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RICHARD N. TAKECHI REGISTER OF DEEDS DOUGLAS COUNTY, NE





## **EASEMENT AND RIGHT-OF-WAY**

THIS INDENTURE, made this 24th day of July, 1997, between LANE BUILDING CORPORATION, a Nebraska Corporation, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

## WITNESS:

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 fire hydrants, vault covers, and small valve boxes, together with the right of ingress and egression, over, under and through lands described as follows:

PERMANENT EASEMENT

Several tracts of land in Vintage Oaks, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, described as follows:

The northeasterly ten feet (10') of Lots 16, 21, and 22 abutting Polk Street right of way.

and

The northerly ten feet (10') of Lot 23 abutting Polk Street right of way.

and

A triangular parcel of land in the southwest corner of Lot 31 with fifteen foot (15') legs abutting the south and west property lines of Lot 31.

This permanent easement contains 0.099 of an acre, more or less, and is shown on the attached drawing.

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, except pavement and similar covering, and shall not permit anyone else to do so.

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3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons asserting any right, title or interest prior to or contrary to this conveyance.

5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.

> LANE BUILDING CORPORATION, a Nebraska Corporation, Grantor

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By: Jerry Standerford, President

## <u>ACKNOWLEDGMENT</u>

STATE OF NEBRASKA ) ss COUNTY OF DOUGLAS )

This instrument was acknowledged before me on July 24, 1997, by Jerry Standerford, President of Lane Building Corporation, a Nebraska Corporation, on behalf of the corporation.

GENERAL NOTARY-State of Nebreska KARIEN K. KULA My Corea. Erg. July 28, 1997 Karen K. Kiesan Notary Public

