



BK 1402 PG 489-491



MISC 2001 16206

*Checked Assess Plat 1636*

RECORDED  
2001 OCT 10 PM 3:15  
CLERK OF DISTRICT COURT  
DUGLAS COUNTY, NE

*if this parcel ever plats it would affect lots. 1/31/04 Rd*

*unplatted land SWSW still owned by Celebrity Homes*

*misc 3/1*

**EASEMENT AND RIGHT-OF-WAY**

FEE	15.00	FB	01-60000
BKP	5-14-11	C/O	COMP
DEL		SCAN	CR FV

THIS INDENTURE, made this 1st day of October, 2001, between CELEBRITY TOWNHOMES, INC. a Nebraska Corporation, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

**WITNESS:**

That Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, a permanent non-exclusive easement and right-of-way 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 five valve boxes, together with the right of ingress and egress on, over, under and through lands described as follows:

An unplatted tract of land, bounded on the north and east by Cattail Creek subdivision and bounded on the west by 192<sup>nd</sup> Street, in the Southwest Quarter of the Southwest Quarter of Section 5, T14N, R11E of the 6<sup>th</sup> P.M., Douglas County, Nebraska and being described as follows:

**PERMANENT EASEMENT**

A fifteen-foot (15') strip of land along the northerly and easterly property lines adjacent to and abutting the south Right-of-way line of Orchard Avenue and the west Right-of-way line of 190<sup>th</sup> Avenue in Cattail Creek.

This permanent easement contains 0.393 of an acre, more or less, and is shown on the drawing attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD said Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, except paving and similar covering, and shall not permit anyone else to do so.
2. The Grantee shall restore the surface of any 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.
3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
4. The Grantor is lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its 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.

5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Permanent Easement and Rights-of-Way to be signed on the above date.

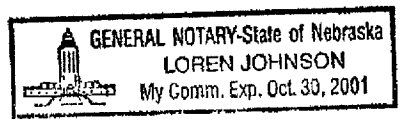
CELEBRITY TOWNHOMES, INC.  
a Nebraska Corporation, Grantor

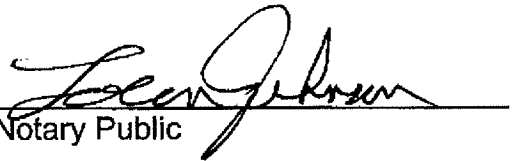
By:   
Chad E. Larsen-Vice President

ACKNOWLEDGMENT

STATE OF NEBRASKA    )  
  ) ss  
COUNTY OF DOUGLAS    )

This instrument was acknowledged before me on October 1st, 2001, by Chad E. Larsen-Vice President of Celebrity Townhomes, Inc., a Nebraska Corporation, on behalf of the corporation.



  
Notary Public

ROPOLITAN

TILITIES

ISTRICT

HA, NEBRASKA

SEMENT

QUISITION

C. 9276-2

ER  
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ox 1390485  
na, NE

RE  
T 0.393 ±

RE  
Y 0.000 ±

LEGEND



T EASEMENT



Y EASEMENT

1 OF 1

JAZ

9/14/01

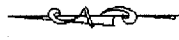
BY

BY

BY

BY

W. BY



NO SCALE  
CATTAIL CREEK  
192ND ST. & ORCHARD AVE.

# CATTAIL CREEK

