

COUNTER ah C.E. ah
VERIFY ah D.E. ah
PROOF LM
FEES \$ 15.50
CHECK# 751487
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR 1.00

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2011-12692

05/19/2011 11:37:57 AM

Floyd J. Dowling

REGISTER OF DEEDS



**PERMANENT
AND
TEMPORARY CONSTRUCTION
EASEMENTS**

THIS AGREEMENT, made this 28 day of April, 2011 between DARLENE B. MILLER, an Individual ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision ("Grantee"),

WITNESS:

Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grant to Metropolitan Utilities District of Omaha, their successors and assigns, a permanent easement to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, including, but not limited to, round iron covers, roadway boxes and covers, cc boxes and covers, hydrants, and pipeline markers, and a temporary easement for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Tracts of land in the Southwest Quarter (SW- $\frac{1}{4}$) of the Northwest Quarter (NW- $\frac{1}{4}$) of Section 8, Township 13 North, Range 13 East as surveyed, platted and recorded in Sarpy County, Nebraska, and being described as follows:

The Westerly 17' of Tax Lot 4 and Tax Lot 12 and the Southerly 25' of the Westerly 17' of Tax Lot 3 as these tax lots abut the right-of-way of 48th Street on the west.

This permanent easement contains 0.45 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by reference.

TEMPORARY CONSTRUCTION EASEMENT

Tracts of land in the Southwest Quarter (SW- $\frac{1}{4}$) of the Northwest Quarter (NW- $\frac{1}{4}$) of Section 8, Township 13 North, Range 13 East as surveyed, platted and recorded in Sarpy County, Nebraska, and being described as follows:

The Easterly 10' of the Westerly 27' of Tax Lot 4 and Tax Lot 12 and the Southerly 25' of the Easterly 10' of the Westerly 27' of Tax Lot 3, and the Northerly 183.7' of the Westerly 10' of Tax Lot 3 as these tax lots abut the right-of-way of 48th Street on the west.

This temporary easement contains 0.31 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by reference.

RVP
Please file & return to:

A. Justin Cooper
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

TO HAVE AND TO HOLD said Permanent and Temporary Easement to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

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

2. The Grantee shall restore the soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed. The trees and outbuilding will not be altered and, if they are, Grantee shall replace, repair or provide compensation for damage.

3. The Grantor is the lawful possessor of this real estate; has good, right and lawful authority to make such conveyance; and Grantor and her 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.

IN WITNESS WHEREOF, Grantor executes this Permanent Easement and Temporary Construction Easement on the above date.

DARLENE B. MILLER, an Individual, Grantor

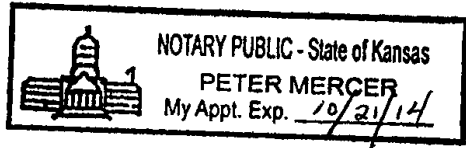
By: *Ken Lewis*
Ken Lewis, Personal Representative of
Darlene B. Miller's Estate

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

This instrument was acknowledged before me on APRIL 28TH, 2011, by Ken Lewis, Personal Representative of Darlene B. Miller's Estate.

