

FILED SARPY CO. NE.
INSTRUMENT NUMBER
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2001 JUL 30 11:37 AM
Glenn J. [Signature]
REGISTER OF DEEDS

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8167

EASEMENT AND RIGHT-OF-WAY

(PERMANENT AND TEMPORARY)

THIS INDENTURE, made this 17th day of July, 2001, between DODGE LAND CO., a Nebraska Corporation, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

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, a nonexclusive easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT TRACTS

The West Five Feet (W. 5') of each of Lots 1 through 8, inclusive, 124 through 131, inclusive, and 311 through 329, inclusive, and the West Five Feet (W. 5') of the Northerly Thirty-three Feet (33') of Lot 310, all in Millard Park South, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska. The tracts contain a total of 0.268 of an acre, more or less, and are shown on the two drawings attached hereto and made a part hereof by this reference.

TEMPORARY EASEMENT TRACTS

The East Ten Feet (E. 10') of the West Fifteen Feet (W. 15') of each of Lots 1 through 8, inclusive, 124 through 131, inclusive, and 311 through 329, inclusive, and the East Ten Feet (E. 10') of the West Fifteen Feet (W. 15') of the Northerly Thirty-three Feet (33') of Lot 310, all in Millard Park South, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska. The tracts contain a total of 0.536 of an acre, more or less, and are shown on the two drawings attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the permanent easement tracts any building or structure, except pavement and similar covering, and shall not permit anyone else to do so, excluding therefrom the legal effect of instruments, including easements, of record on the date of execution hereof. These same restrictions, with the same exclusion, shall apply to the temporary easement tracts but only from the date of execution of this instrument until completion of the original utilities installation.

2. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible, to its original contour within a reasonable time after the work is performed.

3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is the lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its executors, administrators, successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons except those having any right, title or interest prior to this conveyance.

5. The person executing this instrument represents that he has the authority to execute it on behalf of the Grantor corporation.

IN WITNESS WHEREOF, the Grantor executes this Easement and Right-of-Way to be signed on the above date.

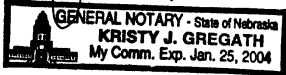
DODGE LAND CO., a Nebraska Corporation, Grantor

By: W. L. Morrison, Jr.
W. L. Morrison, Jr., President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

July This instrument was acknowledged before me on the 16th day of July, 2001, by W. L. Morrison, Jr., President of Dodge Land Co., Inc., a Nebraska Corporation, on behalf of the Corporation.

