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PERMANENT EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 19 day of AUGUST, 2003, between 168TH AND DODGE, LP, a Nebraska Limited Partnership ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Political Subdivision, ("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, easement and right-of-ways to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and all appurtenances thereto, including but not limited to valve boxes, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT #1

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 7, VILLAGE POINTE, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 6, VILLAGE POINTE; THENCE ALONG A NORTH LINE OF SAID LOT 7, SAID LINE BEING THE SOUTH LINE OF SAID LOT 6, ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 112.18 FEET TO THE POINT SOUTH THENCE CONTINUING **BEGINNING**; DEGREES 28 MINUTES 27 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 250.00 FEET TO A NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREES 48 MINUTES 24 SECONDS WEST, A DISTANCE OF 71.27 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, A DISTANCE OF 313.20 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 70.42 FEET, A DELTA ANGLE OF 27 DEGREES 44 MINUTES 30 SECONDS, AN ARC LENGTH OF 34.10 FEET, A CHORD BEARING OF NORTH 76 DEGREES 56 MINUTES 09 SECONDS EAST AND A CHORD LENGTH OF 33.77 FEET TO AN EAST LINE OF SAID LOT 7; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG AN EAST LINE OF SAID LOT 7, SAID LINE BEING THE WEST RIGHT-OF-WAY LINE OF 174TH STREET, HAVING A RADIUS OF 435.43 FEET, A DELTA ANGLE OF 06 DEGREES 36 MINUTES 06 SECONDS, AN ARC LENGTH OF 50.17

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FEET, A CHORD BEARING OF SOUTH 21 DEGREES 17 MINUTES 07 SECONDS EAST AND A CHORD LENGTH OF 50.14 FEET TO A SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING THE MOST NORTH AND EAST CORNER OF LOT 8, VILLAGE POINTE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION. ALONG A SOUTH LINE OF SAID LOT 7, SAID LINE BEING A NORTH LINE OF SAID LOT 8, HAVING A RADIUS OF 120.42 FEET, A DELTA ANGLE OF 25 DEGREES 23 MINUTES 32 SECONDS, AN ARC LENGTH OF 53.37 FEET, A CHORD BEARING OF SOUTH 78 DEGREES 06 MINUTES 38 SECONDS WEST AND A CHORD LENGTH OF 52.93 FEET TO A SOUTH CORNER OF SAID LOT 7, SAID POINT BEING A NORTH CORNER OF SAID LOT 8; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 7, SAID LINE BEING A NORTH LINE OF SAID LOT 8, A DISTANCE OF 313.24 FEET TO A SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 00 DEGREES 48 MINUTES 24 SECONDS WEST, ALONG AN EAST LINE OF SAID LOT 7, SAID LINE BEING THE WEST LINE OF SAID LOT 8, A DISTANCE OF 114.99 FEET TO AN EAST CORNER OF SAID LOT 7, SAID POINT BEING A WEST CORNER OF SAID LOT 8; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG AN EAST LINE OF SAID LOT 7, SAID LINE BEING THE WEST LINE OF SAID LOT 8, HAVING A RADIUS OF 208.00 FEET, A DELTA ANGLE OF 52 DEGREES 48 MINUTES 21 SECONDS, AN ARC LENGTH OF 191.70 FEET, A CHORD BEARING OF SOUTH 25 DEGREES 35 MINUTES 47 SECONDS EAST AND A CHORD LENGTH OF 184.99 FEET TO AN EAST CORNER OF SAID LOT 7, SAID POINT BEING A WEST CORNER OF SAID LOT 8; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG AN EAST LINE OF SAID LOT 7, SAID LINE BEING THE WEST LINE OF SAID LOT 8, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 63 DEGREES 32 MINUTES 09 SECONDS, AN ARC LENGTH OF 110.89 FEET, A CHORD BEARING OF SOUTH 20 DEGREES 13 MINUTES 53 SECONDS EAST AND A CHORD LENGTH OF 105.30 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 73 DEGREES 56 MINUTES 50 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 7, SAID LINE BEING THE NORTH LINE OF LOT 9, VILLAGE POINTE, A DISTANCE OF 24.83 FEET TO A SOUTH CORNER OF SAID LOT 7, SAID POINT BEING A NORTH CORNER OF SAID LOT 9; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG A SOUTH LINE OF SAID LOT 7, SAID LINE BEING THE NORTH LINE OF SAID LOT 9, HAVING A RADIUS OF 234.88 FEET, A DELTA ANGLE OF 07 DEGREES 21 MINUTES 51 SECONDS, AN ARC LENGTH OF 30.19 FEET, A CHORD BEARING OF NORTH 77 DEGREES 37 MINUTES 30 SECONDS WEST AND A CHORD LENGTH OF 30.17 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, DISTANCE OF 27.44 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 60.00 FEET, A DELTA ANGLE OF 41 DEGREES 58 MINUTES 47 SECONDS, AN ARC LENGTH

