

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 9th day of September, 1976, between Pheasant Run, Inc., a Nebraska 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 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:

Several tracts of land lying in Lots Sixty-eight (68), Ninety-four (94), and One Hundred Eight (108) of Pheasant Run Replat I, as now platted and recorded, in Douglas County, Nebraska, said tracts being more particularly described as follows:

Beginning at the Southeasterly corner of Lot Sixty-eight (68); thence Northwesterly along the Northerly right-of-way line of "U" Street a distance of Ten (10) feet; thence Easterly along a straight line a distance of Fourteen and Fourteen Hundredths (14.14) feet, more or less, to a point on the Westerly right-of-way line of Blackwell Drive; thence Southwesterly along said right-of-way line a distance of Ten (10) feet to the point of beginning;

Beginning at the Southeasterly corner of Lot Ninety-four (94); thence Northwesterly along the Northerly right-of-way line of "V" Street a distance of Ten (10) feet; thence Easterly along a straight line a distance of Fourteen and Fourteen Hundredths (14.14) feet, more or less, to a point on the Westerly right-of-way line of Blackwell Drive; thence Southwesterly along said right-of-way line a distance of Ten (10) feet to the point of beginning;

Beginning at the Southeasterly corner of Lot One Hundred Eight (108); thence Northwesterly along the Northerly right-of-way line of Stony Brook Boulevard a distance of Ten (10) feet; thence Easterly along a straight line a distance of Fourteen and Fourteen Hundredths (14.14) feet, more or less, to a point on the Westerly right-of-way line of "W" Street; thence Southwesterly along said right-of-way line a distance of Ten (10) feet to the point of beginning.

These tracts contain a total of Three Thousandths (0.003) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

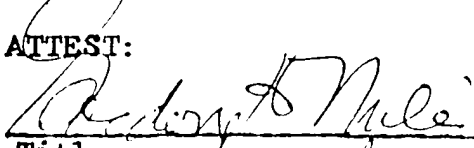
TO HAVE AND TO HOLD said easement and right of way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

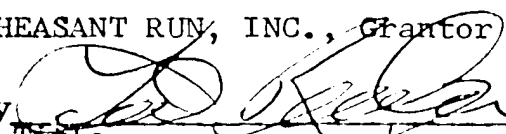
1. Grantor, its successors or assigns agree that they will at no time erect, construct, or place on or below the surface of said tracts of land any building or structure, except pavement, and that they will not give anyone else permission to do so.

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 Grantor, or duties and powers of Grantee, respecting 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.

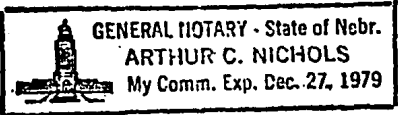
ATTEST:

Title Secretary
(SEAL)

PHEASANT RUN, INC., Grantor
By 
Title President

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

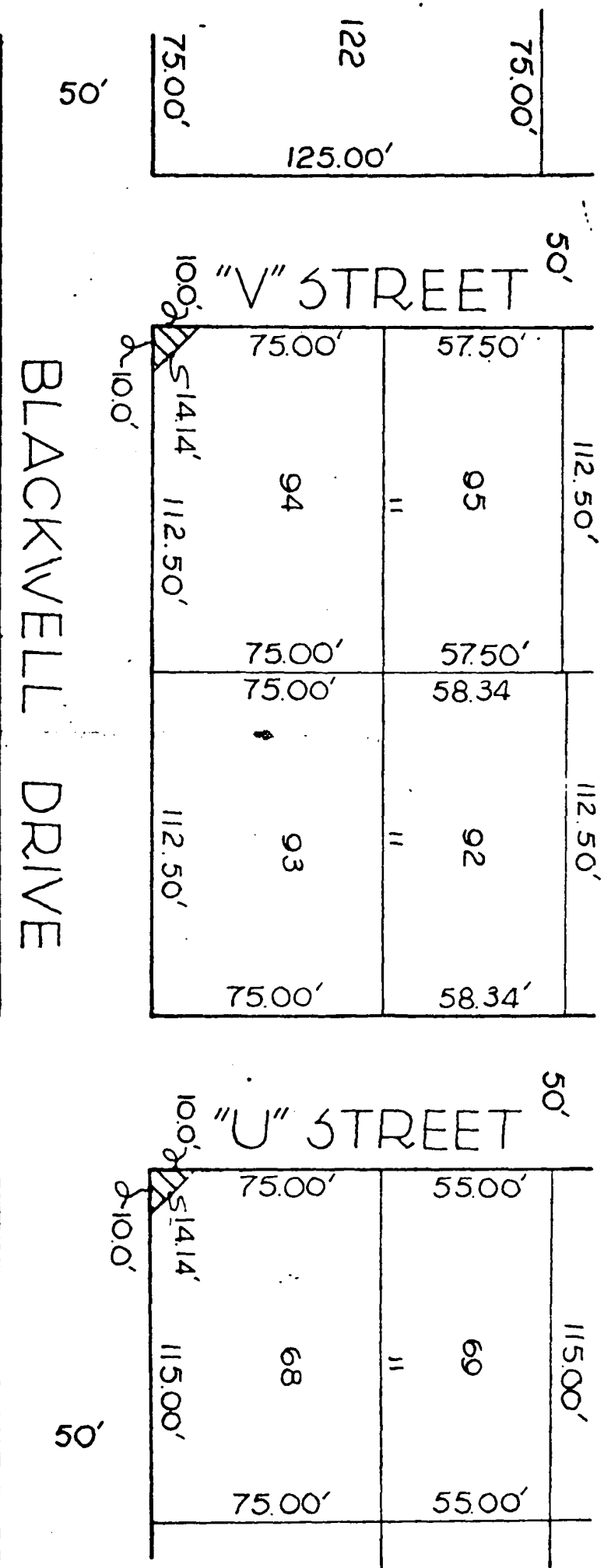
On this 9th day of Sept, 1976, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Ed Beck, to me personally known to be the President of Pheasant Run, Inc., a Nebraska corporation, whose name is affixed to the foregoing instrument in that capacity and who acknowledged the same to be 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.



