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15617 98 616-618

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

98 OCT 29 AM 10:47

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BKP COMP G/O COMPA

DEL SCAN 05 PM

15617

# EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 19th day of October, 1998, between LANOHA-MISSION DEVELOPMENT, INC., 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, an easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

## PERMANENT EASEMENT

A tract of land in Mission Pines, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

The southerly five feet (5') of Lots 1, 2, 3, 4, 5, 17, 18, 19, 42, 43, 50, and 51 abutting Drexel Street and Monroe Street right-of-way.

This permanent easement contains 0.1516 of an acre, more or less, and is shown on the drawing 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 easement tract any building or structure, except pavement and similar covering, and shall not permit anyone else to do so.
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.

Return To: TS Secret  
MOPLaw Dept  
1723 Harney St  
Omaha NE  
68102-1960

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

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

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

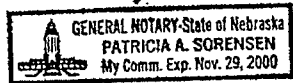
LANOHA-MISSION DEVELOPMENT,  
INC., a Nebraska Corporation, Grantor

By: *Dave Lanoha*  
Dave Lanoha  
Title: *Owner*

ACKNOWLEDGMENT

STATE OF NEBRASKA    )  
                                  ) ss  
COUNTY OF DOUGLAS    )

This instrument was acknowledged before me on *October 19, 1998*  
1998, by Dave Lanoha, *Owner* of Lanoha-Mission  
Development, Inc., a Nebraska Corporation, on behalf of the corporation.



*Patricia A. Sorensen*  
Notary Public

## EASEMENT ACQUISITION

**G.R.M. 11556**

**LAND OWNER**  
**MISSION PINES**

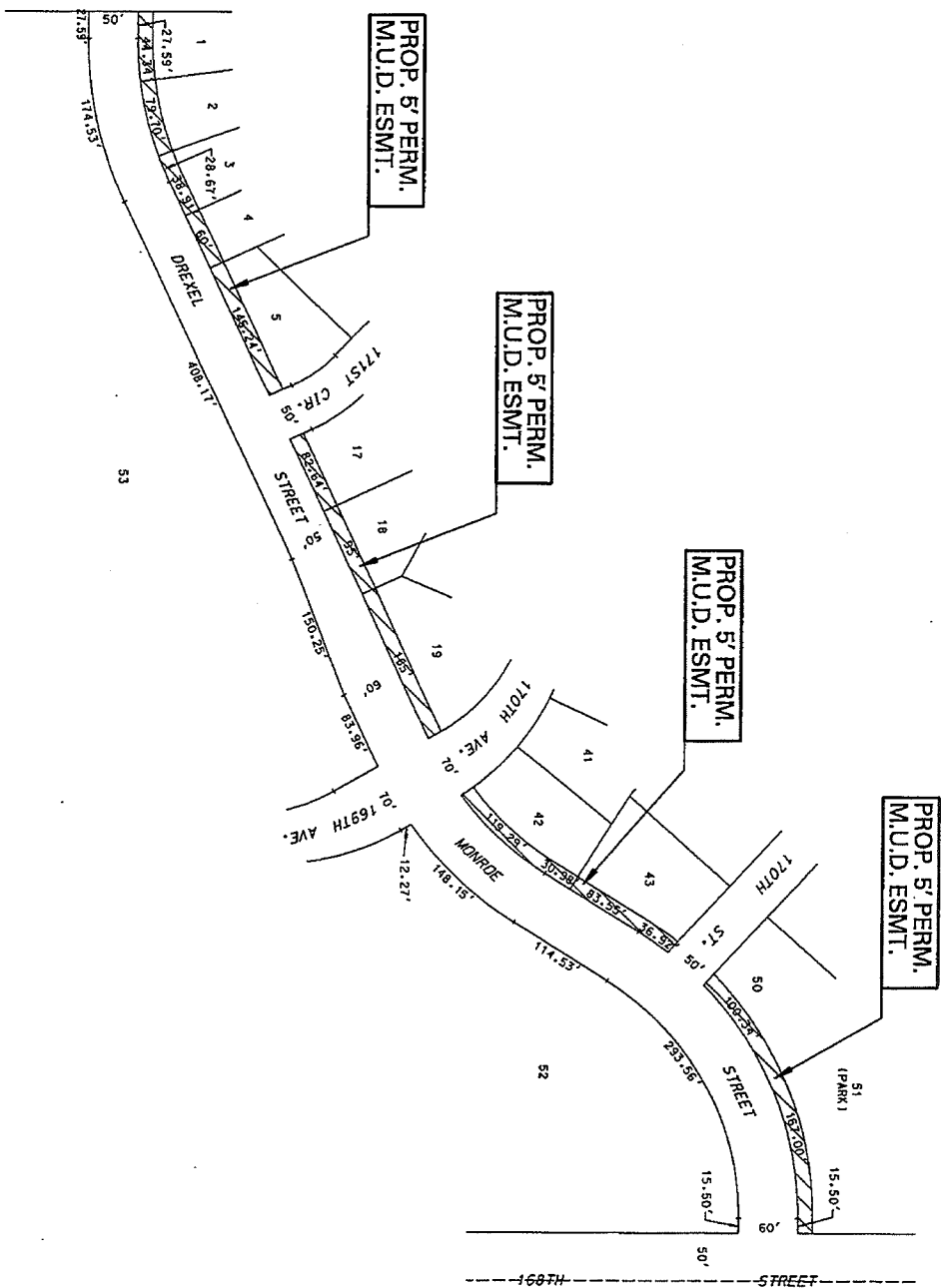
TOTAL ACRE  
PERMANENT 0.152<sup>+</sup>

**LEGEND**

**PERMANENT EASEMENT** 

PAGE 1 OF 1

DRAWN BY \_\_\_\_\_ C.L.Y.  
DATE 9-22-98  
CHECKED BY DBZ/AC  
DATE 10-6-98  
APPROVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REVISED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REV. CHKD. BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REV. APPROV. BY \_\_\_\_\_  
DATE \_\_\_\_\_



MISSION PINES  
NO SCALE