OF 43.96 FEET, A CHORD BEARING OF NORTH 20 DEGREES 59 MINUTES 57 SECONDS WEST AND A CHORD LENGTH OF 42.98 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION. HAVING A RADIUS OF 91.00 FEET, A DELTA ANGLE OF 04 DEGREES 47 MINUTES 43 SECONDS, AN ARC LENGTH OF 7.62 FEET, A CHORD BEARING OF NORTH 44 DEGREES 23 MINUTES 12 SECONDS WEST AND A CHORD LENGTH OF 7.61 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG A LINE THAT IS 34.00 FEET WESTERLY OF AND PARALLEL WITH AN EAST LINE OF SAID LOT 7, HAVING A RADIUS OF 242.00 FEET, A DELTA ANGLE OF 47 DEGREES 35 MINUTES 28 SECONDS, AN ARC LENGTH OF 201.01 FEET, A CHORD BEARING OF NORTH 22 DEGREES 59 MINUTES 20 SECONDS WEST AND A CHORD LENGTH OF 195.28 FEET; THENCE NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST, ALONG A LINE THAT IS 34.00 FEET WEST OF AND PARALLEL WITH AN EAST LINE OF SAID LOT 7 AND ITS EXTENSION, A DISTANCE OF 186.08 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 27 SECONDS WEST, ALONG A LINE THAT IS 50.00 FEET SOUTH OF AND PARALLEL WITH A NORTH LINE OF SAID LOT 7, A DISTANCE OF 215.71 FEET; THENCE NORTH 00 DEGREES 31 MINUTES SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 47,786.46 SQUARE FEET OR 1.10 ACRES, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

PERMANENT EASEMENT #2

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 9, VILLAGE POINTE, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 9, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 7, VILLAGE POINTE; THENCE ALONG THE NORTH LINE OF SAID LOT 9, SAID LINE BEING THE SOUTH LINE OF SAID LOT 7, ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST A DISTANCE OF 396.12 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE NORTH LINE OF SAID LOT 9, HAVING A RADIUS OF 234.88 FEET, A DELTA ANGLE OF 07 DEGREES 53 MINUTES 14 SECONDS, AN ARC LENGTH OF 32.33 FEET, A CHORD BEARING OF SOUTH 85 DEGREES 15 MINUTES 03 SECONDS EAST AND A CHORD LENGTH OF 32.31 FEET TO THE POINT OF THENCE AROUND A CURVE IN A **BEGINNING:** CLOCKWISE DIRECTION, ALONG THE NORTH LINE OF SAID LOT 9, HAVING A RADIUS OF 234.88 FEET, A DELTA ANGLE OF 07 DEGREES 21 MINUTES 51 SECONDS, AN ARC LENGTH OF 30.19 FEET, A CHORD BEARING OF SOUTH 77 DEGREES 37 MINUTES 30 SECONDS EAST AND A CHORD LENGTH OF 30.17 FEET

