

RECEIVED

Dec 9 10 38 AM '96

GEORGE J. ...
REGISTERED ...
DOUGLAS ...



EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 27th day of September, 1996, between MONTEREY, 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 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 water and all appurtenances thereto, including but not limited to various hydrants, c.c. box covers and 24" R.I. covers, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT

A tract in The Ranches, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

Tract 1:

All of Outlot "A". Said tract contains 0.790 of an acre, more or less.

Tract 2:

The East 7.50 feet of each of Lots Six (6) and Seven (7), the North 22.35 feet of the East 7.50 feet of Lot Eight (8), and the North 7.50 feet of Lots Ten (10) through Seventeen (17), inclusive. Said tract contains 0.092 of an acre, more or less.

Tract 3:

The East 7.50 feet of Lot Eighteen (18), the South 7.50 feet of Lots Eighteen (18) through Twenty-two (22), inclusive, the South 23.50 feet of the West 7.50 feet of Lot Twenty-one (21), and the West 7.50 feet of Lot Twenty-two (22). Said tract contains 0.114 of an acre, more or less.

Tract 4:

The Westerly 7.50 feet of Lots Six (6) through Nine (9), inclusive, all as the same abut Outlot "B". Said tract contains 0.061 of an acre, more or less.

Tract 5:

The Easterly 7.50 feet of Lots One (1) through Five (5), inclusive, all as the same abut Outlot "B". Said tract contains 0.064 of an acre, more or less.

Return to:
R. OWENS, MUD
1723 HARVEY ST.
OMAHA 68102

14099

FEE	27 ⁰²	R	COMP	FB 32067
DEL.		C/O	COMB	
LEGAL PG		SCAN	MUFV	

Tract 6:

All of Outlot "B". Said tract contains 0.382 of an acre, more or less.

All of the above tracts are 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 unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. 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.

2. The 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 the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. 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.

5. The person executing this instrument represents he has the requisite authority to execute same and make this conveyance on behalf of said Corporation.

IN WITNESS WHEREOF, the Grantor has caused this Easement and Right-of-Way to be signed and executed on the day and year first above written.

MONTEREY, INC.,
a Nebraska Corporation, Grantor

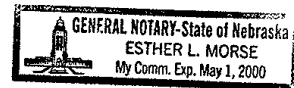
By *Robert Pettegrew*
Robert Pettegrew, President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss 522-31-5571
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 27 September, 1996, by Robert Pettegrew, President of Monterey, Inc., a Nebraska Corporation.

Esther L. Morse
Notary Public



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR W.C.C. 8340

LAND OWNER
BOB PETTEGREW
MONTEREY, INC.
220 NORTH 129TH STREET
OMAHA NE 68154

TOTAL ACRE PERMANENT 1.503 ±
TOTAL ACRE TEMPORARY _____

LEGEND
PERMANENT EASEMENT [Hatched Box]
TEMPORARY EASEMENT [Dotted Box]

PAGE 1 OF 1

DRAWN BY KGS & DLW
DATE 09-12-96
CHECKED BY _____
DATE _____
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____

