

THIS INDENTURE, made this 12 day of Sept., 1974, between Dial Investment Company, 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 transmission 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:

PERMANENT EASEMENT

Two strips of land lying in Lots One (1) and Three Hundred Forty-six (346) of Winchester Heights, a subdivision as now platted and recorded in Douglas County, Nebraska, said strips being more particularly described as follows:

The South Twenty (20) feet of Lot One (1);

The South Twenty-five (25) feet of the East Seventy-five (75) feet of Lot Three Hundred Forty-six (346);

These strips containing a total of Nine One-hundredths (0.09) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

TEMPORARY EASEMENT

Several strips of land lying in Lots Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Three Hundred Forty-six (346), of Winchester Heights, a subdivision as now platted and recorded in Douglas County, Nebraska, said strips being more particularly described as follows:

The South Fifteen (15) feet of Lot Two (2);

The South Fifteen (15) feet of Lot Three (3);

The South Fifteen (15) feet of Lot Four (4);

The South Fifteen (15) feet of Lot Five (5);

The South Fifteen (15) feet of Lot Six (6);

The South Fifteen (15) feet of Lot Seven (7);

The South Fifteen (15) feet of Lot Eight (8);

The West Thirty (30) feet of the South Fifteen (15) feet of Lot Nine (9);

The West One Hundred Fifteen (115) feet of the South Fifteen (15) feet of Lot Three Hundred Forty-six (346);

These strips containing a total of Twenty-three One-hundredths (0.23) 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.

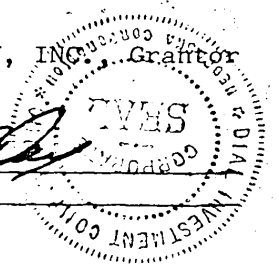
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

DIAL INVESTMENT COMPANY, INC. Grantor

ATTEST:

Thomas S. Singh  
Title Asst Secretary

By [Signature]  
Title President



(Seal)

STATE OF NEBRASKA)  
) ss  
COUNTY OF DOUGLAS)

On this 17th day of September 1974, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Donald F. Day, to me personally known to be the President of Dial Investment Company, 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.

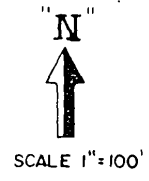
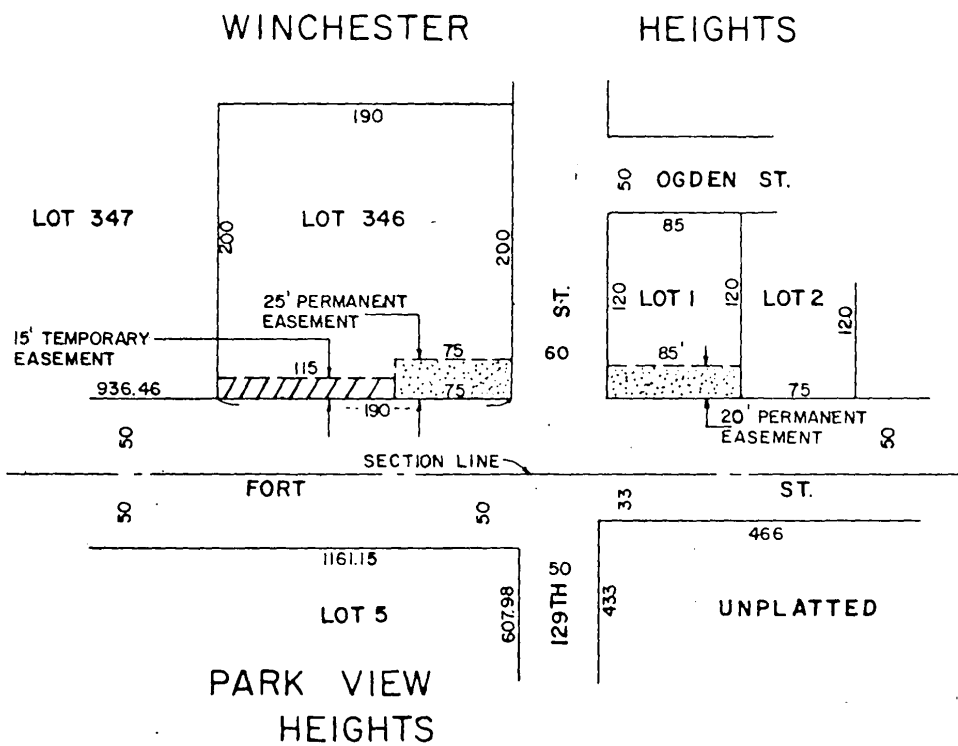
Witness my hand and Notarial Seal the day and year last above written.



Carole L. Sittler  
Notary Public



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METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR W.C.P. 4869

TRACT NO. \_\_\_\_\_  
LAND OWNER \_\_\_\_\_  
DIAL INVESTMENT CO. \_\_\_\_\_

ACRE: PERMANENT 0.09  
TEMPORARY 0.23

LEGEND  
TEMPORARY EASEMENT   
PERMANENT EASEMENT 

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DRAWN BY A.E. DATE 6-27-74  
CHECKED BY J.P.S. DATE 9-4-74  
APPROVED BY J.P.S. DATE 9-4-74  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
26 DAY OF Sept 1974 AT 9:07 A.M. 1450  
C. HAROLD OSTLER, REGISTER OF DEEDS