

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 1st day of May, 1977, between Hal Grove, Inc., 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 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:

Several parcels of land lying in Lots 1, 4, 5, 10, 11, 12, 13, 14, and 23 of The Hilltop of Oak Hills Highland, as now platted and recorded, in Douglas County, Nebraska; also a portion of vacated Oak Hills Drive lying in the Southeast Quarter (SE $\frac{1}{4}$) of Section Seven (7), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska, said parcels being more particularly described as follows:

A strip of land lying in said Lot One (1), being Five (5) feet wide, lying along and parallel to the Southerly property line of said lot, said strip being the Southerly Five (5) feet of said lot;

A strip of land lying in said Lot Four (4), being Five (5) feet wide, lying along and parallel to the Southerly property line of said lot, said strip being the Southerly Five (5) feet of said lot;

A strip of land lying in said Lot Five (5), being Five (5) feet wide, lying along and parallel to the Southerly property line of said lot and extending Easterly from the Westerly property line a distance of Thirty-seven and Ninety-eight Hundredths (37.98) feet, said distance measured along said Southerly property line;

A strip of land lying in said Lot Ten (10), being Five (5) feet wide, lying along and parallel to the Westerly property line of said lot, said strip being the Westerly Five (5) feet of said lot;

A strip of land lying in said Lot Eleven (11), being Five (5) feet wide, lying along and parallel to the Westerly property line of said lot, said strip being the Westerly Five (5) feet of said lot;

A strip of land lying in said Lot Twelve (12), being Five (5) feet wide, lying along and parallel to the Westerly property line of said lot, said strip being the Westerly Five (5) feet of said lot;

A strip of land lying in said Lot Thirteen (13), being Five (5) feet wide, lying along and parallel to the Westerly property line of said lot, said strip being the Westerly Five (5) feet of said lot;

A strip of land lying in said Lot Fourteen (14), being Five (5) feet wide, lying along and parallel to the Westerly property line of said lot, said strip being the Westerly Five (5) feet of said lot;

A strip of land lying in said Lot Twenty-three (23), being Five (5) feet wide, lying along and parallel to the Northerly property line of said lot, said strip being the Northerly Five (5) feet of said lot;

All that portion of vacated Oak Hills Drive lying in the Southeast Quarter (SE $\frac{1}{4}$) of Section Seven (7), Township Fourteen (14) North, Range Twelve (12) East, Douglas County, Nebraska, which extends from the Southeasterly right-of-way line of Golfing Green Drive

and the Northwesterly boundary line of the Oak Hills Highlands Condominium Property Regime Number One as described in the master deed recorded in Deed Book 1491, Page 619, in the Register of Deeds office of Douglas County, Nebraska, said Oak Hills Drive being that Oak Hills Drive originally platted as part of Oak Hills of Millard II, as platted in Douglas County, Nebraska.

These parcels contain a total of Forty Hundredths (0.40) acre, 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 within Five (5) feet on either side of any main constructed hereunder, 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.

HAL GROVE, INC., Grantor

BY

Title



ATTEST:

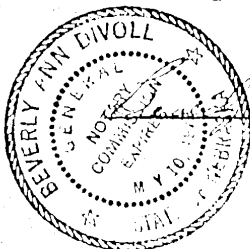
James J. Grove
Title Secretary

(SEAL)

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 1st day of May, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Harold E. Grove, to me personally known to be the President of Hal Grove, 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.



Beverly Ann Divoll
Notary Public


THE HILLTOP OF OAK HILLS HIGHLANDS

METROPOLITAN UTILITIES DISTRICT
 CHARTER PERMITS

EASEMENT ACQUISITION
 FOR W.O.D. 3795
 TRACT NO. 1

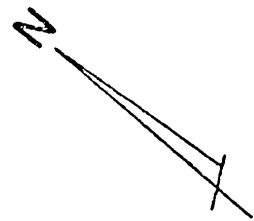
LAND OWNER
 HAL GROVE, INC.

