## BOOK 589 PAGE 196 EASEMENT AND RIGHT OF WAY

NOV1 '77

THIS INDENTURE, made this day of New SERVICE, 1977, between Edward E. Wilczewski and Kathleen L. Wilczewski, 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 gas and water 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 272, 273, 274, 275, 276, 277, 278, 279, 281 and 282, Rambleridge Addition, as now platted and recorded, a subdivision in Douglas County, Nebraska, said tracts being more particularly described as follows:

A strip of land Five (5) feet wide, running along and parallel to the Northerly property line of Lot Two Hundred Seventy-two (272), said strip being the Northerly Five (5) feet of Lot 272;

A strip of land being the West Thirty-five (35) feet of the North Five (5) feet of Lot Two Hundred Seventy-three (273);

A strip of land Five (5) feet wide, running along and parallel to the Westerly property line of Lot Two Hundred Seventy-four (274), said strip being the Westerly Five (5) feet of Lot 274;

A strip of land Five (5) feet wide, running along and parallel to the Westerly property line of Lot Two Hundred Seventy-five (275), said strip being the Westerly Five (5) feet of Lot 275;

A strip of land Five (5) feet wide, running along and parallel to the Westerly property line of Lot Two Hundred Seventy-six (276), said strip being the Westerly Five (5) feet of Lot 276;

A strip of land Five (5) feet wide, running along and parallel to the Westerly property line of Lot Two Hundred Seventy-seven (277), said strip being the Westerly Five (5) feet of Lot 277;

A strip of land Five (5) feet wide, running along and parallel to the Southerly property line of Lot Two Hundred Seventy-eight (278), said strip being the Southerly Five (5) feet of Lot 278;

A strip of land Five (5) feet wide, running along and parallel to the Southerly property line of Lot Two Hundred Seventy-nine (279), said strip being the Southerly Five (5) feet of Lot 279;

A strip of land Five (5) feet wide, running along and parallel to the Southerly property line of Lot Two Hundred Eighty-one (281), said strip being the Southerly Five (5) feet of Lot 281;

A strip of land Five (5) feet wide, running along and parallel to the Easterly property line of Lot Two Hundred Eighty-two (282), said strip being the Easterly Five (5) feet of Lot 282;

All these tracts contain a total of Seven Hundredths (0.07) 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.

## BOOK 589 PAGE 197

- 1. The 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.

Edward E. Wilczewski

Kathleen L. Wilczewski

Grantors

STATE OF NEBRASKA)

ទន

COUNTY OF DOUGLAS)

On this 28 day of \_\_\_\_\_\_\_, 1977, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Edward E. Wilczewski and Kathleen L. Wilczewski, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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

GENERAL NOTARY - State of Nodr.
JEANNE R. YOUNG
My Comm. Exp. Feb. 5, 1980

-2-

.

-