

BOOK 650 PAGE 45

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 27th day of APRIL, 1981, between Presbyterian Church of the Master, 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 gas and water, and all appurtenances thereto, including but not limited to two fire hydrants, two water valve boxes and a gas valve box, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

A strip of land in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Fifteen (15) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska. Said strip is more particularly described as follows:

Beginning at the northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 9 and thence East a distance of Thirty-three (33) feet to the East right-of-way line of 108th Street; thence South along said East right-of-way line of 108th Street a distance of Three Hundred Twenty-nine and Fifty Hundredths (329.50) feet to the true point of beginning; thence East along a line perpendicular to the East right-of-way line of 108th Street a distance of Four Hundred Fifty (450) feet; thence North along a line parallel to the East right-of-way line of 108th Street a distance of Fifty (50) feet; thence West along a line perpendicular to the East right-of-way line of 108th Street a distance of Four Hundred Fifty (450) feet to the East right-of-way line of 108th Street; thence South along the East right-of-way line of 108th Street a distance of Fifty (50) feet to the true point of beginning.

Said strip of land contains Five Hundred Seventeen (0.517) Thousandths acre, more or less, as shown on the attached plat which is made a part hereof by this reference.

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 agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said strip 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 Grantee, respecting

650 & 446

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.

PRESBYTERIAN CHURCH OF THE MASTER,
Grantor

ATTEST:

Dennis W. Brown
Dennis W. Brown, Secretary/
Stated Clerk

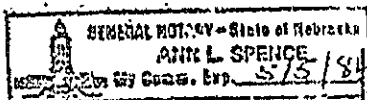
By: Robert B. Hiles
Robert B. Hiles, President

(SEAL)

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

On this 27th day of April, 1981, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Robert B. Hiles, to me personally known to be the President of Presbyterian Church of the Master, a corporation, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution of this instrument as his voluntary act and deed and the voluntary act and deed of said corporation.

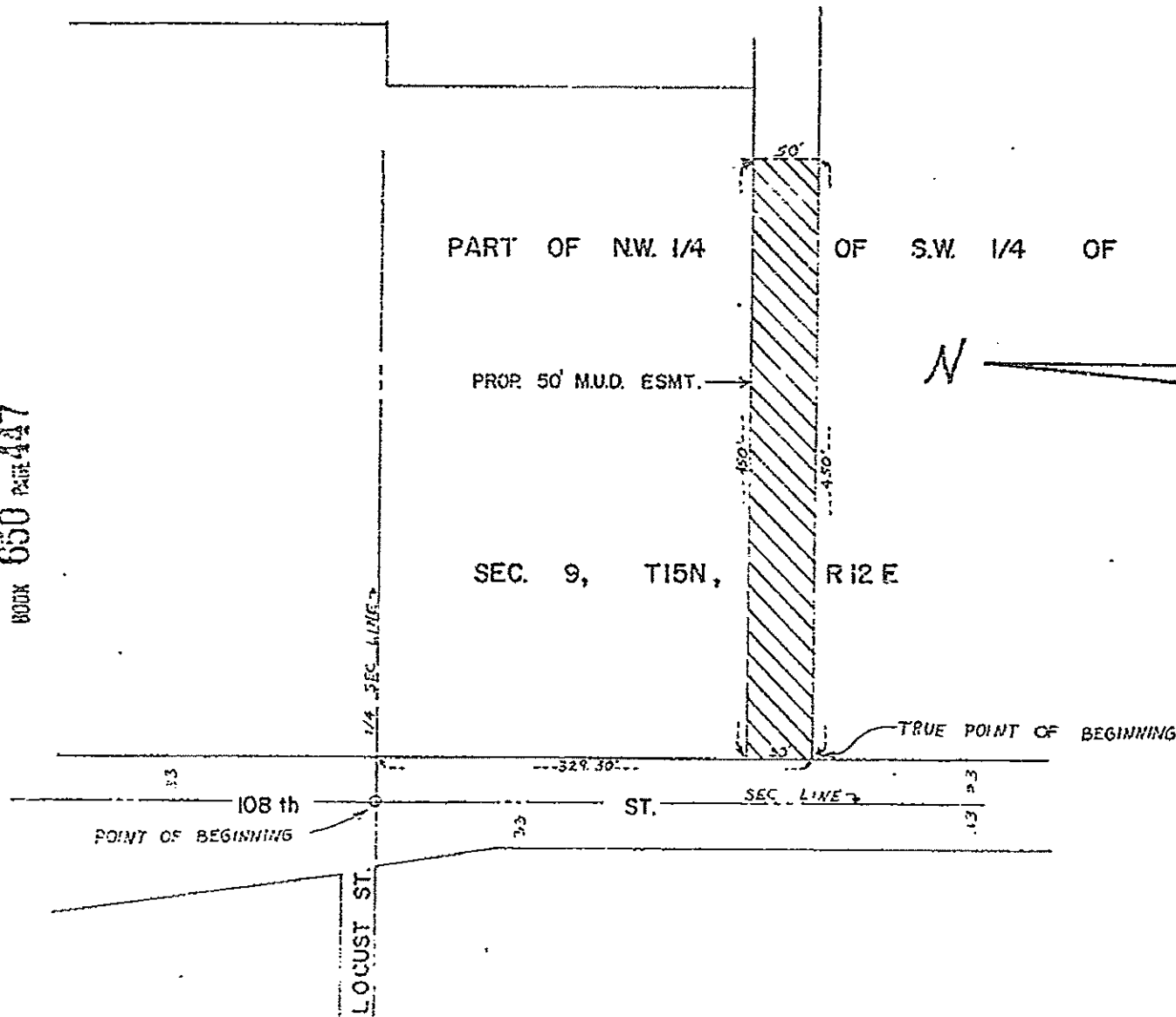
WITNESS my hand and notarial seal the day and year last above written.



Ann L. Spence
Notary Public

POOR INSTRUMENT FILED

BOOK 650 PAGE 447



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA
EASEMENT
ACQUISITION
F.W. G.C.C. 8506
W.C.C. 5976

LAND OWNER
PRESBYTERIAN
CHURCH OF THE
MASTER

TOTAL ACRE .517

LEGEND
PERMANENT EASEMENT

PAGE 1 OF 1

DRAWN BY MM DATE 18-21-8
CHECKED BY J.R.P. DATE 7-1-8
APPROVED BY DATE
REVIEWED BY DATE
REV. APPROV. BY DATE

RECEIVED
1981 APR 27 PM 4:22
C. H. ROSS
REGISTER OF DEEDS
DEPT. OF COUNTY CLERK

11 April