



BK 0801 PG 492



MISC 1987 00793

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 14th day of ^{January, 1987} ~~November, 1986~~, between OAK HILLS ASSOCIATION, INC., a Nebraska Non-Profit 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 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 to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

TRACT NO. 1

A tract in Oak Hills Condominium Property Regime No. 1 lying in part of Lot Eighty-seven (87), Oak Hills of Millard II, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and more particularly described as follows:

Beginning at the South most corner of Lot 87; thence North 30° 38' 27" West (assumed bearing) on the Westerly line of said Lot 87, a distance of 152.54 feet to a point of curvature; thence, Northwesterly on a 495.00 foot radius curve to the right a distance of 271.73 feet to a point of tangency; thence, North 00° 48' 43" East a distance of 105.68 feet to the Northwest corner of said Lot 87; thence, South 89° 59' 28" East on the North line of said Lot 87, a distance of 335.00 feet; thence South 17° 55' 15" East a distance of 384.55 feet to a point on the Northerly right-of-way line of Golfing Green Drive; thence, South 69° 51' 33" West along a 765.00 foot radius curve to the right a chord distance of 63.06 feet to a point of reverse curve; thence, southwesterly on a 1345.00 foot radius curve to the left a distance of 271.92 feet to the point of beginning.

Said tract is shown on the attached plat, marked Tract No. 1, which is made a part hereof by this reference. Said tract contains 3.73 acres, more or less.

and

PERMANENT EASEMENT

TRACT NO. 2

A tract in Oak Hills Condominium Property Regime No. 2 lying in part of Lot Eighty-seven (87), Oak Hills of Millard II, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and more particularly described as follows:

RECEIVED
1987 JAN 14 PM 4:03
GEORGE J. BUGS ENRICH
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

793 Mue H

801 N 76-293 C/O FEE 30.50
76-315 K DEL MC B.C
OF Miss COMP A F/B 65-27960

Beginning at the NE corner of the the Southeast Quarter (SE 1/4) of Section 7, T14N, R12E of the 6th P.M.; thence N. 89° 59' 28" W., along the North line of the Southeast 1/4 of said Section 7, 157.59 feet to the point of beginning, said point being the Northeast corner of Lot 87; thence continuing N. 89° 59' 28" W., on the North line of Lot 87, 827.08 feet; thence S. 17° 55' 15" E., 384.55 feet to a point on the northerly right-of-way line of Golfing Green Drive; thence Northeasterly, on a curve to the left (said curve having a radius of 765.00 feet, chord bearing N. 61° 55' 15" E., chord distance 148.66 feet) 148.90 feet to a point of tangency; thence on a curve to the right (said curve having a radius of 740.00 feet, chord bearing N. 67° 37' 19" E., chord distance 289.42 feet), 291.30 feet to point of tangency; thence on a curve to the left (said curve having a radius of 532.96 feet, chord bearing N. 59° 05' 15" E., chord distance 361.27 feet) 368.57 feet to the point of beginning.

Said tract is shown on the attached plat, marked Tract No. 2, which is made a part hereof by this reference. Said tract contains 3.76 acres, more or less.

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. Attached hereto and made a part hereof by this reference is a drawing, marked Exhibit "A", showing the location of the gas lines to be installed in the easement parcels, per M.U.D. Contract No. G.R.M. 9277.

2. The 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 easement tract any building or structure, except pavement, and they will not give anyone else permission to do so. It is understood that the Grantor, its successors and assigns, may install a water sprinkler system, above or below ground, in the easement parcels within six inches of the gas pipe installed pursuant hereto.

