

80-14

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 2nd day of October, 1972, between Harvey Oaks Ltd., a limited partnership, hereinafter referred to as "Grantor", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

STATE OF  
COUNTY OF

On 1  
Notary Public  
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President  
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and deed

Wit-  
written.

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 gas and water, 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:

Several strips of land lying in Lots 1, 66, 67, 81, 118 and 119 of Harvey Oaks Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said strips being more particularly described as follows:

A strip of land being the South Five (5) feet of the East Twenty-five (25) feet of Lot One (1); also the East Five (5) feet of the North Twenty (20) feet of the South Twenty-five (25) feet of Lot One (1);

A strip of land being the East Five (5) feet of the North Twenty (20) feet of Lot Sixty-six (66);

A strip of land Five (5) feet wide running along and parallel to the East property line of Lot Sixty-seven (67);

A strip of land being the East Five (5) feet of the South Twenty (20) feet of Lot Eighty-one (81);

A strip of land Five (5) feet wide running along and parallel to the Northeasterly property line of Lot One Hundred Eighteen (118);

A strip of land Five (5) feet wide running along and parallel to the Southwesterly property line of Lot One Hundred Nineteen (119);

All of the strips containing a total of Five One-hundredths (0.05) acres, more or less, all as shown on the plat attached hereto and made a part hereof.

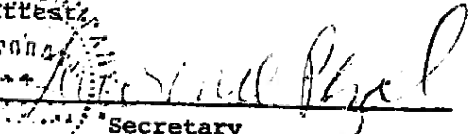
TO HAVE AND TO HOLD said easement and right of way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

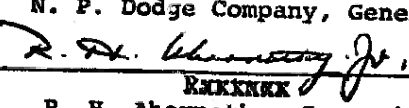
1. Grantor, its successors or assigns agree that they will at no time erect, construct or place on or below the surface of said strips of land any building or structure, except pavement, and that they will not give anyone else permission to do so.

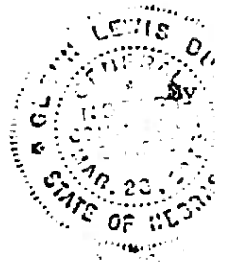
2. Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

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

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

Attest:  
  
Secretary  
of N. P. Dodge Company

HARVEY OAKS LTD., Grantor  
By: N. P. Dodge Company, General Partner  
By:   
R. H. Abernathy, Jr., Vice President  
of N. P. Dodge Company



between  
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STATE OF NEBRASKA)  
) ss  
COUNTY OF DOUGLAS)

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On this 2nd day of October, 1972, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came R. H. Abernathy, Jr., to me personally known to be Vice President of M. P. Dodge Company, General Partner of Harvey Oaks, Ltd., a limited partnership, 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 partnership.

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

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Alvin Lewis Bond  
Notary Public



By commission expires the 23rd day of March, 1975.

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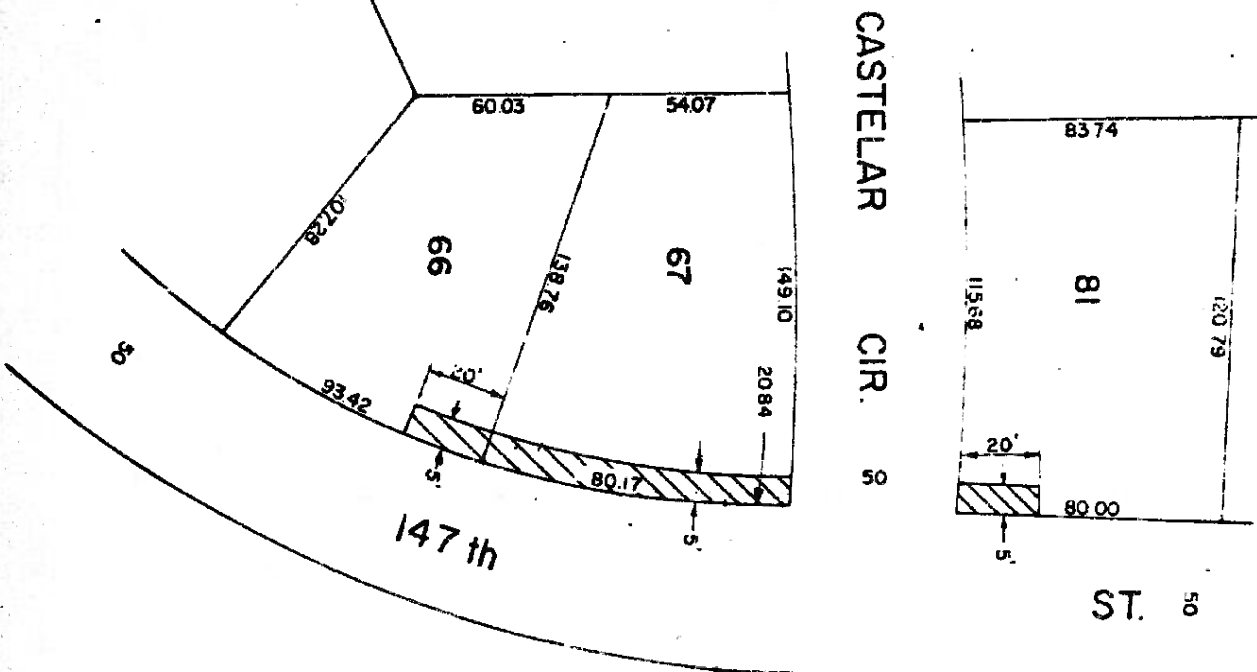
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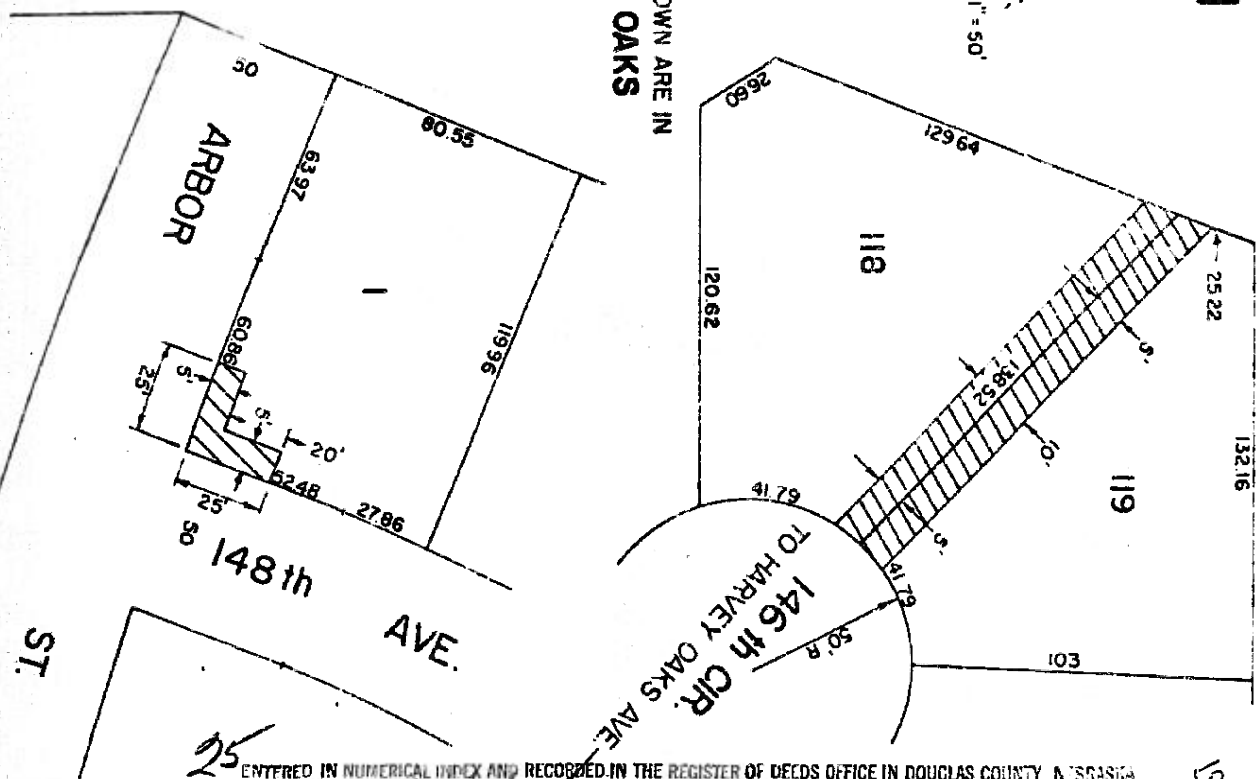
Vice President

y

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ALL LOTS SHOWN ARE IN HARVEY OAKS



25 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA 19 DAY OF October 1972 AT 4:00 P.M. M. C. HAROLD OSTLER REGISTER OF DEEDS 10 50

DRAWN BY CP DATE 9-16-72  
 CHECKED BY LL DATE 9-5-72  
 APPROVED BY [Signature] DATE 7-18-72  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_

PERMANENT EASEMENT

ACRE PERMANENT .05  
 LAND OWNER HARVEY OAKS LTD. A LIMITED PARTNERSHIP

EASEMENT ACQUISITION FOR V.C.C. 4600

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