TO A NORTH CORNER OF SAID LOT 9, SAID POINT BEING A SOUTH CORNER OF SAID LOT 7; THENCE SOUTH 73 DEGREES 56 MINUTES 50 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 24.83 FEET TO THE NORTHEAST CORNER OF SAID LOT 9. SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1, VILLAGE POINTE REPLAT ONE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE EAST LINE OF SAID LOT 9, SAID LINE BEING THE WEST LINE OF SAID LOT 1, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 03 DEGREES 33 MINUTES 46 SECONDS, AN ARC LENGTH OF 6.22 FEET, A CHORD BEARING OF SOUTH 13 DEGREES 19 MINUTES 04 SECONDS WEST AND A CHORD LENGTH OF 6.22 FEET TO AN EAST CORNER OF SAID LOT 9, SAID POINT BEING A WEST CORNER OF SAID LOT 1; THENCE SOUTH 15 DEGREES 05 MINUTES 57 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 9. SAID LINE BEING THE WEST LINE OF SAID LOT 1, A DISTANCE OF 24.78 FEET TO AN EAST CORNER OF SAID LOT 9, SAID POINT BEING A WEST CORNER OF SAID LOT 1; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG THE EAST LINE OF SAID LOT 9, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 15 DEGREES 07 MINUTES 28 SECONDS, AN ARC LENGTH OF 26.40 FEET, A CHORD BEARING OF SOUTH 07 DEGREES 32 MINUTES 13 SECONDS WEST AND A CHORD LENGTH OF 26.32 FEET TO AN EAST CORNER OF SAID LOT 9, SAID POINT BEING A WEST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 01 MINUTES 31 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 9, SAID LINE BEING THE WEST LINE OF SAID LOT 1, A DISTANCE OF 105.07 TO THE SOUTHEAST CORNER OF SAID LOT 9, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1: THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 9, SAID LINE BEING THE NORTH RIGHT-OF-WAY LINE OF BURKE STREET, HAVING A RADIUS OF 1,047.00 FEET, A DELTA ANGLE OF 02 DEGREES 12 MINUTES 21 SECONDS, AN ARC LENGTH OF 40.31 FEET, A CHORD BEARING OF SOUTH 79 DEGREES 09 MINUTES 53 SECONDS WEST AND A CHORD LENGTH OF 40.30 FEET TO A SOUTH CORNER OF SAID LOT 9; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 9, SAID LINE BEING THE NORTH RIGHT-OF-WAY LINE OF BURKE STREET, HAVING A RADIUS OF 721.59 FEET, A DELTA ANGLE OF 00 DEGREES 11 MINUTES 47 SECONDS, AN ARC LENGTH OF 2.47 FEET, A CHORD BEARING OF SOUTH 77 DEGREES 57 MINUTES 49 SECONDS WEST AND A CHORD LENGTH OF 2.47 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, A DISTANCE OF 182.56 FEET TO THE TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 7,572.58 SQUARE FEET, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERNECE.

