

52-245

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 29th day of March, 1979, between Richard H. Cordes, single, Wallace Hopkins and Marie A. Hopkins, husband and wife, and Paul A. Rauth and Martha A. Rauth, 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 water and 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:

Four tracts of land located in Offutt Towers Replat, a subdivision located in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Nine (9), Township Thirteen (13) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska, as surveyed, platted and recorded, more particularly described as follows:

A tract of land located in Lots One (1), Two (2) and Three (3) of the above described land, beginning at the Southeast corner of Lot (1); thence Northerly on the East property line of said Lot One (1) a distance of Two and One-half (2 $\frac{1}{2}$) feet; thence Westerly on a line Two and One-half (2 $\frac{1}{2}$) feet North of and parallel to the South line of Lots One (1) and Two (2), to the West line of Lot Three (3); thence Southerly on the West property line of Lot Three (3) to the Southwest corner of said lot; thence Easterly on the South property line of Lots Three (3), Two (2) and One (1) to the point of beginning.

A tract of land located in Lot Seven (7) of the above described land, beginning at the Southeast corner of said lot; thence Northerly on the East line of said lot a distance of Four and Sixty-four Hundredths (4.64) feet to a point of curvature; thence Northerly on a curve to the right a distance of One Hundred Forty-seven and Seven Hundredths (147.07) feet; thence Southerly on a line One Hundred and Thirty-eight and Eight Hundredths (138.08) feet East of and parallel to the West property line of said lot to the Southerly property line of said lot; thence Easterly on the Southerly property line of said Lot Seven (7) to the point of beginning.

A tract of land located in Lots Eight (8) and Nine (9) of the above described land, beginning at the Northeast corner of Lot Nine (9); thence Southerly on the East property line of said Lot Nine (9) a distance of Two and One-Half Feet (2 1/2'); thence Westerly on a line Two and One-Half (2 1/2) feet South of and parallel to the North line of Lot Nine (9), to a point where said line intersects with the Northerly line of Lot Eight (8), thence Easterly on the Northerly line of Lots Eight (8) and Nine (9) to the point of beginning.

The North Two and one-half (2 $\frac{1}{2}$) feet of Lot Ten (10) of the above described land.

The previously described tracts contain Twenty-three Hundredths (0.23) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

TO HAVE AND TO HOLD said easement and right of way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

FILED FOR RECORD 5-3-79 AT 10:05 AM IN BOOK 52 OF Miss. Cas.
PAGE 245 Carl S. Hillel REGISTER OF DEEDS, SARPY COUNTY, NEB. 1375 Leet # 03671

1. 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 tracts 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 Grantors, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

