

EASEMENT AND RIGHT OF WAY

50-429

THIS INDENTURE, made this 3 day of May, 1977, between Falcon Forest, Inc., 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 water and gas, 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:

See Legal Description and plats attached hereto.

FILED FOR RECORD 6-7-77 AT 8:45A M. IN BOOK 50 OF Mid. Res.  
PAGE 439 Carl L. Hillel REGISTER OF DEEDS, SARPY COUNTY, NEB. 21

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 tract 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 do so, to the original contour thereof.

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. Any portion of the easement area not utilized within three years by Grantee, shall terminate.

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

Falcon Forest, Inc.  
Grantor

ATTEST:

Raymond T. Lumb  
Title \_\_\_\_\_

By John F. Pruster  
Title PRESIDENT

(SEAL)

66870

LEGAL DESCRIPTION

50-429A

A strip of land lying in the Northeast Quarter of the Northeast Quarter of Section 8, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, and several strips of land lying in lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 of Falcon Forest, a subdivision as now platted and recorded in Sarpy County, Nebraska, said strips being more particularly described as follows:

A strip of land being twenty (20) feet wide, lying along and parallel to the south right of way line of Leawood Drive and extending from the west right of way line of 36th Street to the easterly property line of lot 1 of Falcon Forest.

A strip of land lying in Lot 1, being twenty (20) feet wide, lying along and parallel to the southerly right of way line of Leawood Drive and the easterly right of way line of Forestdale Drive. Said strip being the northerly and the westerly twenty (20) feet of said lot 1.

A strip of land lying in lots 2, 3, and 4, being twenty (20) feet wide lying along and parallel to the easterly right of way line of Forestdale Drive. Said strip being the front twenty (20) feet of said lots.

A strip of land lying in lots 5, 6, 7, and 8 being twenty (20) feet wide, lying along and parallel to the southerly right of way line of Lawnwood Drive. Said strip being the front twenty (20) feet of said lots.

A strip of land lying in lots 38, 39, 40, 41, 42, 43, and 44, being twenty (20) feet wide, lying along and parallel to the northerly right of way line of Forestdale Drive. Said strip being the front twenty (20) feet of said lots.

A strip of land lying in lots 45, 46, 47, 48, 49, 50, and 51, being twenty (20) feet wide, lying along and parallel to the easterly right of way line of Forestdale Drive. Said strip being the front twenty (20) feet of said lots.

A strip of land lying in lot 52, being twenty (20) feet wide, lying along and parallel to the northerly right of way line of Leawood Drive and the easterly right of way line of Forestdale Drive. Said strip being the southerly and the westerly twenty (20) feet of said lot 52.

These strips contain a total of 0.98 acres, more or less, all as shown on the plats attached hereto and made a part hereof.

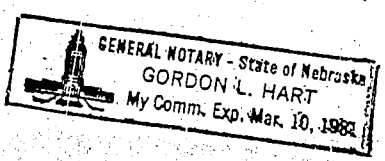
STATE OF NEBRASKA)

) ss

COUNTY OF )