PERMANENT EASEMENT #3

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, VILLAGE POINTE REPLAT I, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1. SAID POINT BEING THE SOUTHWEST CORNER OF LOT 2, VILLAGE POINTE REPLAT ONE; THENCE ALONG THE EAST LINE OF SAID LOT 1, SAID LINE BEING THE WEST LINE OF SAID LOT 2, ON AN ASSUMED BEARING OF NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST A DISTANCE OF 118.39 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, A DISTANCE OF 76.85 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 548.00 FEET, A DELTA ANGLE OF 16 DEGREES 14 MINUTES 34 SECONDS, AN ARC LENGTH OF 155.35 FEET, A CHORD BEARING OF NORTH 81 DEGREES 04 MINUTES 19 SECONDS WEST AND A CHORD LENGTH OF 154.83 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 606.00 FEET, A DELTA ANGLE OF 33 DEGREES 03 MINUTES 41 SECONDS, AN ARC LENGTH OF 349.68 FEET, A CHORD BEARING OF NORTH 89 DEGREES 28 MINUTES 53 SECONDS WEST AND A CHORD LENGTH OF 344.85 FEET; THENCE SOUTH 73 DEGREES 11 MINUTES 15 SECONDS WEST, A DISTANCE OF 31.51 FEET: THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 390.00 FEET, A DELTA ANGLE OF 08 DEGREES 27 MINUTES 58 SECONDS, AN ARC LENGTH OF 57.63 FEET, A CHORD BEARING OF SOUTH 78 DEGREES 28 MINUTES 48 SECONDS WEST AND A CHORD LENGTH OF 57.57 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 922.17 FEET, A DELTA ANGLE OF 05 DEGREES 12 MINUTES 01 SECONDS, AN ARC LENGTH OF 83.70 FEET, A CHORD BEARING OF NORTH 87 DEGREES 06 MINUTES 48 SECONDS WEST AND A CHORD LENGTH OF 83.67 FEET: THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,550.86 FEET, A DELTA ANGLE OF 01 DEGREES 26 MINUTES 09 SECONDS, AN ARC LENGTH OF 38.86 FEET, A CHORD BEARING OF SOUTH 89 DEGREES 34 MINUTES 07 SECONDS WEST AND A CHORD LENGTH OF 38.86 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 199.00 FEET, A DELTA ANGLE OF 07 DEGREES 25 MINUTES 48 SECONDS, AN ARC LENGTH OF 25.81 FEET, A CHORD BEARING OF NORTH 77 DEGREES 39 MINUTES 44 SECONDS WEST AND A CHORD LENGTH OF 25.79 FEET; THENCE NORTH 73 DEGREES 56 MINUTES 50 SECONDS WEST, ALONG A LINE THAT IS 34.00 FEET SOUTHERLY OF AND PARALLEL WITH A NORTH LINE OF SAID LOT 1, A DISTANCE OF 149.13 FEET TO THE WEST LINE OF SAID LOT 1; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE WEST LINE OF SAID LOT 1, SAID LINE BEING THE EAST LINE OF LOT 9, VILLAGE POINTE, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 01 DEGREES 43 MINUTES 38 SECONDS, AN ARC LENGTH OF 3.01 FEET, A CHORD BEARING OF NORTH 14 DEGREES 14 MINUTES 08 SECONDS EAST AND A CHORD LENGTH OF 3.01 FEET TO A WEST CORNER OF SAID LOT 1, SAID POINT BEING AN EAST CORNER OF SAID LOT 9; THENCE NORTH 15 DEGREES 05 MINUTES 57 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 24.78 FEET TO A WEST CORNER OF SAID LOT 1. SAID POINT BEING AN EAST CORNER OF SAID LOT 9; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG THE WEST LINE OF SAID LOT 1, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 03 DEGREES 33 MINUTES 46 SECONDS, AN ARC LENGTH OF 6.22 FEET, A CHORD BEARING OF NORTH 13 DEGREES 19 MINUTES 04 SECONDS EAST AND A CHORD LENGTH OF 6.22 FEET TO A NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 9. SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 8, VILLAGE POINTE; THENCE SOUTH 73 DEGREES 56 MINUTES 50 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 1, SAID LINE BEING THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 149.94 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG A NORTH LINE OF SAID LOT 1, SAID LINE BEING THE SOUTH LINE OF SAID LOT 8, HAVING A RADIUS OF 165.00 FEET, A DELTA ANGLE OF 17 DEGREES 21 MINUTES SECONDS, AN ARC LENGTH OF 49.98 FEET, A CHORD BEARING OF SOUTH 82 DEGREES 37 MINUTES 30 SECONDS EAST AND A CHORD LENGTH OF 49.79 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 18 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 1, SAID LINE BEING THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 145.76 FEET TO A NORTH CORNER OF SAID LOT 1, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 8; THENCE NORTH 85 DEGREES 36 MINUTES 04 SECONDS EAST, A DISTANCE OF 30.13 FEET: THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 626.00 FEET, A DELTA ANGLE OF 32 DEGREES 30 MINUTES 11 SECONDS, AN ARC LENGTH OF 355.12 FEET, A CHORD BEARING OF SOUTH 89 DEGREES 12 MINUTES 08 SECONDS EAST AND A CHORD LENGTH OF 350.38 FEET: THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 528.00 FEET, A DELTA ANGLE OF 16 DEGREES 14 MINUTES 34 SECONDS, AN ARC LENGTH OF 149.68 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 04 MINUTES 19 SECONDS EAST AND A CHORD LENGTH OF 149.18 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, A DISTANCE OF 76.85 FEET TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00 DEGREES 48 MINUTES 24 SECONDS WEST, ALONG SAID EAST LINE, SAID LINE BEING THE WEST LINE OF LOT 2, VILLAGE POINTE REPLAT ONE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 24,156.60 SQUARE FEET OR 0.55 OF AN ACRE, MORE OR LESS AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

