

7/10.50

THIS INDENTURE, made this 16 day of JUNE, 1976, between Wedgewood Townhomes, Inc., a 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 strips of land lying in Lots Sixty-three (63), Sixty-eight (68), Sixty-nine (69), and Outlots Ten (10), Eleven (11), and Twelve (12) of Wedgewood Phase III, a subdivision, as now platted and recorded, in Douglas County, Nebraska, said strips being more particularly described as follows: 24

The South Ten (10) feet of Lot Sixty-three (63);

The Southeasterly Ten (10) feet of Lot Sixty-eight (68) lying along Outlot Twelve (12) (118th Plaza);

The Southeasterly Ten (10) feet of Lot Sixty-nine (69) lying along Outlot Twelve (12) (118th Plaza);

A strip of land lying in Outlot Ten (10), being Ten (10) feet wide, lying along and parallel to Outlot Twelve (12) (117th Plaza) and extending from Marcy Plaza to the South property line of Outlot Ten (10);

A strip of land lying in Outlot Eleven (11), being all that portion of Outlot Eleven (11) lying within Ten (10) feet of, parallel to and lying along 118th Plaza (Outlot Twelve (12));

A strip of land lying in Outlot Eleven (11), being all that portion of Outlot Eleven (11) lying within Ten (10) feet of, parallel to and lying along Marcy Plaza (Outlot Twelve (12));

All of Outlot Twelve (12) (117th Plaza, 118th Plaza, and Marcy Plaza);

These strips containing a total of Ninety-three Hundredths (0.93) 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 strips 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 D.P.

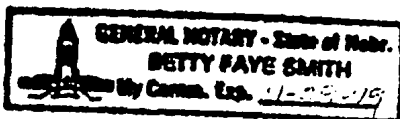
WEDGEWOOD TOWNHOMES, INC., Grantor

By 
Title PRES.

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

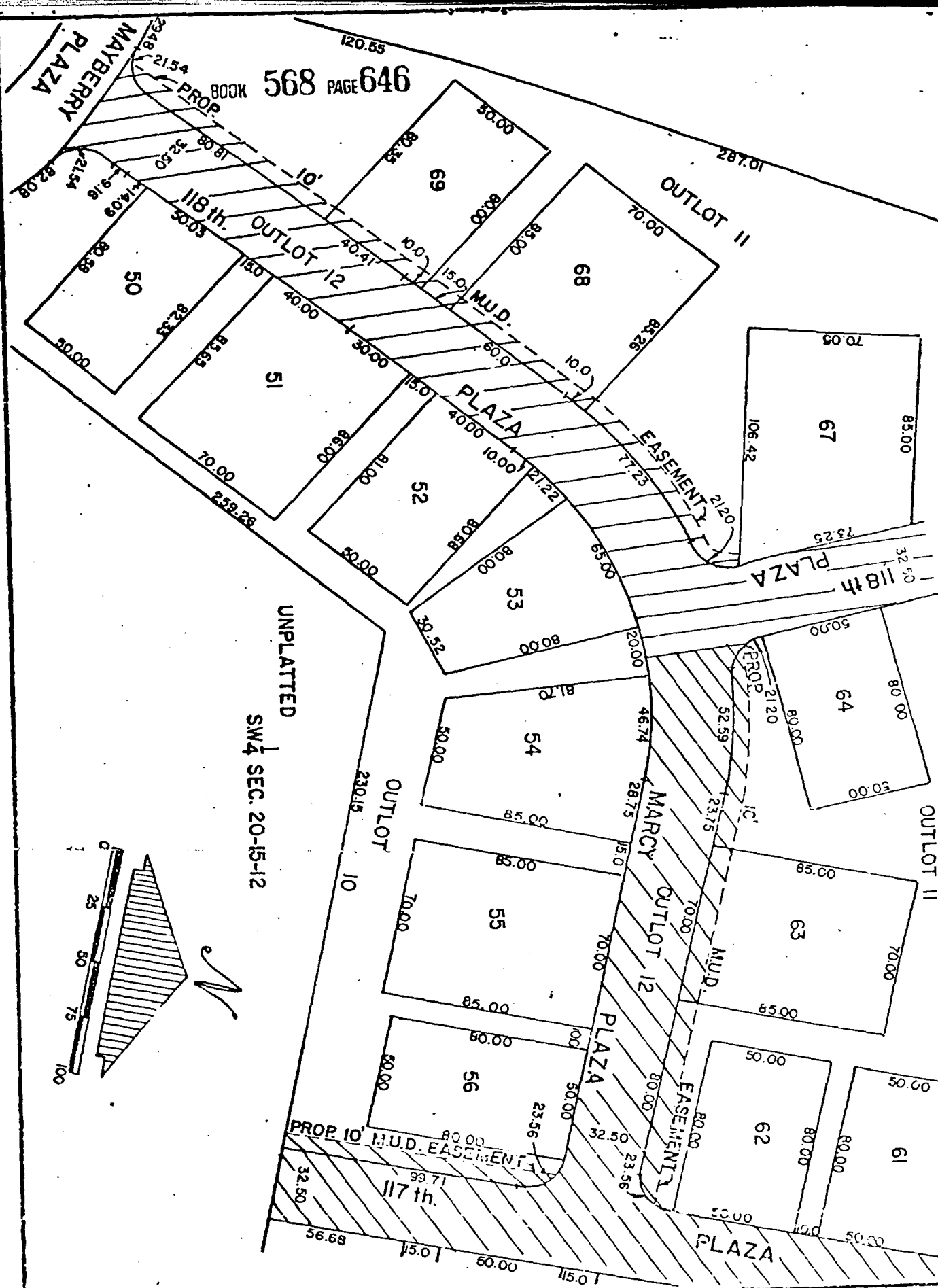
On this 21 day of June, 1976, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Thomas Tellman, to me personally known to be the President of Wedgewood Townhomes, Inc., a corporation, whose name is affixed to the foregoing instrument in that 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.

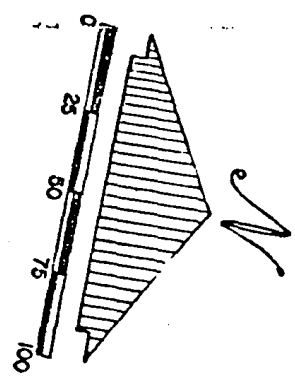


Betty Ann Smith
Notary Public

WEDGEWOOD PHASE III



UNPLATTED
SW 1/4 SEC. 20-15-12



DRAWN BY <u>L.J.S.</u> DATE <u>4-15-76</u>		METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA EASEMENT ACQUISITION FOR WCC 5173 LAND OWNER WEDGEWOOD TOWN HOMES, INC. TOTAL ACRE <u>0.95</u> LEGEND PERMANENT EASEMENT
CHECKED BY <u>A</u> DATE <u>4-16-76</u>		
APPROVED BY <u>---</u> DATE <u>4-16-76</u>		
REVISED BY <u>---</u> DATE <u>---</u>		
REV. CHA'D BY <u>---</u> DATE <u>---</u>		
REV. APPROV. BY <u>---</u> DATE <u>---</u>		PAGE 1 OF 1 THE STATE OF NEBRASKA } Douglas County Entered in Numerical Index and filed or Record in the office of the Register of Deeds of said County and recorded in book <u>285</u> page <u>179</u>

RECEIVED
1976 AUG 13 AM 10:54

C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

C. Harold Ostler
REGISTER OF DEEDS

Deputy _____
Fee 1.78
Compared 178
G.M.A.C. 92-78

Book 285
Page 179