

83  
368  
etc

BOOK 567 PAGE 443

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 17th day of June, 1976 between Byron Reed Company, Inc., 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 gas and 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:

Several strips of land lying in lots 400 through 513 inclusive and lot 517 of Woodhaven Replat 3, a subdivision as now platted and recorded in Douglas County, Nebraska. Said strips being more particularly described as follows:

All that portion of lots 400 through 421 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Arbor Circle.

All that portion of lots 422 through 441 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Martha Circle.

All that portion of lots 442 through 460 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Marinda Circle.

All that portion of lots 461 through 479 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Dorcas Circle.

All that portion of lots 480 through 498 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Frances Circle.

All that portion of lots 499 through 513 inclusive and lot 517 lying within five (5) feet of, along and parallel to the right of way line of Cedar Circle.

These strips contain a total of 0.72 acres, more or less.

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 connection 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.

BYRON REED COMPANY, INC.  
a Nebraska Corporation, Grantor

ATTEST:

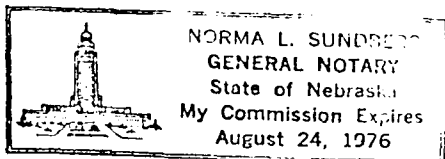
Richard E. Peltier  
Title Asst. Secretary (SEAL)

By Charles E. Peterson  
Title President

STATE OF NEBRASKA) ss  
COUNTY OF DOUGLAS)

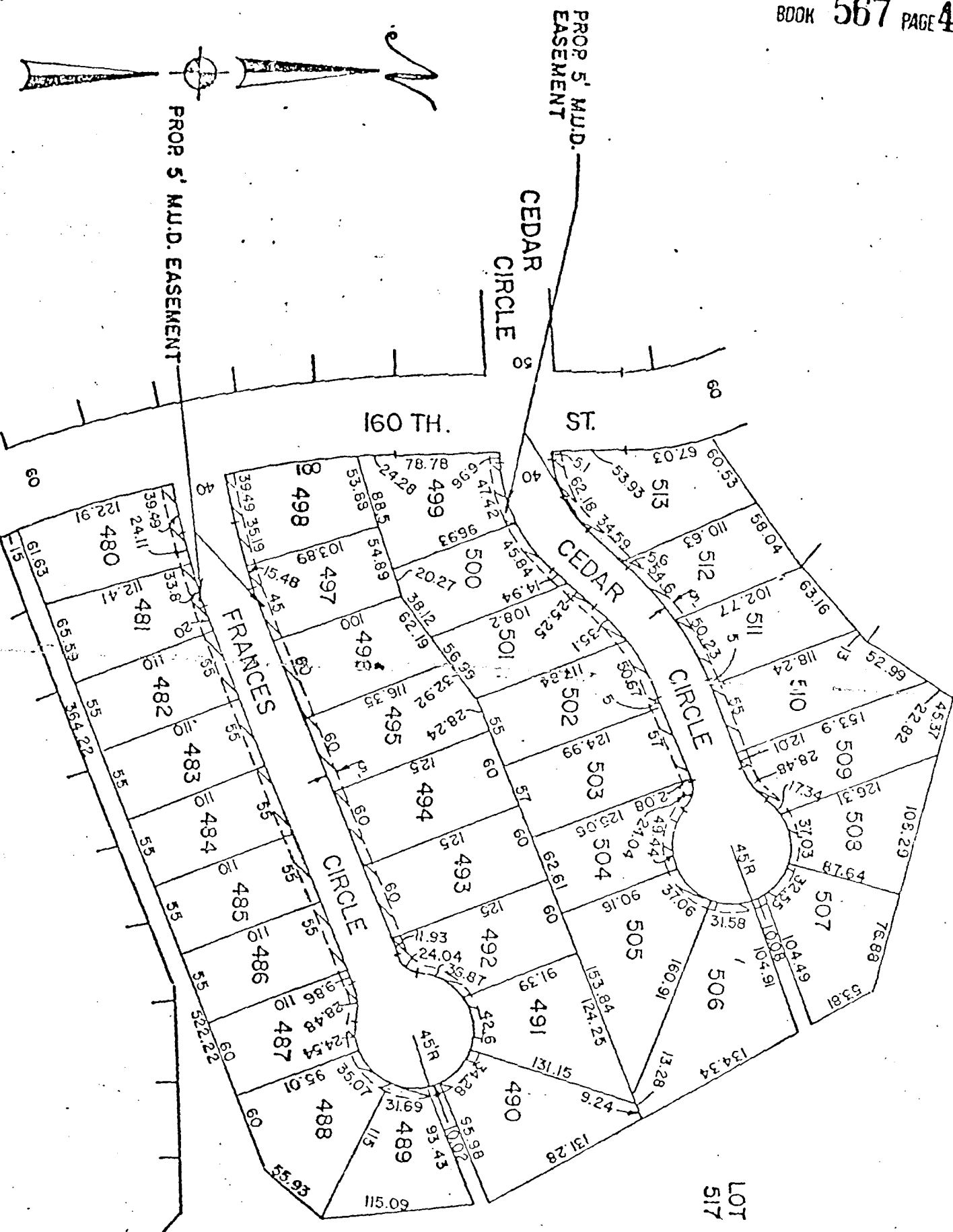
On this 17th day of June, 1976, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Charles E. Peterson, Jr., to me personally known to be President of Byron Reed Company, Inc. a Nebraska Corporation, whose name is affixed to the foregoing instrument 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.