PERMANENT EASEMENT #4

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 2, VILLAGE POINTE REPLAT 1, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 3, VILLAGE POINTE REPLAT ONE; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 2, SAID LINE BEING THE WEST LINE OF LOT 3, VILLAGE POINTE REPLAT ONE, A DISTANCE OF 218.61 FEET TO THE POINT OF BEGINNING; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 277.00 FEET, A DELTA ANGLE OF 36 DEGREES 48 MINUTES 55 SECONDS, AN ARC LENGTH OF 177.99 FEET, A CHORD BEARING OF SOUTH 79 DEGREES 30 MINUTES 57 SECONDS WEST AND A CHORD LENGTH OF 174.94 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 198.00 FEET, A DELTA ANGLE OF 29 DEGREES 41 MINUTES 54 SECONDS, AN ARC LENGTH OF 102.63 FEET, A CHORD BEARING OF SOUTH 75 DEGREES 57 MINUTES 27 SECONDS WEST AND A CHORD LENGTH OF 101.49 FEET; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, A DISTANCE OF 113.02 FEET TO THE WEST LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST, ALONG SAID WEST LINE, SAID LINE BEING THE EAST LINE OF LOT 1, VILLAGE POINTE REPLAT ONE, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, A DISTANCE OF 113.02 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 178.00 FEET, A DELTA ANGLE OF 29 DEGREES 41 MINUTES 54 SECONDS, AN ARC LENGTH OF 92.26 FEET, A CHORD BEARING OF NORTH 75 DEGREES 57 MINUTES 27 SECONDS EAST AND A CHORD LENGTH OF 91.23 FEET: THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 297.00 FEET, A DELTA ANGLE OF 36 DEGREES 20 MINUTES 01 SECONDS, AN ARC LENGTH OF 188.34 FEET, A CHORD BEARING OF NORTH 79 DEGREES 16 MINUTES 30 SECONDS EAST AND A CHORD LENGTH OF 185.20 FEET TO THE EAST LINE OF SAID LOT 2; THENCE SOUTH 00 DEGREES 48 MINUTES 24 SECONDS WEST, ALONG SAID EAST LINE, SAID LINE BEING THE WEST LINE OF LOT 3, VILLAGE REPLAT ONE, A DISTANCE OF 20,14 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 7,872.51 SQUARE FEET OR 0.18

OF AN ACRE, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

PERMANENT EASEMENT #5

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 3, VILLAGE POINTE REPLAT 1, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 2, VILLAGE POINTE REPLAT ONE; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 3, SAID LINE BEING THE EAST LINE OF LOT 2, VILLAGE POINTE REPLAT ONE, A DISTANCE OF 218.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 48 MINUTES 24 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 20.14 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 297.00 FEET, A DELTA ANGLE OF 22 DEGREES 13 MINUTES 00 SECONDS, AN ARC LENGTH OF 115.16 FEET, A CHORD BEARING OF SOUTH 71 DEGREES 26 MINUTES 59 SECONDS EAST AND A CHORD LENGTH OF 114.44 FEET: THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 228.00 FEET, A DELTA ANGLE OF 28 DEGREES 53 MINUTES 09 SECONDS, AN ARC LENGTH OF 114.95 FEET, A CHORD BEARING OF SOUTH 74 DEGREES 47 MINUTES 03 SECONDS EAST AND A CHORD LENGTH OF 113.73 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS EAST, A DISTANCE OF 121.74 FEET TO THE EAST LINE OF SAID LOT 3; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG SAID EAST LINE, SAID LINE BEING THE WEST RIGHT-OF-WAY LINE OF 170TH STREET, HAVING A RADIUS OF 210.50 FEET, A DELTA ANGLE OF 05 DEGREES 00 MINUTES 05 SECONDS, AN ARC LENGTH OF 18.37 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 04 MINUTES 33 SECONDS EAST AND A CHORD LENGTH OF 18.37 FEET: THENCE SOUTH 03 DEGREES 34 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 1.77 FEET TO AN EAST CORNER OF SAID LOT 3; THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS WEST, A DISTANCE OF 124.06 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 248.00 FEET, A DELTA ANGLE OF 28 DEGREES 53 MINUTES 09 SECONDS, AN ARC LENGTH OF 125.03 FEET, A CHORD BEARING OF NORTH 74 DEGREES 47 MINUTES 03 SECONDS WEST AND A CHORD LENGTH OF 123.71 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 277.00 FEET, A DELTA ANGLE OF 21 DEGREES 44 MINUTES 07 SECONDS, AN ARC LENGTH OF 105.08 FEET, A CHORD BEARING OF NORTH 71 DEGREES 12 MINUTES 32 SECONDS WEST AND A CHORD LENGTH OF 104.45 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 7,063.40 SQUARE FEET OR 0.16 OF AN ACRE, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