TOTAL ACRE 0.40

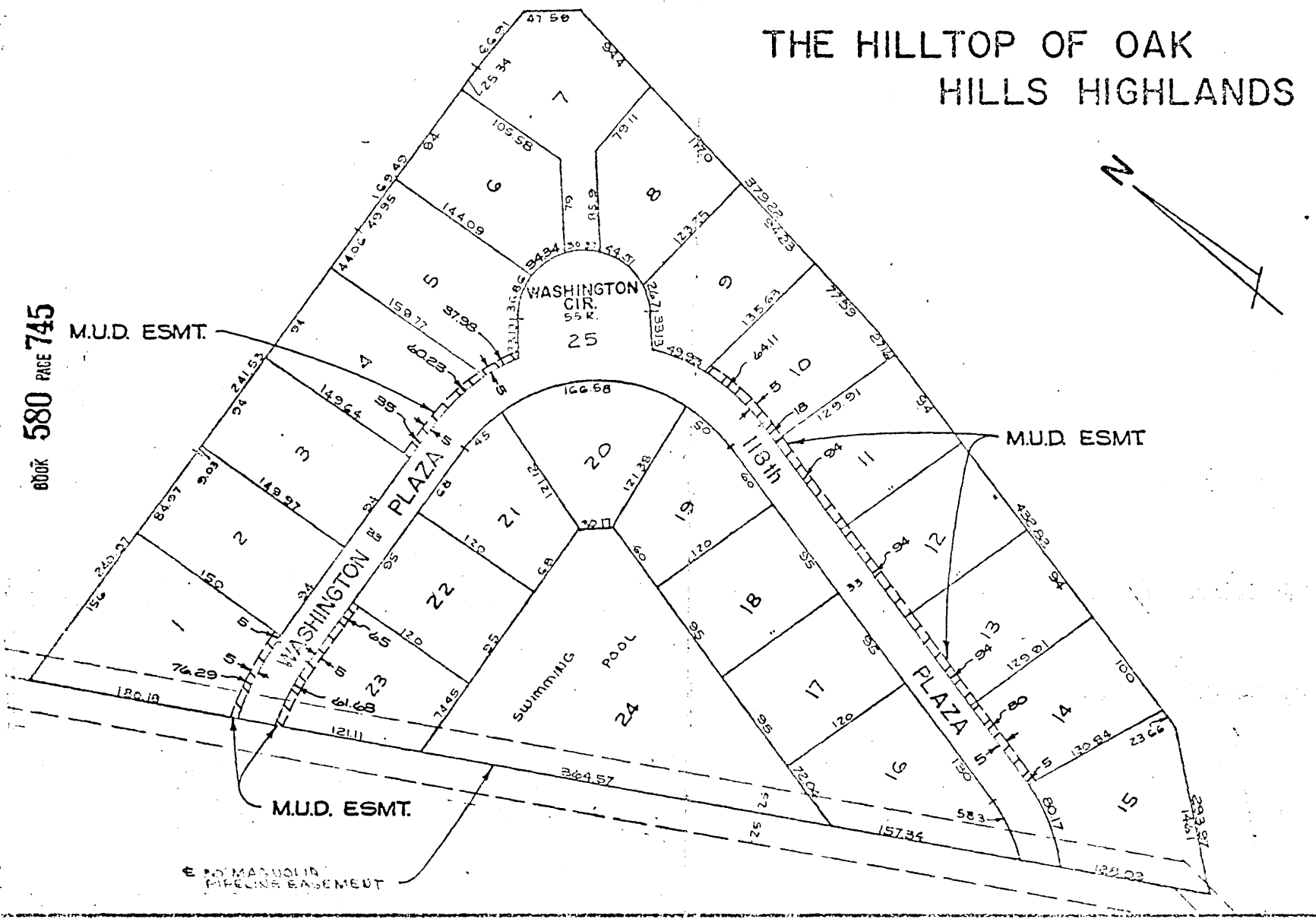
LEGEND
 PERMANENT EASEMENT 

PAGE 1 OF 2

DRAWN BY L.P.R. DATE 3-30-77
 CHECKED BY J.P.S. DATE 3-30-77
 APPROVED BY J.P.S. DATE 3-30-77
 REVISED BY _____ DATE _____
 REV. CHECKED BY _____ DATE _____
 REV. APPROVED BY _____ DATE _____