James E. Lindberg  
Notary Public

WOODHAVEN REPLAT 3



METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR WCC 5175  
GCC 7645

LAND OWNER  
BYRON REED COMPANY,  
INC.

TOTAL ACRE 0.72

LEGEND  
PERMANENT EASEMENT

PAGE 1 OF 3

DRAWN BY L.J.S. DATE 3-31-76  
CHECKED BY A DATE 4-2-76  
APPROVED BY TPB DATE 4-5-76  
REVISED BY DATE  
REV. CHK'D BY DATE  
REV. APPROV. BY DATE

# WOODHAVEN REPLAT 3

METROPOLITAN  
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EASEMENT  
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FOR WCC 5175

GCC 7645

LAND OWNER  
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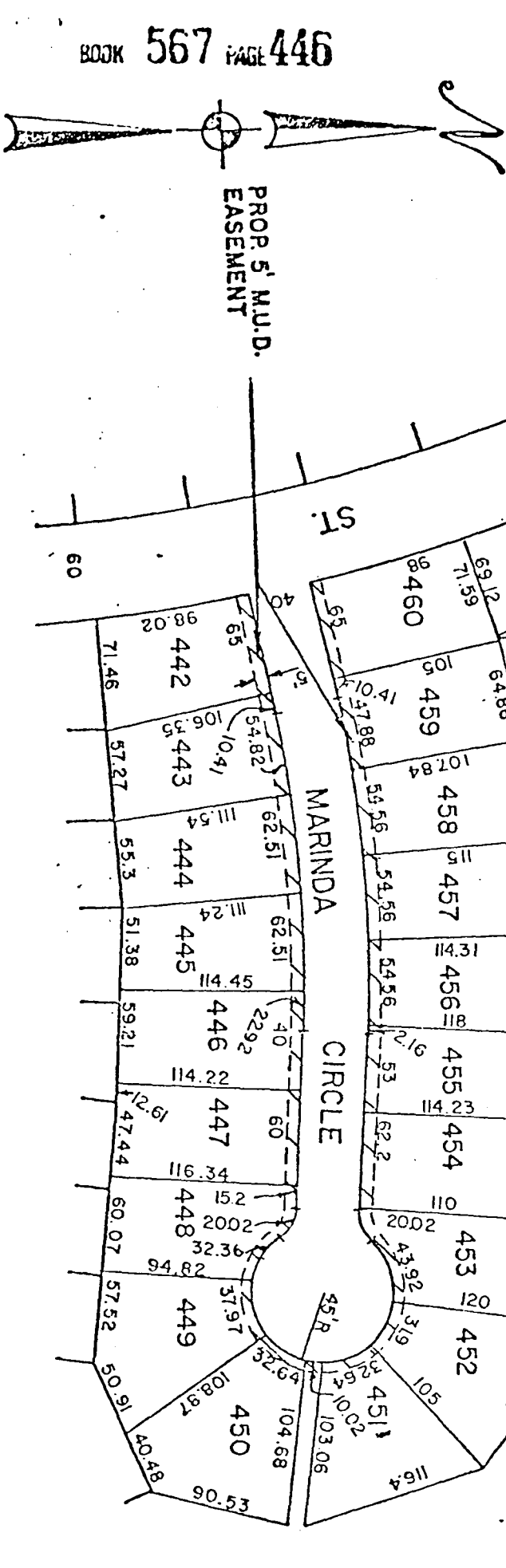
TOTAL ACRE 0.72

LEGEND

PERMANENT EASEMENT 

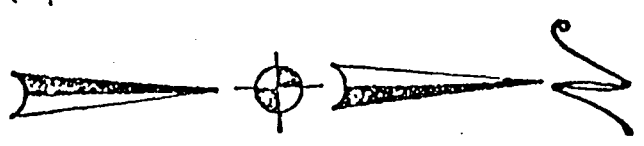
PAGE 2 OF 3

DRAWN BY L.J.S. DATE 3-31-76  
CHECKED BY FR DATE 4-2-76  
APPROVED BY TPS DATE 4-5-76  
REVISED BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. CHK'D BY \_\_\_\_\_ DATE \_\_\_\_\_  
REV. APPROV. BY \_\_\_\_\_ DATE \_\_\_\_\_