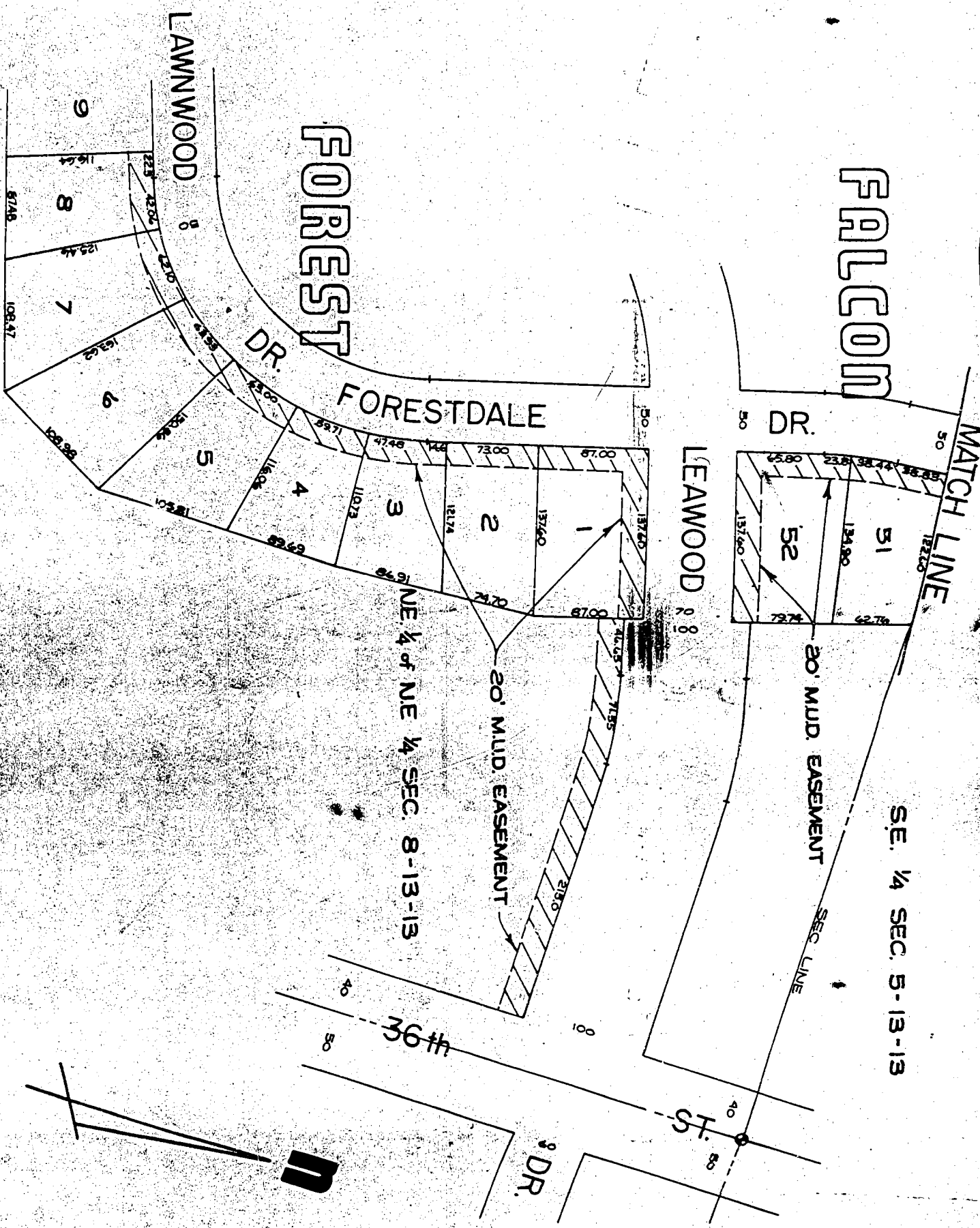
On this 3 day of May, 1977,  
 before me, the undersigned, a Notary Public duly commissioned  
 and qualified for said county, personally came \_\_\_\_\_  
Gale F. Stewart & Amy Lemke  
 to me personally known to be \_\_\_\_\_  
 of Falcon Forest, Inc  
 a corporation, whose name is affixed to the foregoing 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.



Gordon L. Hart  
 Notary Public

50-429C



METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA


EASEMENT  
ACQUISITION

FOR G.C.C. 7831 &  
W.C.C. 5378  
TRACT NO. 2

LAND OWNER  
FALCON FOREST, INC.