Kristy J. Gregath
Notary Public


**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR
W.C.P. 9126

LAND OWNER

Dodge Land Company

c/o W.L. Morrison

8701 W. Dodge Rd.

Omaha, NE 68114-3407

TOTAL ACRE

TOTAL ACRE

LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT

PAGE 1 OF 2

DRAWN BY _____ DAS

DATE 4-17-2001

CHECKED BY _____

DATE _____

APPROVED BY _____

DATE _____

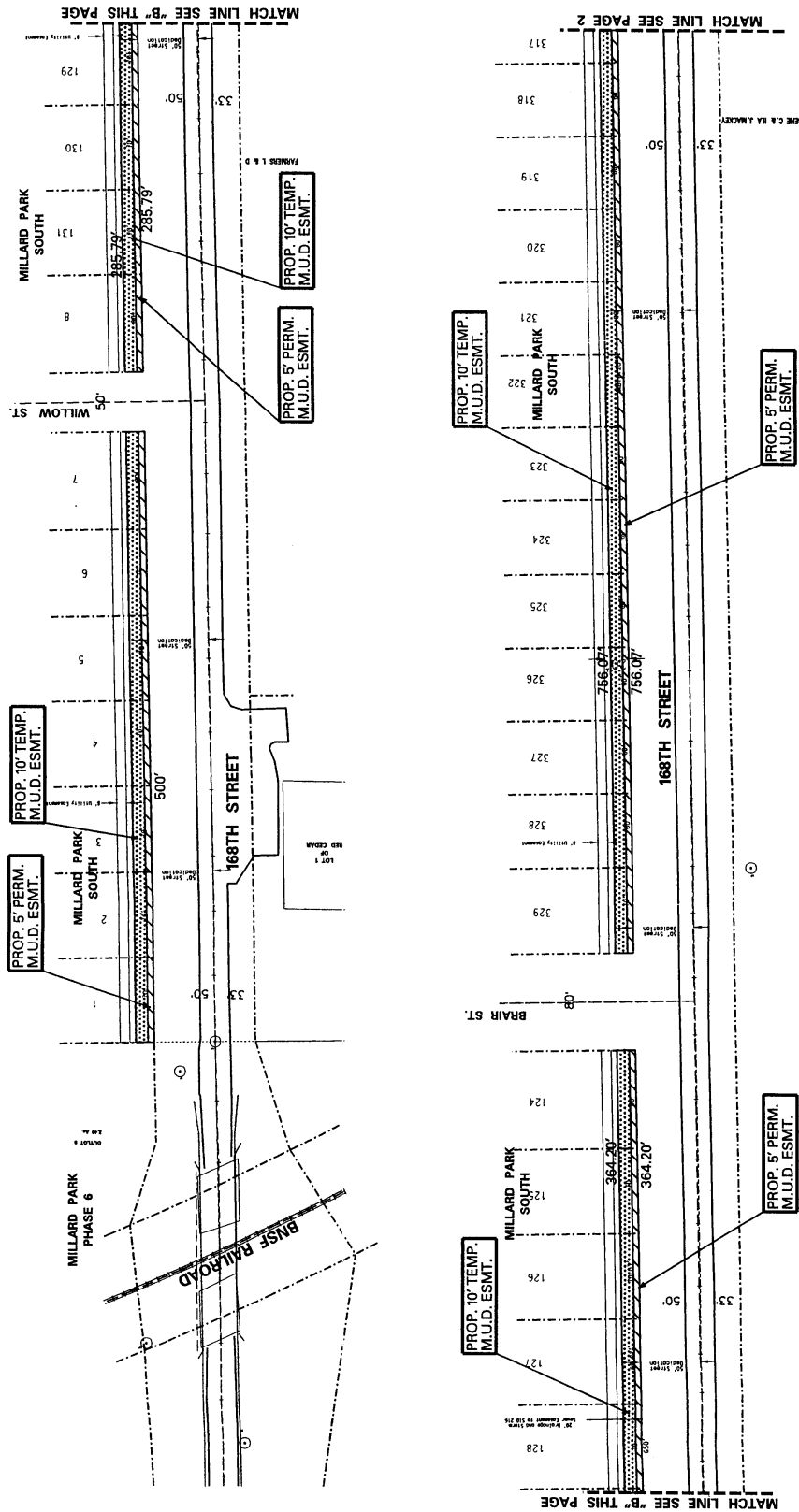
REVISÉ BY

DATE _____

REV. CHK'D BY

DATE _____

DATE _____
REV APPROV BY _____

DATE _____
REVISED BY: _____

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR W.C.P. 9126

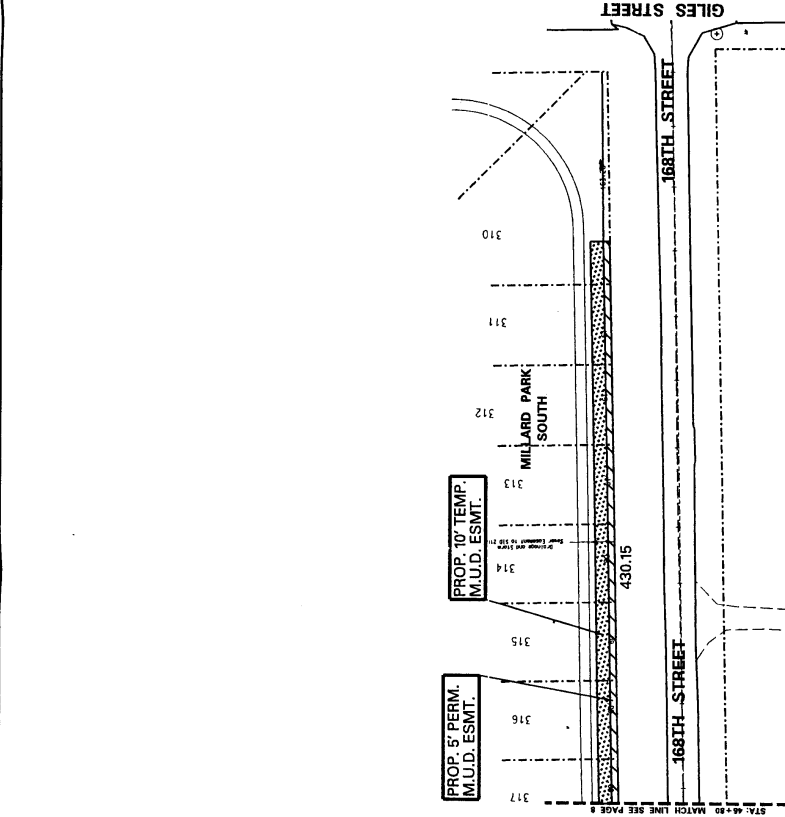
LAND OWNER
MILLARD PARK SOUTH

TOTAL ACRE PERMANENT X ±
TOTAL ACRE TEMPORARY X ±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 2 OF 2

DRAWN BY DAS
DATE 4-17-2001
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
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DATE
REV. APPROV. BY
DATE



NO SCALE