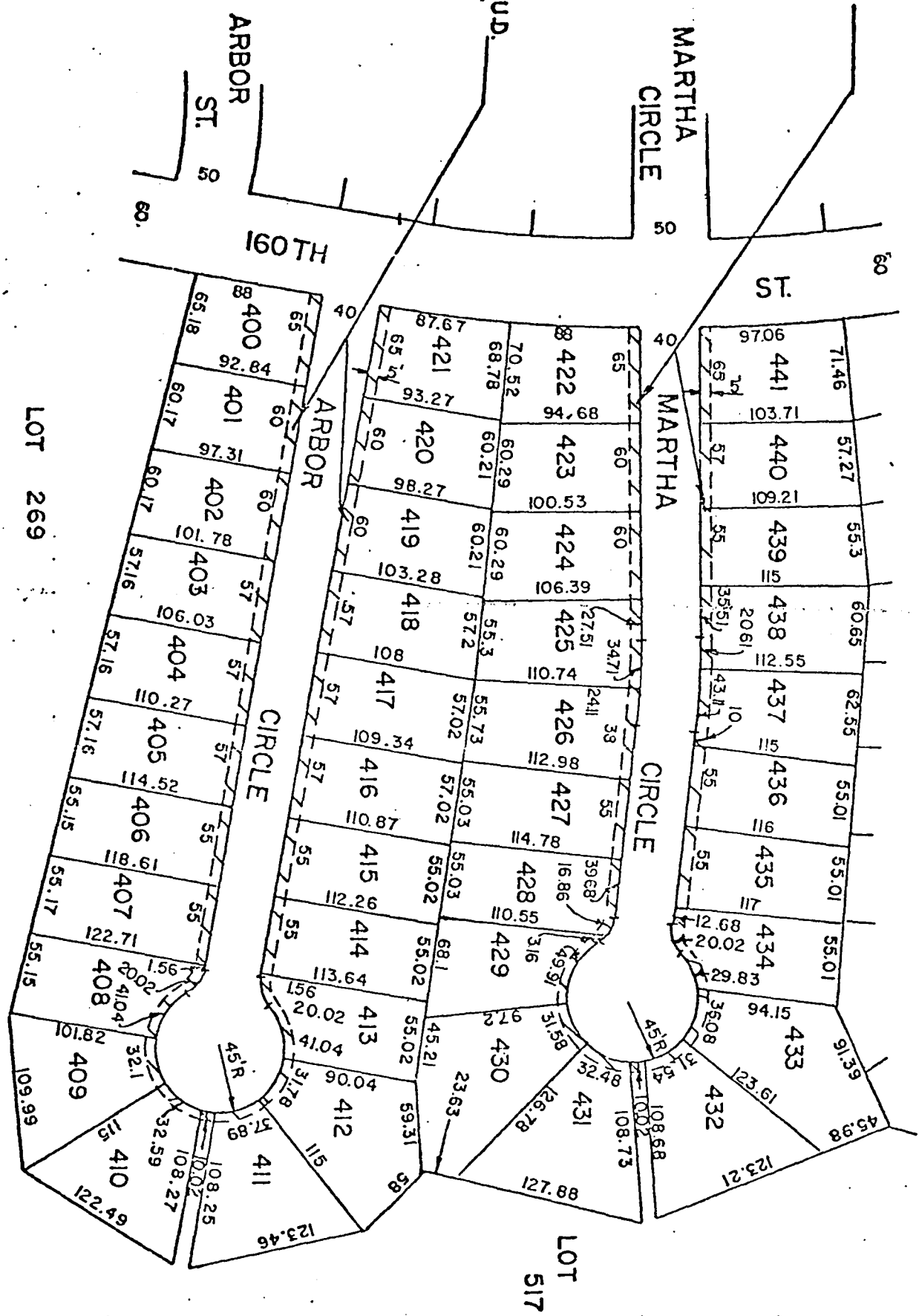


PROP. S' MUD.  
EASEMENT

WOODHAVEN REPLAT 3



PROP. S' MUD.  
EASEMENT



15 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OFFICE IN DOUGLAS COUNTY, NEBRASKA  
22 DAY OF July 76 AT 1012 AM C. HAROLD OSTLER, REGISTER OF DEEDS 4375

|                                |  |                                        |                                                     |                                                          |
|--------------------------------|--|----------------------------------------|-----------------------------------------------------|----------------------------------------------------------|
| DRAWN BY L.J.S. DATE 3-31-76   |  | LAND OWNER BYRON<br>REED COMPANY, INC. | EASEMENT<br>ACQUISITION<br>FOR WCC 5175<br>GCC 7645 | METROPOLITAN<br>UTILITIES<br>DISTRICT<br>OMAHA, NEBRASKA |
| CHECKED BY A DATE 4-2-76       |  |                                        |                                                     |                                                          |
| APPROVED BY T.P.S. DATE 4-5-76 |  |                                        |                                                     |                                                          |
| REVISED BY DATE                |  |                                        |                                                     |                                                          |
| REV. CHK'D BY DATE             |  |                                        |                                                     |                                                          |
| REV. APPROV. BY DATE           |  | TOTAL ACRES 0.72                       |                                                     |                                                          |
| PAGE 3 OF 3                    |  | LEGEND                                 |                                                     |                                                          |
|                                |  | PERMANENT EASEMENT                     |                                                     |                                                          |