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

Richard H. Cordes
Richard H. Cordes

Wallace Hopkins
Wallace Hopkins

Marie A. Hopkins
Marie A. Hopkins

Paul A. Rauth
Paul A. Rauth

Martha A. Rauth
Martha A. Rauth

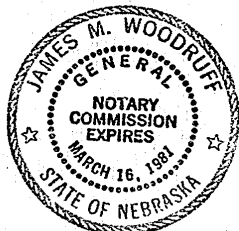
Grantors

STATE OF NEBRASKA)
COUNTY OF Douglas) ss

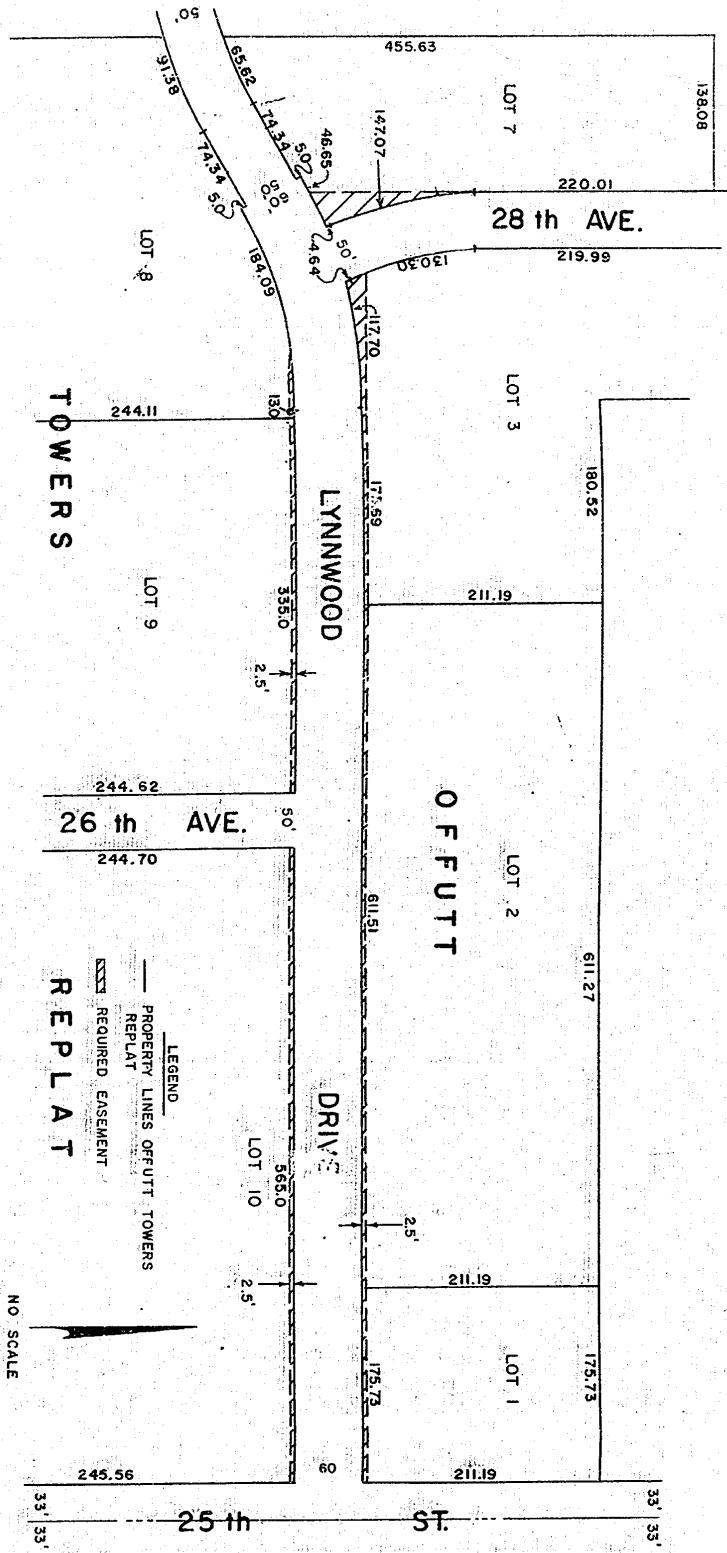
On this 29 day of March, 1979, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Richard H. Cordes, single, to me personally known to be the identical person whose name is affixed to the foregoing instrument as Grantor, and acknowledged the same to be his voluntary act and deed.

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

James M. Woodruff
Notary Public



52-2450



TOWERS

REPLAT

NO SCALE

LEGEND
 — PROPERTY LINES OF FUTT TOWERS
 REPLAT
 REQUARED EASEMENT

DRAWN BY R.J.D. DATE DEC. 6. 78
 CHECKED BY J.R.P. DATE 12-7-78
 APPROVED BY *[Signature]* DATE 2-20-79
 REVISED BY _____ DATE _____
 REV. CHKD BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PAGE 1 OF 1

PERMANENT EASEMENT

LEGEND

TOTAL ACRE 0.23

LAND OWNERS
 RICHARD H. CORDES
 WALLACE HOPKINS
 MARIE A. HOPKINS
 PAUL A. RAUTH
 MARTHA A. RAUTH

EASEMENT ACQUISITION

FOR W.C.C. 3377
 G.C. 5595

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA