

EASEMENT AND RIGHT OF WAY

57-178

THIS INDENTURE, made this 26th day of MARCH, 1984, between CWC Development Company, Inc., also known as C-W-C Development Company, Inc., an Iowa 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 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, a pipeline for the transportation of 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:

The Easterly Ten (10) feet of Lot Three (3), Block Eight (8), of the First Addition to Randolph Place, South Omaha, now Omaha, as surveyed, platted and recorded in Sarpy County, Nebraska. Said ten-foot-wide strip runs from the Northern to the Southern boundary line of said Lot 3, the same being a distance of approximately Forty-two and Eight-tenths (42.8) feet as it abuts the Westerly right-of-way line of Sarpy Avenue on the East.

Said strip is shown on the attached plat which is made a part hereof by this reference. Said strip contains 0.01 of an acre, more or less.

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. The Grantor agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said tract of land any building or structure, except pavement, and they will not give anyone else permission to do so.

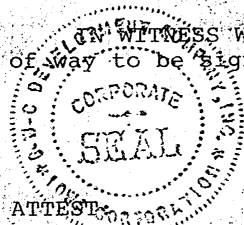
2. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

3. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

5. The person or persons executing this instrument represent he/she/they have the requisite authority to execute this instrument and make this conveyance on behalf of the Grantor corporation.

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



FILED SARPY CO. NE 15⁵⁰
BOOK 57 OF Misc Rec.
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CWC DEVELOPMENT COMPANY, INC.,
Also Known as C-W-C DEVELOPMENT
COMPANY, INC., an Iowa Corporation,
Grantor

1984 APR -4 AM 11:27

By Charles W. Huff
President

Charles W. Huff
Title Sec REGISTER OF DEEDS

03462

(Corporate Seal)

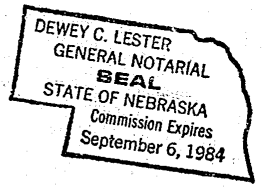
57-198A

STATE OF Nebraska)
COUNTY OF Dawson) ss

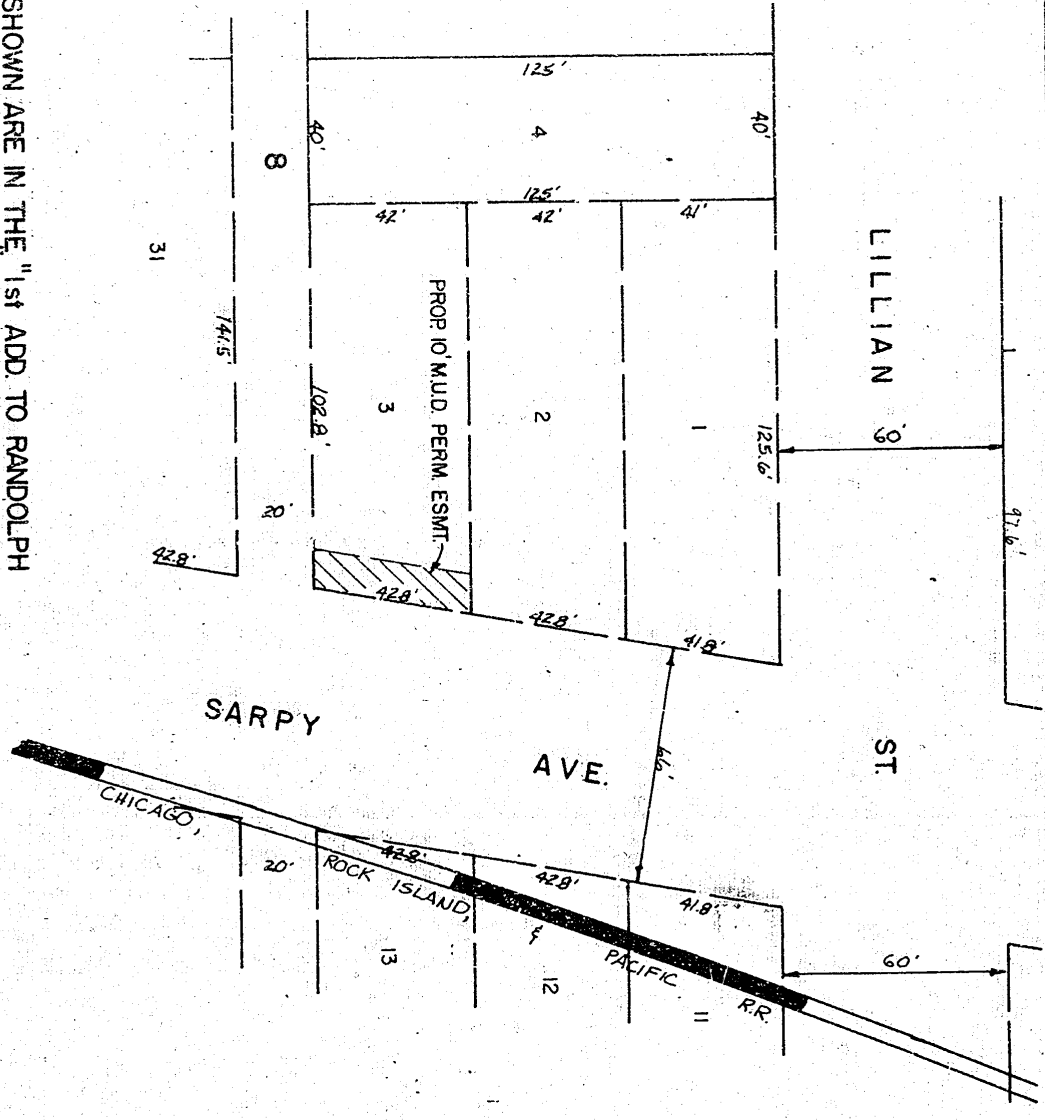
On this 21 day of March, 1984, before me, the undersigned, a Notary Public in and for said State and County, personally came Charles W. Culp, to me personally known to be President of CWC Development Company, Inc., also known as C-W-C Development Company, Inc., an Iowa corporation, and the identical person whose name is affixed to the foregoing instrument, and he/she acknowledged the execution of this instrument to be his/her voluntary act and deed as an individual and as such officer, and the voluntary act and deed of said corporation.

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

Dewey C. Lester
Notary Public



ALL LOTS SHOWN ARE IN THE "1st ADD. TO RANDOLPH PLACE ADD. TO SOUTH OMAHA"



DRAWN BY MM DATE 11-19-83
 CHECKED BY ROD DATE 11-18-83
 APPROVED BY BAR DATE 11-22-83
 REVISED BY _____ DATE _____
 REV CHKO BY _____ DATE _____
 REV APPROV BY _____ DATE _____

PAGE 1 OF 1

LEGEND
 PERMANENT EASEMENT ZZZZ

TOTAL ACRES .012

LAND OWNER
CALL DEVELOPMENT
CO. INC.

EASEMENT
 ACQUISITION
 FOR G.C.C. 8858

METROPOLITAN
 UTILITIES
 DISTRICT
 OMAHA, NEBRASKA