

418.75

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 1st day of May, 1977, between Hal Grove, Inc. and Paul E. and Judy H. Tamisiea husband and wife, hereinafter referred to as "Grantors", and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as "Grantee", WITNESSETH:

That the Grantors, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do 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 and through lands described as follows:

See legal description and plats attached hereto.

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 Grantors agree that neither they nor their heirs 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 that they will not give anyone else permission to do so. This limitation shall only apply to property five feet on either side of Grantee's mains.

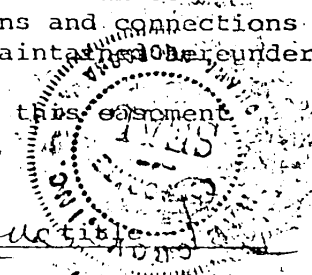
2. Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

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

IN WITNESS WHEREOF, the Grantors have executed this easement the day and year first above written.

Hal Grove, Inc.
by Harold E. Grove
Paul E. Tamisiea
Paul E. Tamisiea
Judy H. Tamisiea
Judy H. Tamisiea

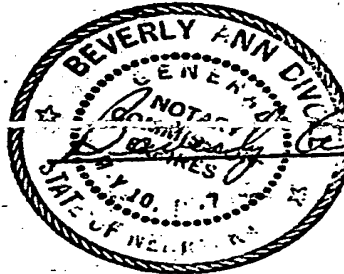
Grantors



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 Paul E. Tamsiea and Judy H. Tamsiea to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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

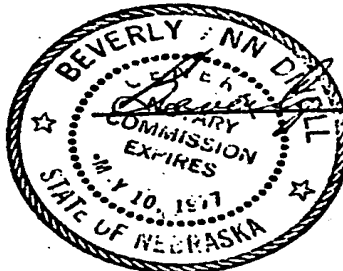


Beverly Ann Divall
Notary Public

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. Shove to me personally known to be 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 Divall
Notary Public

LEGAL DESCRIPTION

Several parcels of land lying in lots 26, 27, 31, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 47, and 48 of the Hilltop of Oak Hills Highland, a subdivision in Douglas County, Nebraska, said parcels being more particularly described as follows:

A strip of land lying in said lot 26, being ten (10) feet wide, lying along and parallel to the property line between lots 26 and 48, and extending from the southeasterly property line of said lot 26 to the northeasterly property line of said lot 26.

A strip of land lying in said lot 27, being ten (10) feet wide, lying along and parallel to the property line between lots 27 and 48, and extending from the northwesterly property line of said lot 27, southeasterly a distance of twenty (20) feet.

A strip of land lying in said lot 31, 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 36, being five (5) feet wide, lying along and parallel to the easterly property line of said lot. Said strip being the easterly five (5) feet of said lot.

A strip of land lying in said lot 37, being five (5) feet wide, lying along and parallel to the easterly property line of said lot. Said strip being the easterly five (5) feet of said lot.

A strip of land lying in said lot 38, being five (5) feet wide, lying along and parallel to the easterly property line of said lot. Said strip being the easterly five (5) feet of said lot.

A strip of land lying in said lot 39, being five (5) feet wide, lying along and parallel to the easterly property line of said lot. Said strip being the easterly five (5) feet of said lot. Also a strip of land lying in said lot 39, 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.

A strip of land lying in said lot 40, 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.

A strip of land lying in said lot 41, 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.

A strip of land lying in said lot 42, 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 43, 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.

