

36-16-11
81-376/978

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EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 24th day of September, 1974, between John Klinker and Marvely J. Klinker, husband and wife, hereinafter referred to as Grantors, and Metropolitan Utilities District of Omaha, a municipal corporation, hereinafter referred to as Grantee, WITNESSETH:

That the Grantors, in consideration of the sum of Four Hundred and No/100 Dollars (\$400.00), receipt of which is hereby acknowledged, do 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, a pipeline for the transmission of water, 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

A strip of land lying in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-six (36), Township Sixteen (16) North, Range Eleven (11) East of the 6th P.M., Douglas County, Nebraska, said strip being more particularly described as follows:

The West Fifty-five (55) feet of the East Eighty-eight (88) feet of the North Thirty-five (35) feet of the South Sixty-eight (68) feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Thirty-six (36), Township Sixteen (16) North, Range Eleven (11) East of the 6th P.M.; this strip containing a total of Four One-hundredths (0.04) acre, more or less, all as shown on the plat attached hereto and made a part hereof.

TEMPORARY EASEMENT DURING THE PERIOD OF INSTALLATION OF THE MAIN

Two strips of land lying in Lots Three Hundred Forty-seven (347) and Three Hundred Forty-nine (349) 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 Three Hundred Forty-seven (347);
The South Fifteen (15) feet of Lot Three Hundred Forty-nine (349);
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.

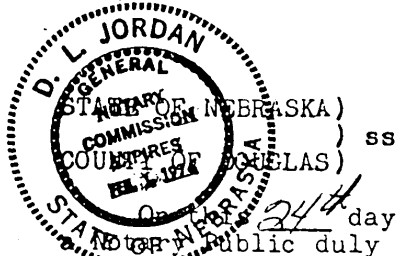
1. Grantors, their heirs or assigns agree that they will at no time erect, construct or place on or below the surface of said permanent easement any building or structure, except pavement, and that they will not give anyone else permission to do so.

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, including restoring of any grass, shrubbery, or fences damaged or removed by construction activities in as good a condition as before removal. If any fences are removed along fields in which livestock is confined, Grantee shall construct and maintain a temporary fence which is adequate to confine said livestock until the permanent fencing is replaced. Grantee shall sod and provide water to any established lawn areas to restore said lawn to the condition which existed before commencement of construction activities.

3. Nothing herein contained shall be construed as a waiver of any rights of Grantors, or duties and powers of Grantee, respecting the ownership, use, operations, extensions and connections to any water main constructed and maintained hereunder.

IN WITNESS WHEREOF, the Grantors have executed this easement the day and year first above written.

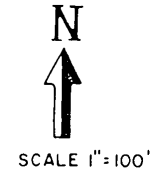
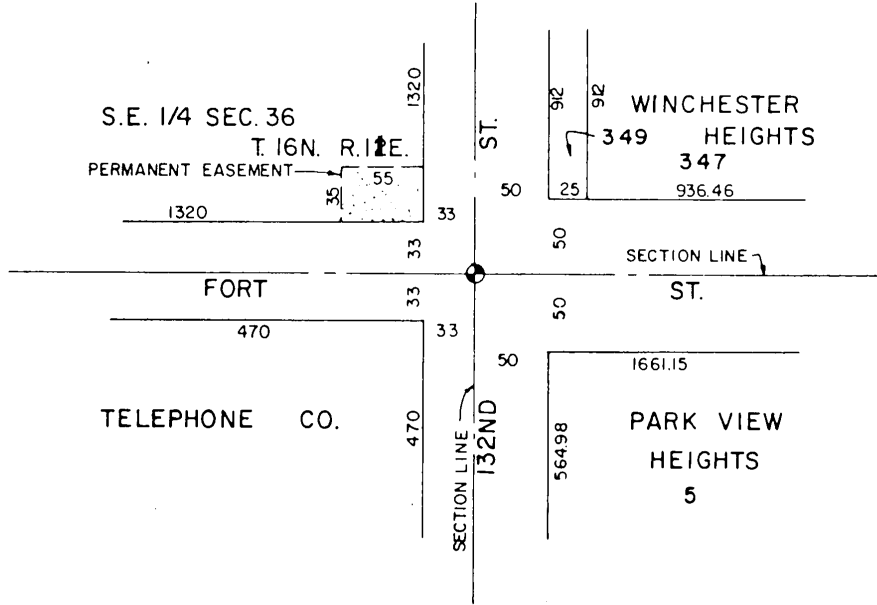
John Klinker
John Klinker
Marvely J. Klinker
Marvely J. Klinker
Grantors



On the 24th day of September, 1974, before me, the undersigned, Notary Public duly commissioned and qualified for said county, personally came John Klinker and Marvely J. Klinker, to me personally known to be husband and wife and the identical persons whose names are affixed to the foregoing instrument as Grantors, and acknowledged the same to be their voluntary act and deed.

