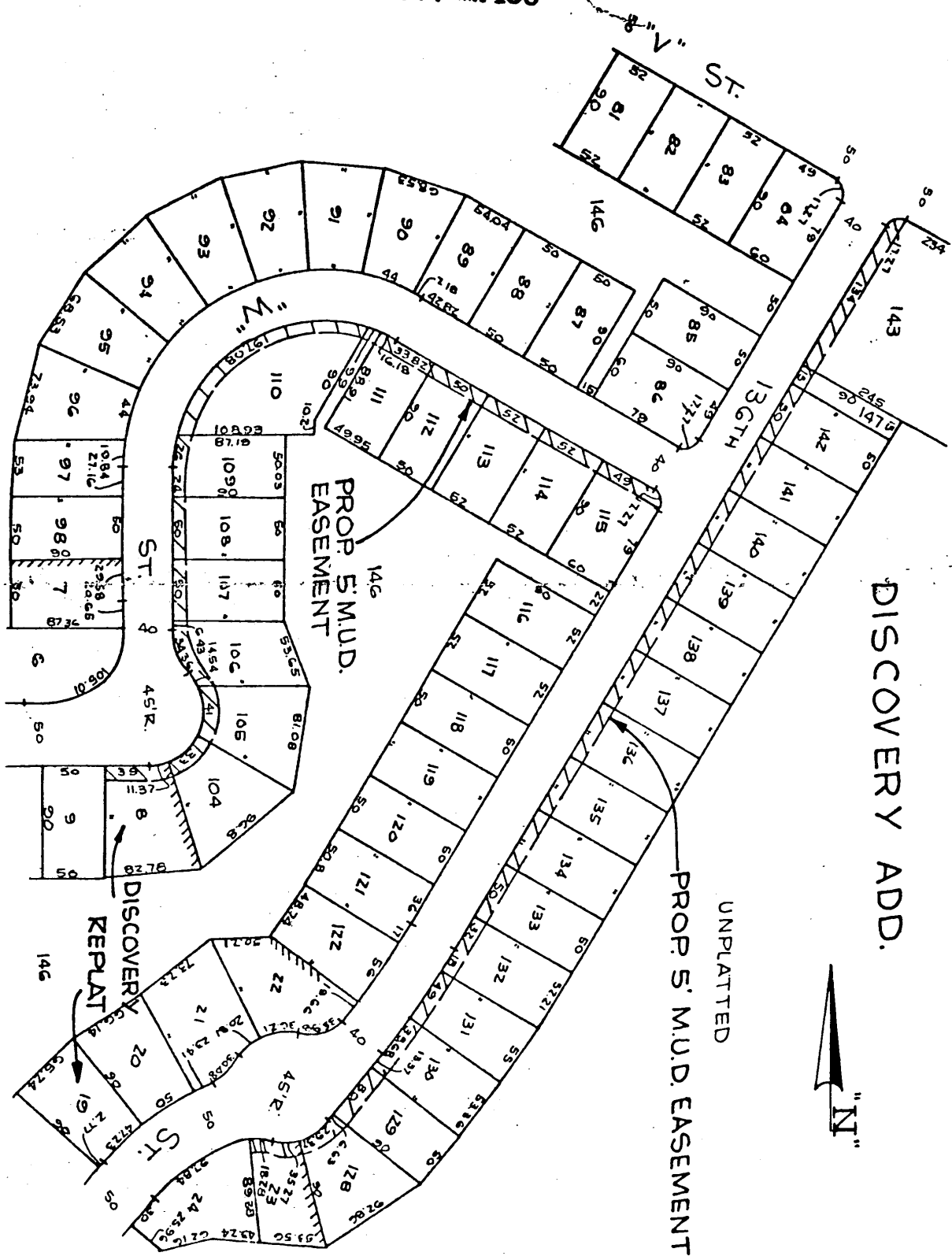
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 21 day of January, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Kenneth E. Carlson, to me personally known to be the Vice President of Northland Mortgage Company, a 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 the day and year last above written.



[Signature]
Notary Public



DISCOVERY ADD.



UNPLATTED


PROP. 5' M.U.D. EASEMENT

PROP. 5' M.U.D. EASEMENT

DISCOVERY REPLAT

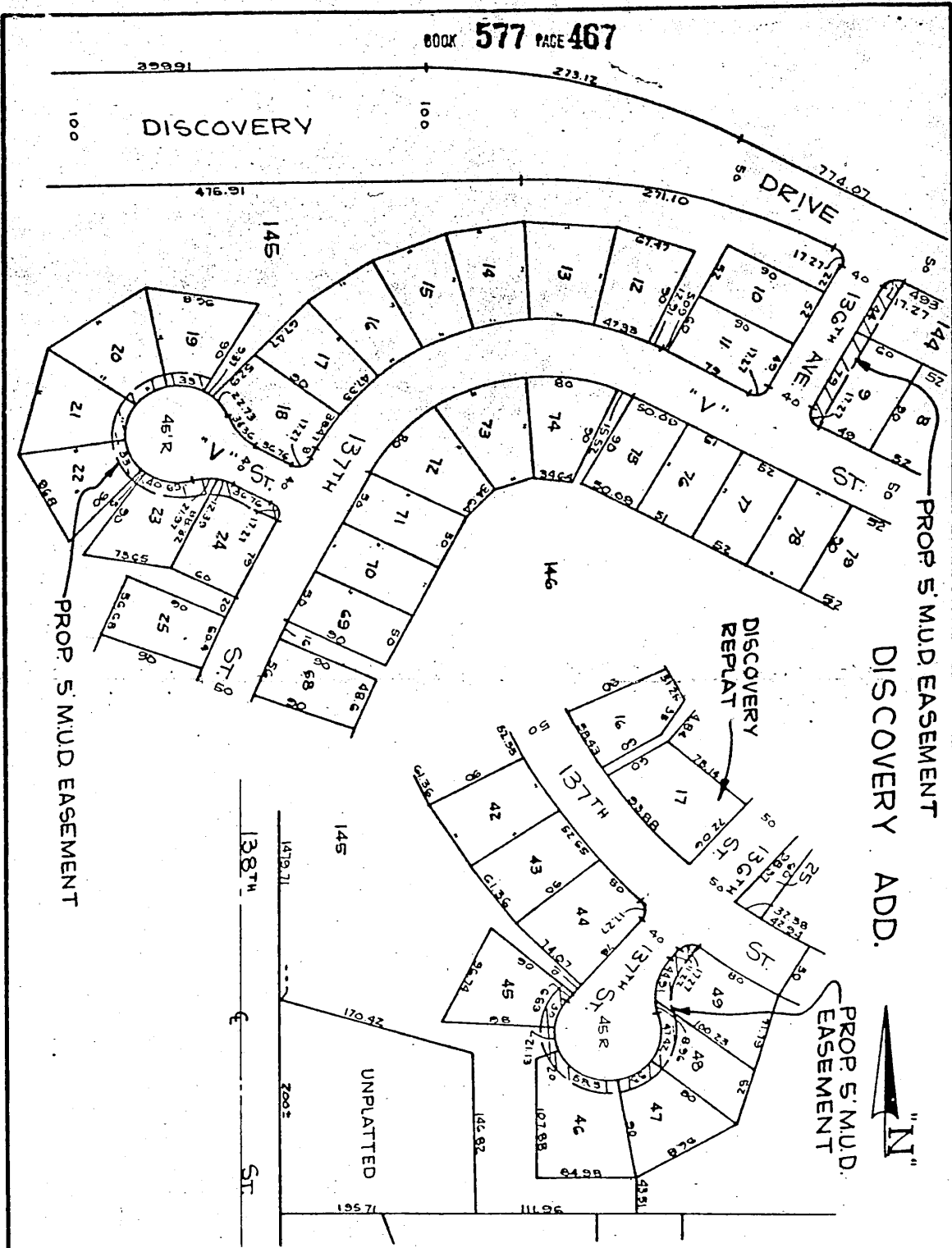
DRAWN BY A.F. DATE 12-17-76
 CHECKED BY AF DATE 12-20-76
 APPROVED BY J. DATE _____
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PAGE 1 OF 2

LAND OWNER
 NORTHLAND
 MORTGAGE CO.
 TOTAL ACRES _____
 PERMANENT EASEMENT 

EASEMENT
 ACQUISITION
 FOR G.C.C. 7658-2

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEB/ASKA



DISCOVERY ADD.
 PROP. S. MUD. EASEMENT
 "N"

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA

EASEMENT ACQUISITION FOR GCC 1658-2

LAND OWNER
 NORTHLAND MORTGAGE CO.

TOTAL ACRES _____

LEGEND
 PERMANENT EASEMENT

PAGE 2 OF 2

DRAWN BY AF DATE 12-17-76
 CHECKED BY AF DATE 12-20-76
 APPROVED BY _____ DATE _____
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

RECEIVED
 1977 MAR 10 AM 10:46
 PHOENIX COUNTY, NEBR.

Book 577
 Page 467
 of 2
 84-24306
 80-4517c
 700-2250
 Indor
 Compd
 R