

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 13 day of DEC., 1974, between Galaxy Construction Co., 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:

A strip of land lying in Lots Forty (40), Fifty-three (53), Fifty-four (54), Fifty-five (55), Fifty-six (56), Fifty-seven (57), Fifty-eight (58), Fifty-nine (59), and Sixty (60), of The Meadows Replat III, a subdivision as now platted and recorded in Sarpy County, Nebraska, said strip being more particularly described as follows:

A strip of land Twenty (20) feet wide lying along and Ten (10) feet on either side of the following described centerline: Commencing at the intersection of the Northwesterly right-of-way line of Greenfield Road and the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-four (24), Township Fourteen (14) North, Range Eleven (11) East of the 6th P.M., Sarpy County, Nebraska, said East line having an assumed bearing of South 01°01'43" East; thence Southwesterly along the said Northwesterly right-of-way line a distance of One Hundred Seventy-five (175) feet to the point of beginning of said centerline; thence North 46°01'43" West a distance of Sixty-five (65) feet, more or less; thence North 01°01'43" West a distance of Four Hundred and Fourteen (414) feet, more or less, to the Southeasterly right-of-way line of Jennifer Road; this strip containing a total of Twenty-two One-hundredths (0.22) 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 strip 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 water main or gas main constructed and maintained hereunder.

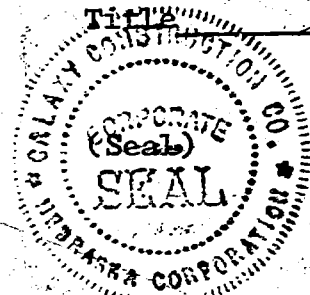
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

GALAXY CONSTRUCTION CO., Grantor

ATTEST:

By David J. Rab  
Title Secretary Treasurer

Valerie Oakley  
Secretary



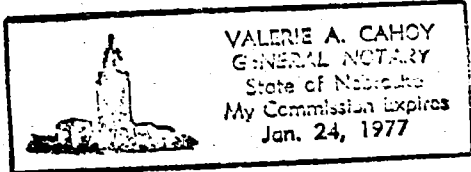
FILED FOR RECORD 1-24-75 AT 9:00 A.M. IN BOOK 48 OF Miss Recd  
PAGE 33 Carl L. Hillel REGISTER OF DEEDS, SARPY COUNTY, NEB. 11/25

Rec # 042320

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

On this 13<sup>th</sup> day of December, 1974, before me, the under-  
signed, a Notary Public duly commissioned and qualified for said county,  
personally came Louis P. Bick, to me personally known to  
be the Vice President in Charge of Galaxy Construction Co., 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.

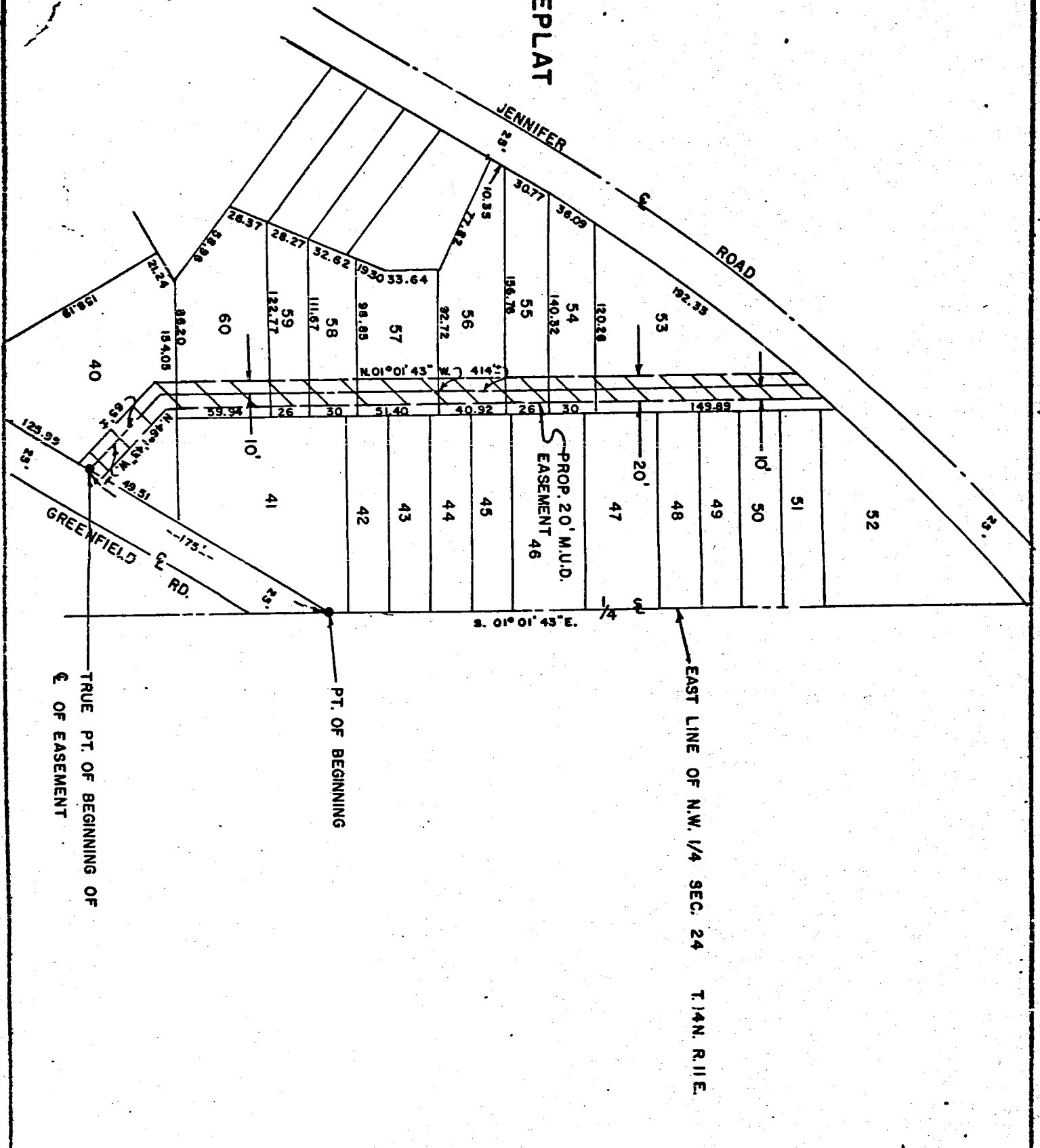


Valerie A. Cahoy  
Notary Public

48-33B

# THE MEADOWS REPLAT III

(NO SCALE)



TRUE PT. OF BEGINNING OF OF EASEMENT

PT. OF BEGINNING

EAST LINE OF N.W. 1/4 SEC. 24 T.14N. R.111E.

DRAWN BY R.J.D. DATE 12/6/74  
 CHECKED BY LL DATE 12-6-74  
 APPROVED BY TPS DATE 12-6-74  
 REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. CHK'D. BY \_\_\_\_\_ DATE \_\_\_\_\_  
 REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

PAGE 1 OF 1

LEGEND

TOTAL ACRE 0.22

MEADOWS DEVELOPMENT CO. & GALAXY CONSTRUCTION CO.

FOR WCC 4994

OMAHA, NEBRASKA

RECORD