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

D. L. Jordan
Notary Public



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR W.C.P. 4869

TRACT NO. 3

LAND OWNER: _____
JOHN KLINKER

TOTAL ACRE _____
PERMANENT 0.04

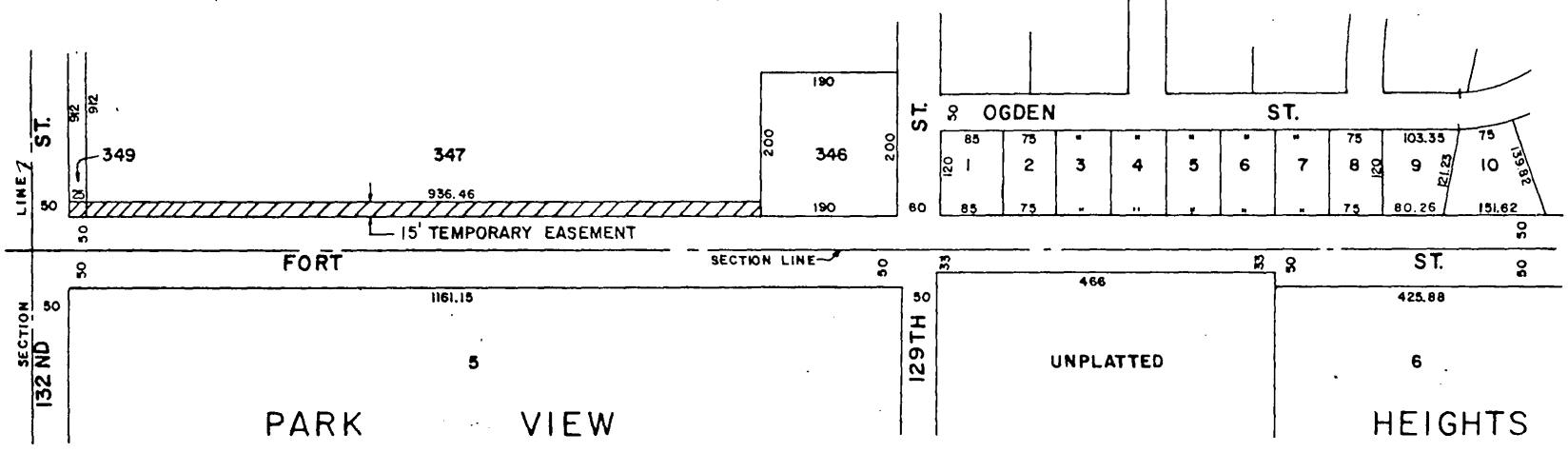
TOTAL ACRE _____
TEMPORARY _____

LEGEND
PERMANENT EASEMENT

DRAWN BY	AE	DATE	7-27-74
PREPARED BY	IPS	DATE	9-4-74
APPROVED BY	IPS	DATE	9-4-74
REVISED BY		DATE	
REVISED BY		DATE	
REVISED BY		DATE	

WINCHESTER

HEIGHTS



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION
FOR W.C.P. 4869

TRACT NO. _____
LAND OWNER _____
JOHN & MARVELY KLINKER
ANNA C. KLINKER

ACRE: PERMANENT _____
TEMPORARY 0.33

LEGEND
TEMPORARY EASEMENT

DRAWN BY	A.F.	DATE	6-27-74
CHECKED BY	T.P.S.	DATE	9-4-74
APPROVED BY	T.P.S.	DATE	9-4-74
REVISED BY		DATE	
REV. CHK'D BY		DATE	
REV. APPROV. BY		DATE	

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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
26 DAY OF Sept 1974 AT 9:09 A.M. C. HAROLD OSTLER, REGISTER OF DEEDS 1276