Peter Mercer
Notary Public



**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA

**EASEMENT
ACQUISITION**

OR **WP1184**
100055000740

AND OWNER
DARLENE B. MILLER
13101 S. 48th ST.
PAPILLION, NE. 68133

TOTAL ACRE _____
PERMANENT 0.4474±
TOTAL ACRE _____
TEMPORARY 0.3053±

LEGEND

PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 1 OF 1

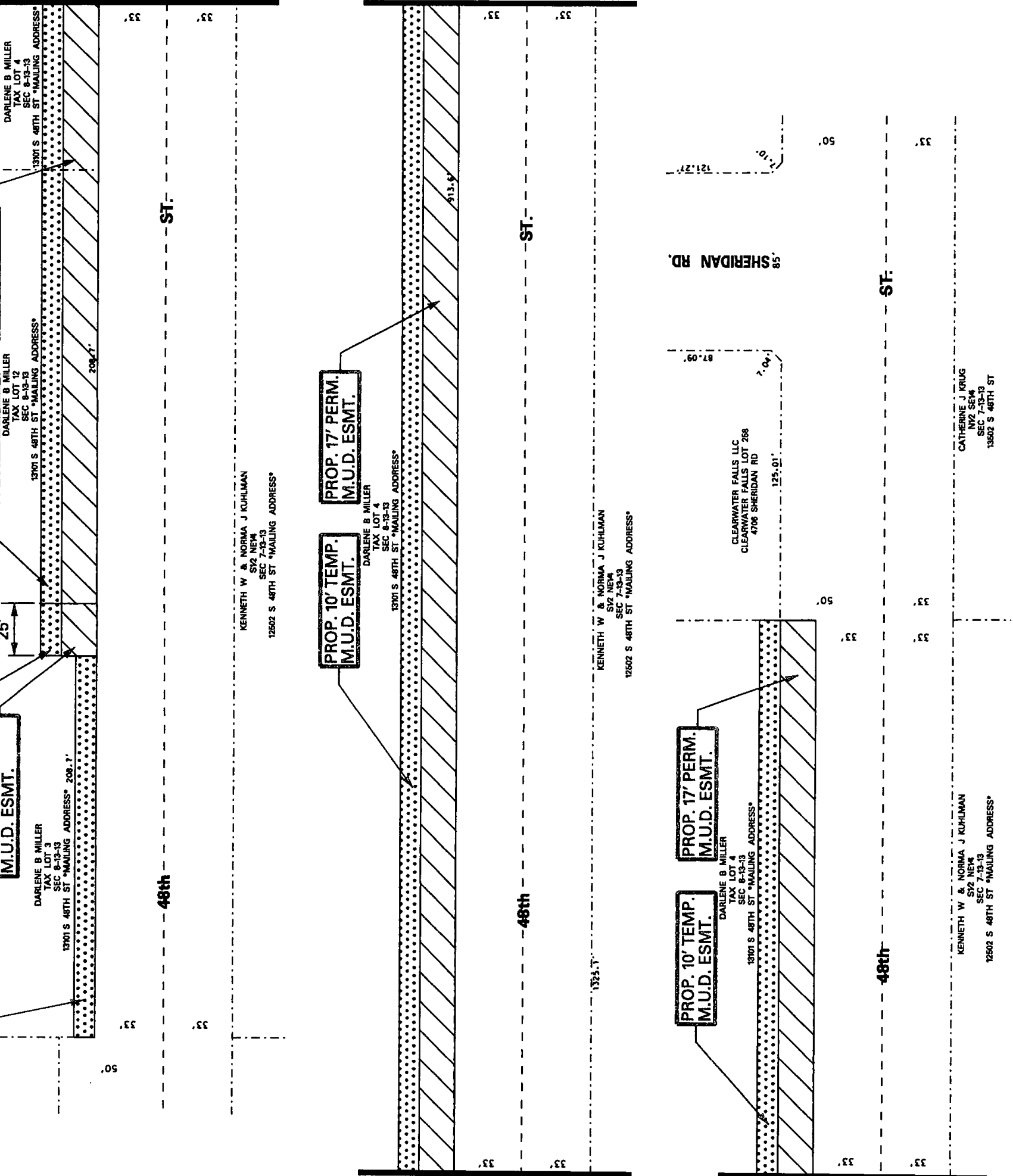
DRAWN BY JUG
DATE 1-11-11
CHECKED BY _____
DATE _____
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____

MATCH LINE "A-A"

MATCH LINE "B-B"

MATCH LINE "B-B"

MATCH LINE "A-A"



NO SCALE
GLENN MILLER ADDITION
48th ST. & CAPEHART RD. TO S.

2011-12692 B