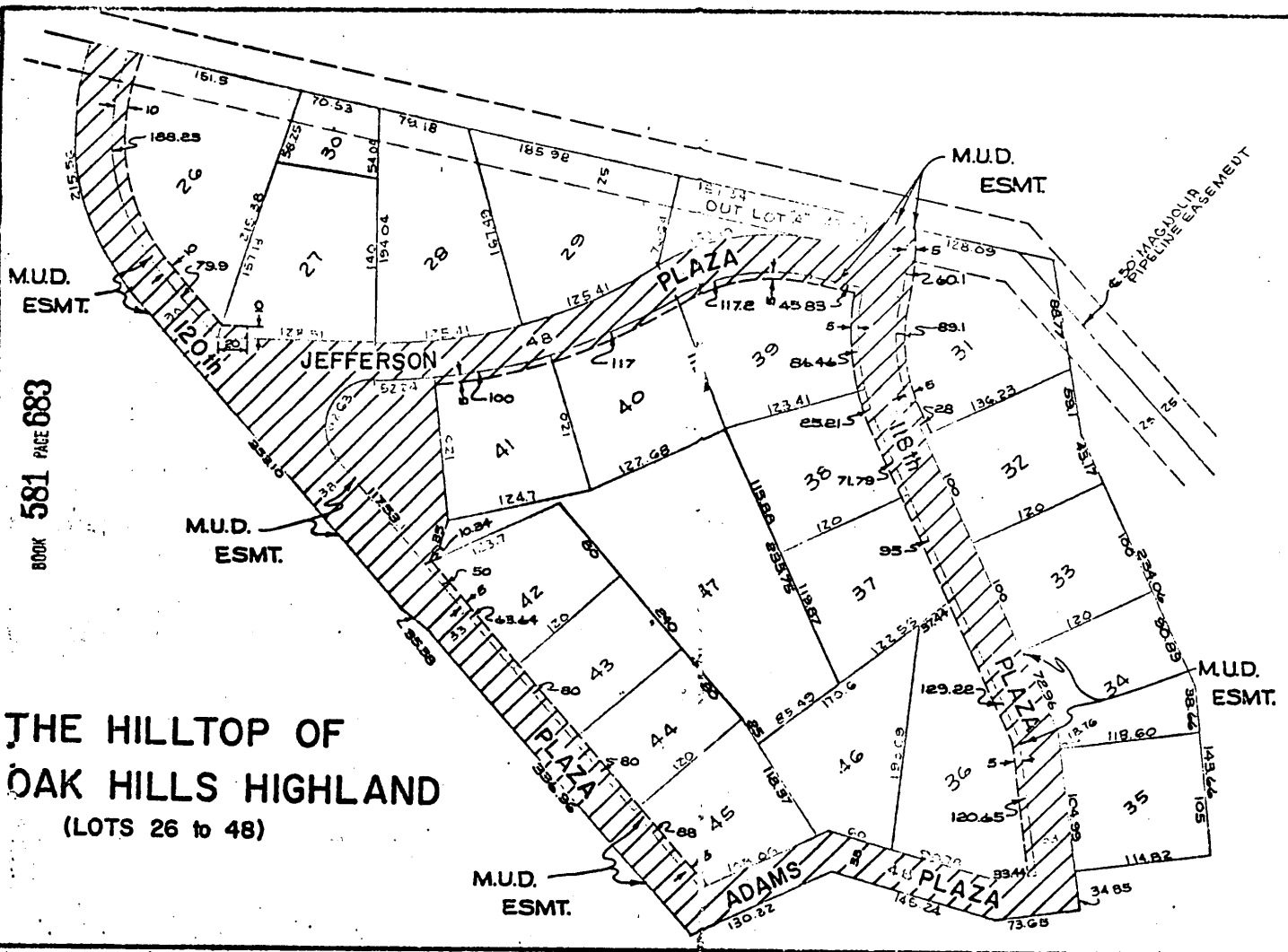
A strip of land lying in said lot 44, being five (5) feet wide, lying along and parallel to the westerly property line of said lot. Said strip being the westerly five (5) feet of said lot.

A strip of land lying in said lot 45, 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 tract of land lying in said lot 47, beginning at the northwest corner of lot 42; thence northerly along the property line between lots 47 and 48 a distance of one hundred seventeen and fifty three hundredths (117.53) feet; thence, continuing along said property line between said lots, on a curve to the right arc distance of ninety two and sixty three hundredths (92.63) feet; said curve having a radius of forty and fifty seven hundredths (40.57) feet; thence, continuing along said property line between said lots, on a curve to the left an arc distance of fifty two and twenty four hundredths (52.24) feet to the northwest corner of lot 41; thence southwesterly along the northwesterly property line of said lot 41, to the southwest corner of said lot 41; thence southwesterly along a straight line a distance of thirty five (35) feet, more or less, to a point on the northerly property line of lot 42; thence westerly along said northerly property line of said lot 42 a distance of ten and thirty four hundredths (10.34) feet to the point of beginning.

All of the lot 48.

These parcels contain a total of 2.31 acres, more or less, as shown on the plats attached hereto.



**THE HILLTOP OF
OAK HILLS HIGHLAND**
(LOTS 26 to 48)

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METROPOLITAN
UTILITIES
DISTRICT
CHARTERED 1904

PARCELS
ACQUISITION
FOR W.W.O. 3795
W.C. 5373
TRACT NO. 2

LAND OWNERS
HAL GROVE INC.
PAUL E. TAMISIEA
JIMMY H. TAMISIEA

TOTAL ACRES 2.31

LEGEND
PERMANENT EASEMENT

PAGE 1 OF 1

DRAWN BY PR. DATE 4-1-77
 CHECKED BY TFS. DATE 4-1-77
 APPROVED BY TFS. DATE 4-1-77
 REVISED BY DATE
 REL. GRAB BY DATE
 REV. APPROV. BY DATE

Misc

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