TOTAL ACRE 0.998

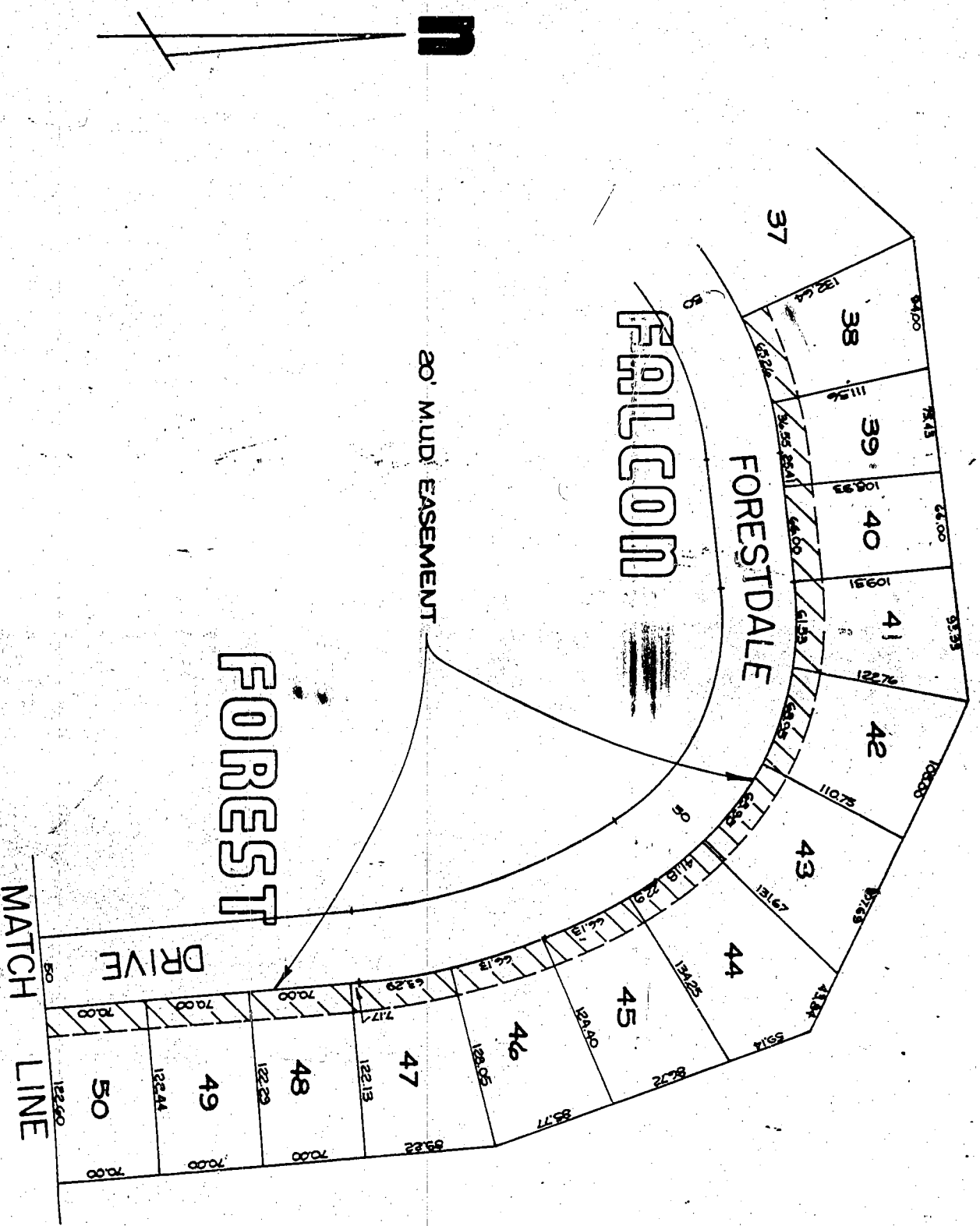
LEGEND

PERMANENT EASEMENT 

PAGE 1 OF 2

DRAWN BY PR DATE 4-12-77  
 CHECKED BY AE DATE 4-14-77  
 APPROVED BY JPS DATE 4-14-77  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

50-429D



METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR G.C.C. 7831 &  
W.C.C. 5578  
TRACT NO. 2

LAND OWNER  
FALCON FOREST, INC.

TOTAL ACRE 0.98

LEGEND  
PERMANENT EASEMENT

PAGE 2 OF 2

DRAWN BY ER DATE 4-12-77  
 CHECKED BY A.F. DATE 4-14-77  
 APPROVED BY TPS DATE 4-14-77  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_