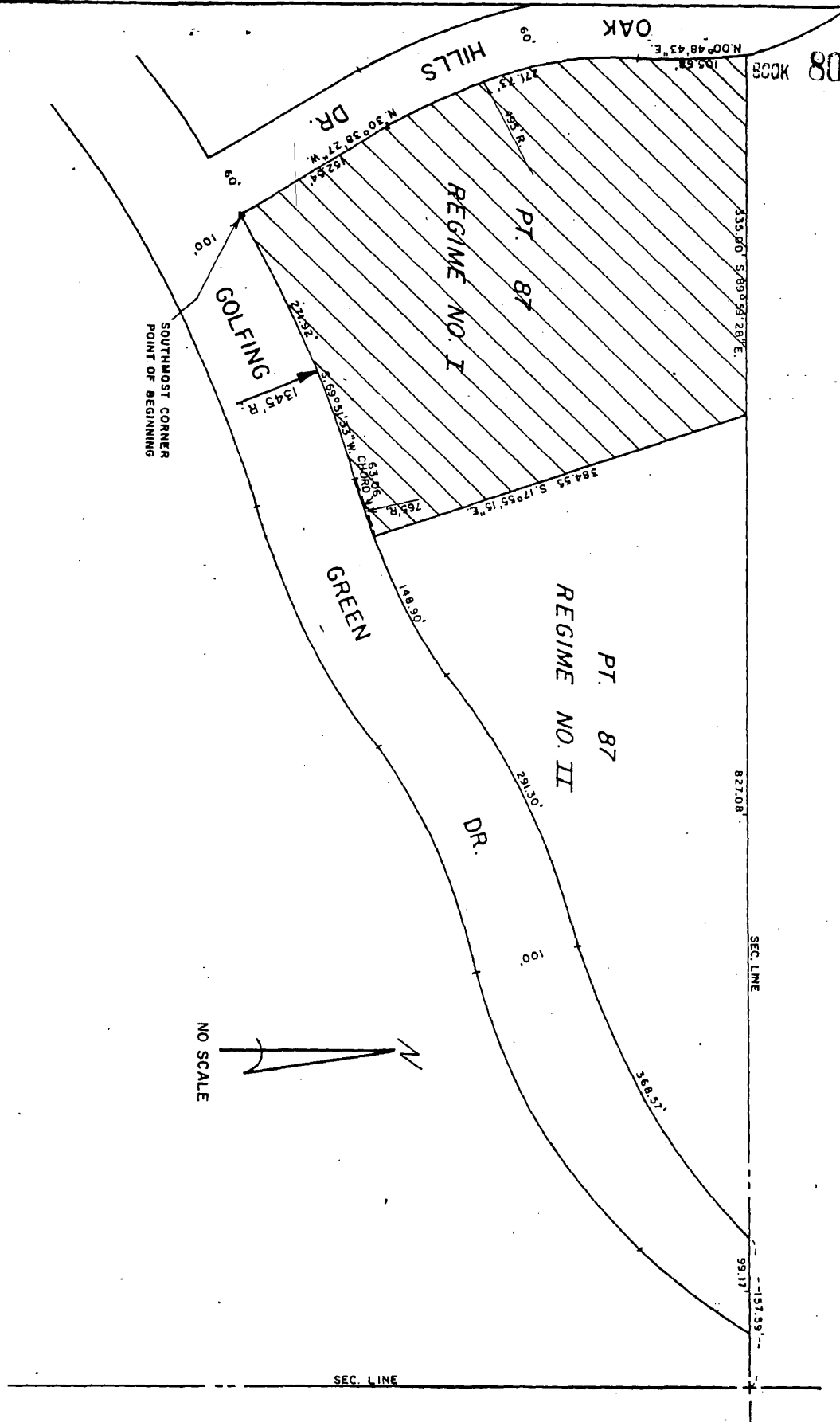
3. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original condition thereof and as soon after such work is performed as may be reasonably possible to do so.

4. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

5. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

6. The persons executing this instrument represent they have the requisite authority to execute same and make this conveyance on behalf of the Corporation.

OAK HILLS OF MILLARD II



METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR GRM 9277

LAND OWNER OAK HILLS
CONDOMINIUM PROPERTY
REGIME NO. I

TRACT NO. 1

TOTAL ACRE 3.73

LEGEND
PERMANENT EASEMENT [Hatched Box]

PAGE 1 OF 2

DRAWN BY R.D. DATE 10-16-86
 CHECKED BY [Signature] DATE 11-18-86
 APPROVED BY [Signature] DATE 10-20-86
 REVISED BY _____ DATE _____
 EV. CHKD BY _____ DATE _____
 EV. APPROV BY _____ DATE _____


METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR GRM 9277

LAND OWNER OAK HILLS
CONDOMINIUM PROPERTY
REGIME NO. II

TRACT NO. 2

TOTAL ACRE 3.76

LEGEND
PERMANENT EASEMENT 

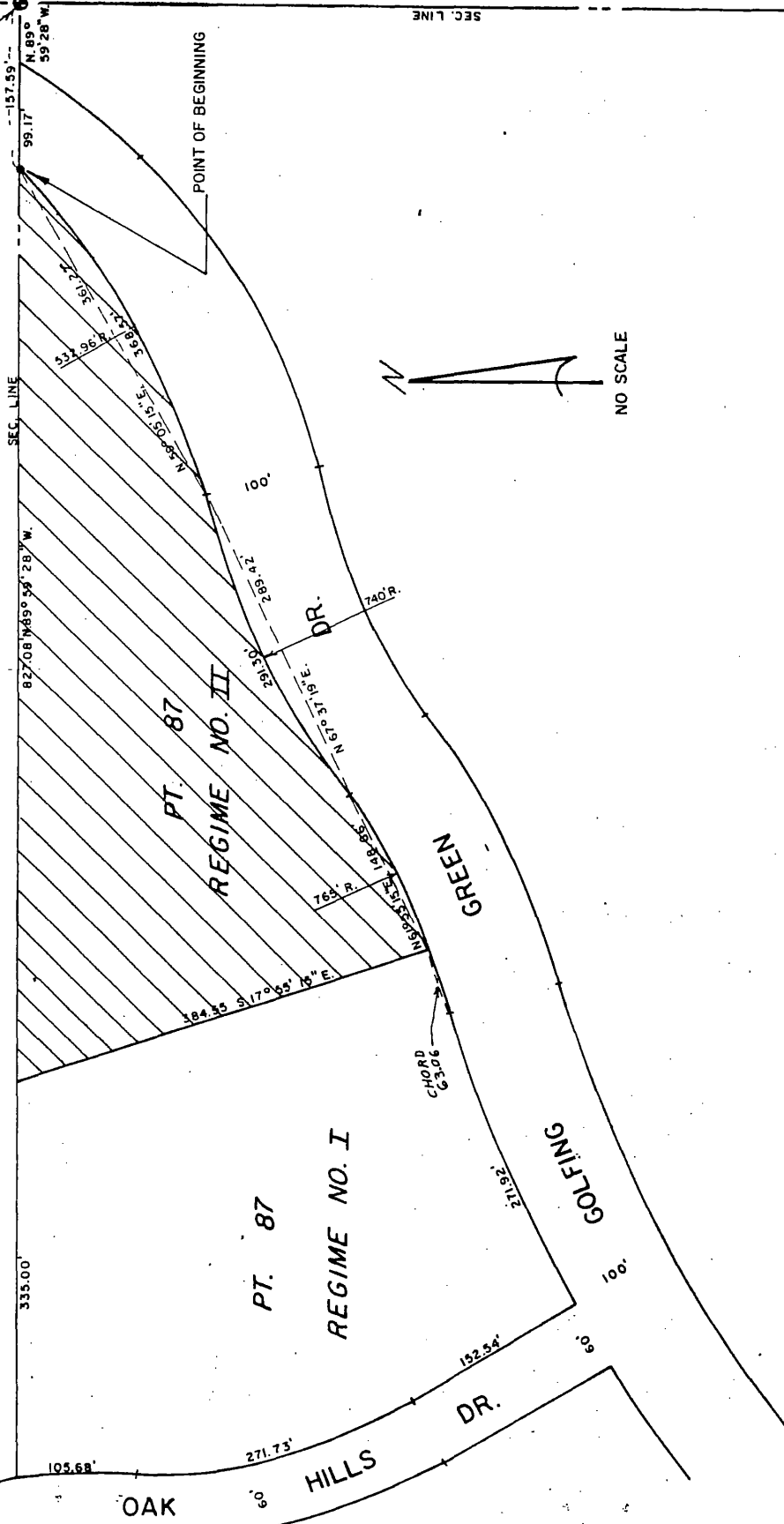
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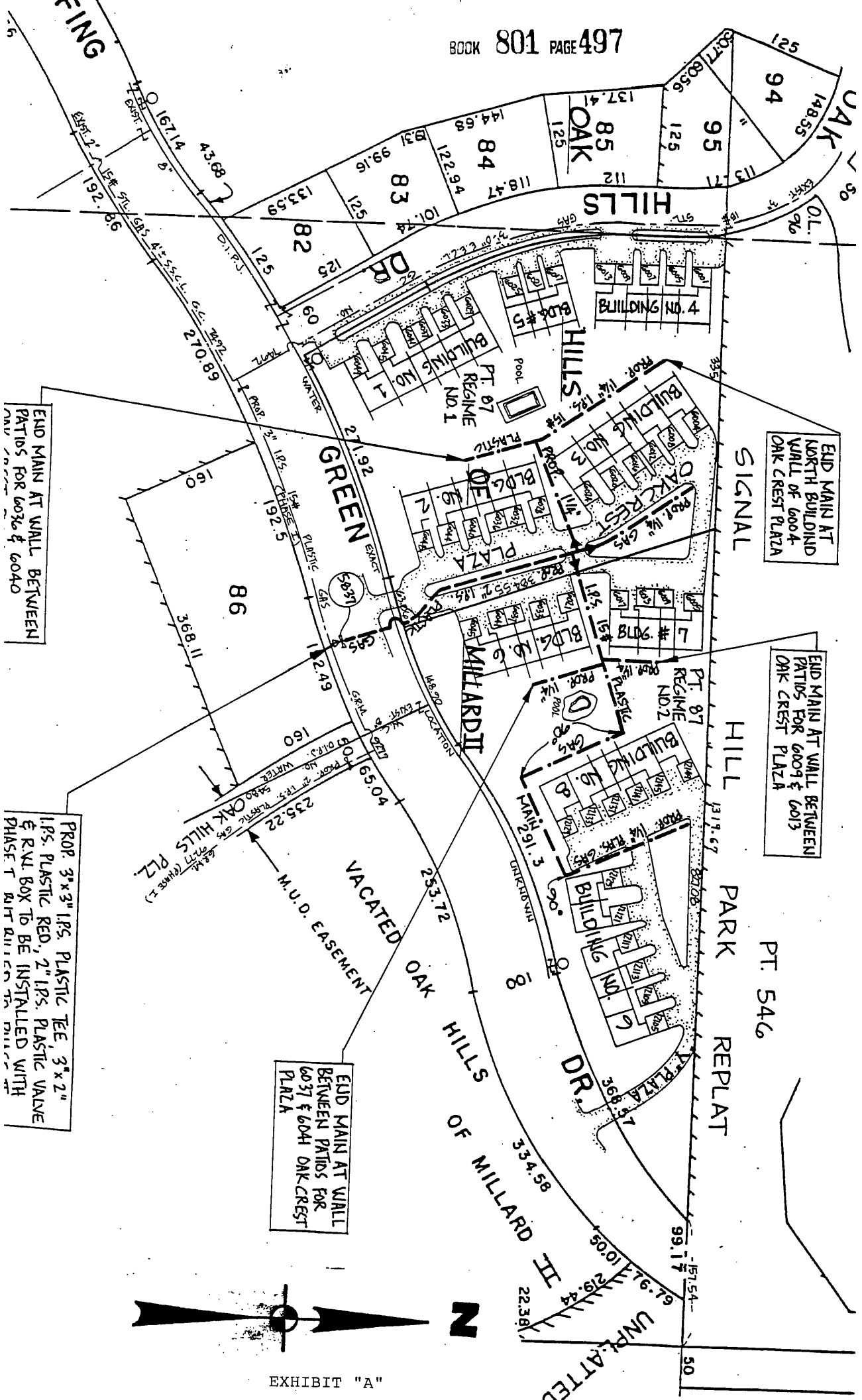
DRAWN BY RD DATE 10-16-86
CHECKED BY JS DATE 10-18-86
APPROVED BY JS DATE 10-20-86
REVISED BY _____ DATE _____
REV CHKD BY _____ DATE _____
REV APPROV BY _____ DATE _____

OAK HILLS OF MILLARD II

N.E. CORNER OF S.E. 1/4 OF
SEC. 7 T.14N. R. 12 E.



NO SCALE



END MAIN AT WALL BETWEEN PATIOS FOR 6036 & 6040

END MAIN AT NORTH BUILDING WALL OF 6004 OAK CREST PLAZA

END MAIN AT WALL BETWEEN PATIOS FOR 6009 & 6013 OAK CREST PLAZA

PROP. 3"x3" IPS. PLASTIC TEE, 3"x2" IPS. PLASTIC RED, 2" IPS. PLASTIC VALVE & R.V.I. BOX TO BE INSTALLED WITHIN PHASE T RAIL ALIGNED TO DRIVE

END MAIN AT WALL BETWEEN PATIOS FOR 6037 & 6041 OAK CREST PLAZA

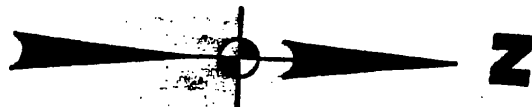


EXHIBIT "A"