Arthur C. Nichols
Notary Public

PHEASANT RUN REPLAT 1



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NE 68102

EASEMENT
ACQUISITION
FOR W.C.-C. 5278

LAND OWNER
PHEASANT RUN, INC

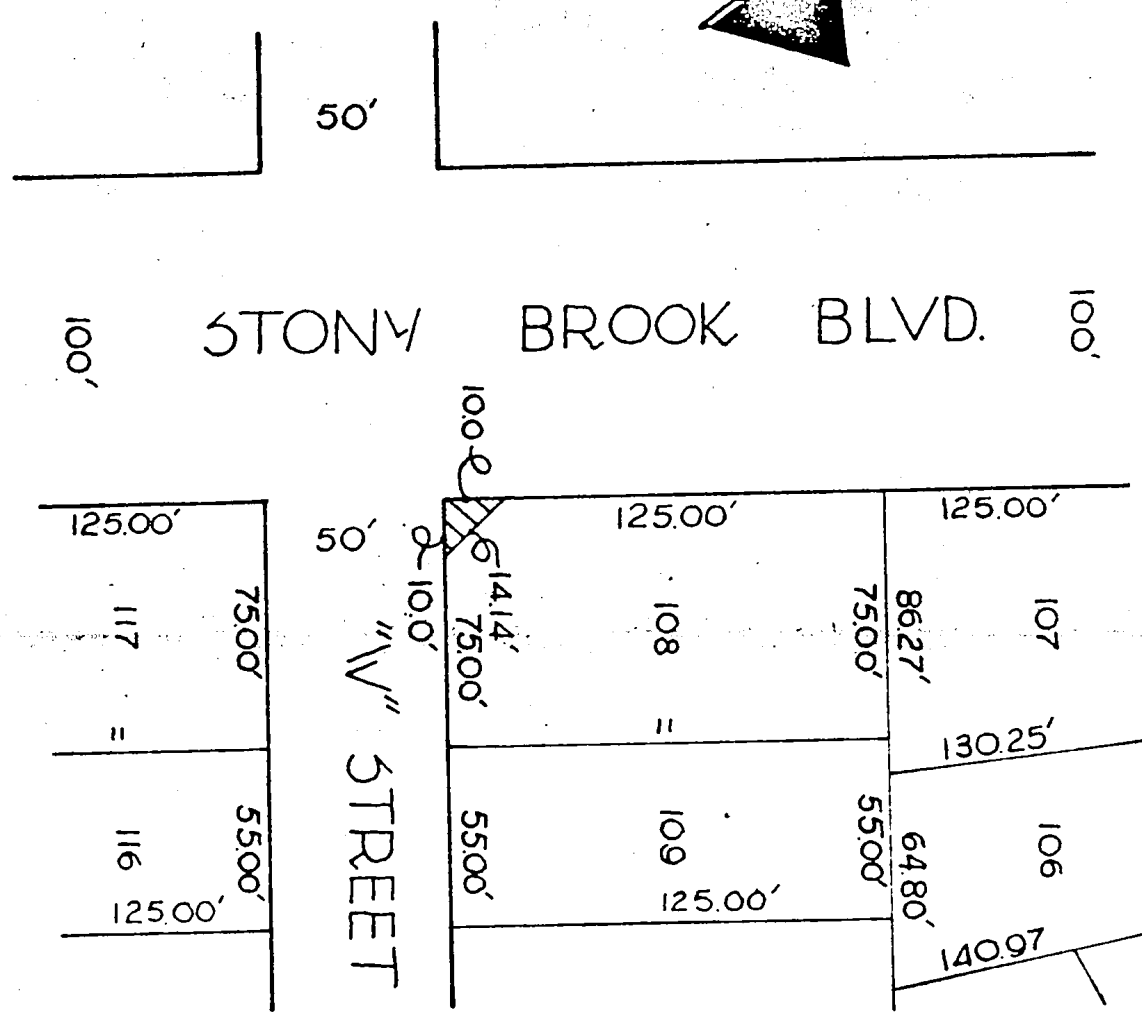
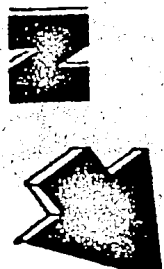
TOTAL ACRE 0.003

LEGEND
PERMANENT EASEMENT

PAGE 1 OF 2

DRAWN BY D.R.H. DATE 8-20-76
 CHECKED BY AF DATE 8-23-76
 APPROVED BY IPS DATE 8-23-76
 REVISED BY _____ DATE _____
 REV. CHK'D BY _____ DATE _____
 REV. APPROV. BY _____ DATE _____

PHEASANT RUN REPLAT 1



METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION for W.C.-C. 5278

LAND OWNER PHEASANT RUN, INC.

TOTAL ACRES 0.0003

LEGEND PERMANENT EASEMENT

PAGE 2 OF 2

DRAWN BY D.R.H. DATE 8-20-76
CHECKED BY A.F. DATE 8-23-76
APPROVED BY T.P.S. DATE 8-23-76
REVISED BY _____ DATE _____
REV. CHK'D BY _____ DATE _____
REV. APPROV. BY _____ DATE _____

787-28

38

RECEIVED 1973 DEC - 1 PM 3:03
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

14 March