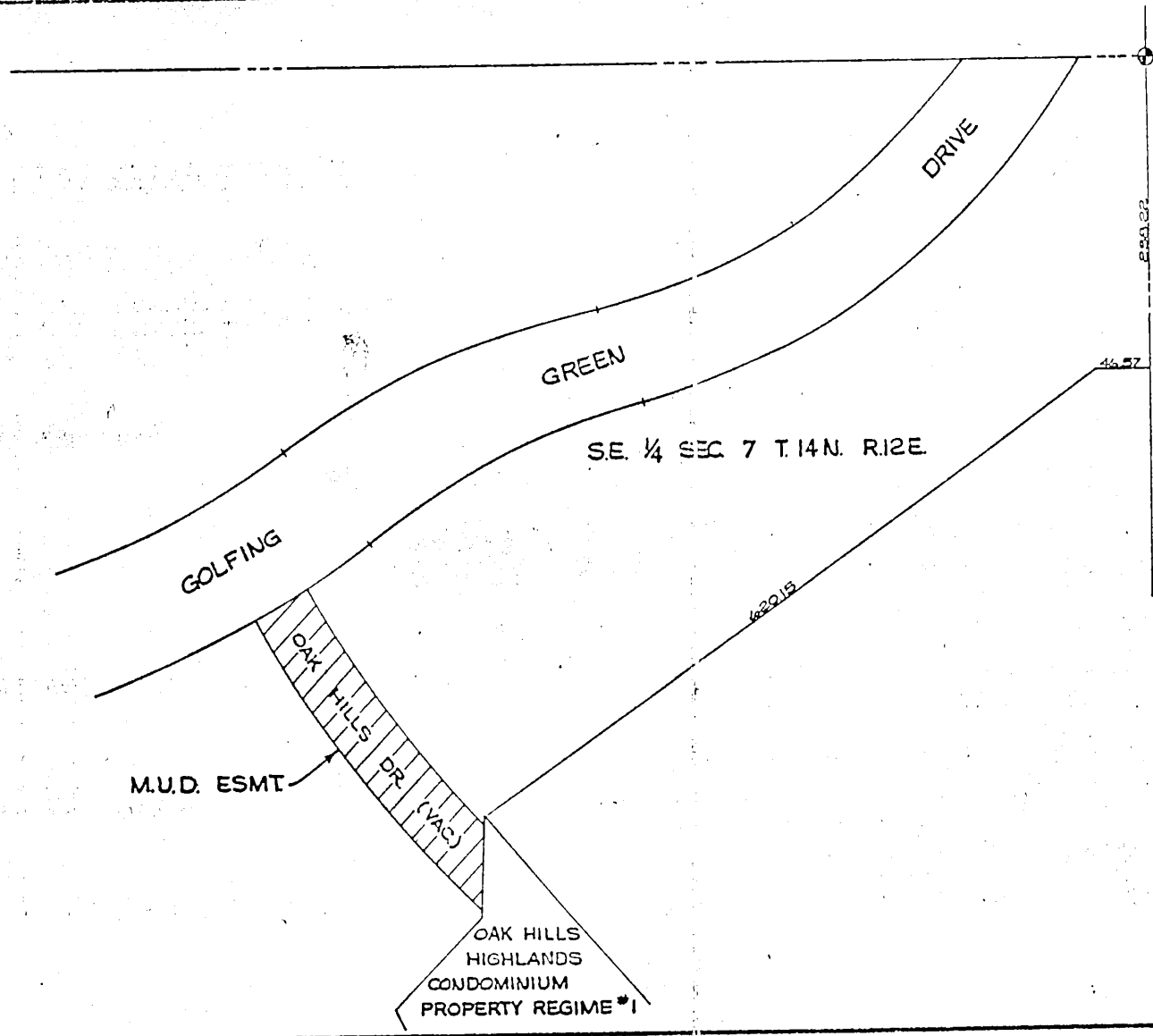


BOOK 580 PAGE 745



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 PIPELINE EASEMENT

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METROPOLITAN
UTILITIES
DISTRICT
CANNON, MISSISSIPPI

EASEMENT
ACQUISITION
FOR W.M.O. 3795
TRACT NO. 1

LAND OWNER
HAL GROVE, INC.

TOTAL ACRES 0.40

LEGEND
PERMANENT EASEMENT

PAGE 2 OF 2

DRAWN BY P.R. DATE 3-9-77
CHECKED BY T.P.S. DATE 5-30-77
APPROVED BY T.P.S. DATE 5-30-77
REVISED BY DATE
REV. CHK'D BY DATE
REV. APP'D BY DATE

83-318 P. 202123
7-14-77
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1977 MAY 20 AM 2:34

C. HAROLD ESTER
REGISTER OF DEEDS
GOULDAS COUNTY, MISSISSIPPI

[Handwritten signature]