PERMANENT EASEMENT #6

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 5, VILLAGE POINTE, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5, SAID POINT BEING THE NORTHWEST CORNER OF LOT 3, VILLAGE POINTE; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 45 MINUTES 16 SECONDS WEST, ALONG AN EAST LINE OF SAID LOT 5, SAID LINE BEING THE WEST LINE OF SAID LOT 3, A DISTANCE OF 260.67 FEET TO THE POINT THENCE CONTINUING SOUTH **BEGINNING:** DEGREES 45 MINUTES 16 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 30.00 FEET TO AN EAST CORNER OF SAID LOT 5, SAID POINT BEING A SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, A DISTANCE OF 131.18 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 101.53 FEET, A DELTA ANGLE OF 17 DEGREES 25 MINUTES 29 SECONDS, AN ARC LENGTH OF 30.88 FEET, A CHORD BEARING OF SOUTH 82 DEGREES 05 MINUTES 40 SECONDS WEST AND A CHORD LENGTH OF 30.76 FEET; THENCE SOUTH 73 DEGREES 22 MINUTES 55 SECONDS WEST. DISTANCE OF 13.36 FEET TO THE WEST LINE OF SAID LOT 5; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE WEST LINE OF SAID LOT 5, SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF 174TH STREET, HAVING A RADIUS OF 385.43 FEET, A DELTA ANGLE OF 04 DEGREES 27 MINUTES 51 SECONDS, AN ARC LENGTH OF 30.03 FEET, A CHORD BEARING OF NORTH 14 DEGREES 23 MINUTES 09 SECONDS WEST AND A CHORD LENGTH OF 30.02 FEET: THENCE NORTH 73 DEGREES 22 MINUTES 55 SECONDS EAST, A DISTANCE OF 12.19 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 131.53 FEET, A DELTA ANGLE OF 17 DEGREES 25 MINUTES 29 SECONDS, AN ARC LENGTH OF 40.00 FEET, A CHORD BEARING OF NORTH 82 DEGREES 05 MINUTES 40 SECONDS EAST AND A CHORD LENGTH OF 39.85 FEET; THENCE SOUTH 89 11 MINUTES 36 SECONDS EAST, A DEGREES DISTANCE OF 131.15 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 5,387.12 SQUARE FEET, OR 0.12 OF AN ACRE, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

PERMANENT EASEMENT #7

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 3, VILLAGE POINTE, A SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT BEING THE NORTHEAST CORNER OF LOT 5, VILLAGE POINTE; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 45 MINUTES 16 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 3, SAID LINE BEING THE EAST LINE OF SAID LOT 5, A DISTANCE OF 260.67 FEET TO THE POINT BEGINNING; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 174.48 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3 AND ITS EXTENSION, HAVING A RADIUS OF 112.26 FEET, A DELTA ANGLE OF 67 DEGREES 28 MINUTES 27 SECONDS, AN ARC LENGTH OF 132,20 FEET, A CHORD BEARING OF NORTH 57 DEGREES 04 MINUTES 10 SECONDS EAST AND A CHORD LENGTH OF 124.69 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 131.00 FEET, A DELTA ANGLE OF 67 DEGREES 29 MINUTES 50 SECONDS, AN ARC LENGTH OF 154.32 FEET, A CHORD BEARING OF NORTH 57 DEGREES 03 MINUTES 29 SECONDS EAST AND A CHORD LENGTH OF 145.55 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, A DISTANCE OF 211.84 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 111.00 FEET, A DELTA ANGLE OF 62 DEGREES 36 MINUTES 28 SECONDS, AN ARC LENGTH OF 121.29 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 53 MINUTES 22 SECONDS EAST AND A CHORD LENGTH OF 115.35 FEET; THENCE SOUTH 26 DEGREES 35 MINUTES 08 SECONDS EAST, A DISTANCE OF 56.88 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3 AND ITS EXTENSION, HAVING A RADIUS OF 59.00 FEET, A DELTA ANGLE OF 62 DEGREES 36 MINUTES 28 SECONDS, AN ARC LENGTH OF 64.47 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 53 MINUTES 22 SECONDS EAST AND A CHORD LENGTH OF 61.31 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 36 SECONDS EAST, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 212.00 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, HAVING A RADIUS OF 121.00 FEET, A DELTA ANGLE OF 30 DEGREES 58 MINUTES 05

SECONDS, AN ARC LENGTH OF 65.40 FEET, A CHORD BEARING OF SOUTH 73 DEGREES 42 MINUTES 33 SECONDS EAST AND A CHORD LENGTH OF 64.61 FEET: THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, HAVING A RADIUS OF 29.00 FEET, A DELTA ANGLE OF 30 DEGREES 58 MINUTES 18 SECONDS, AN ARC LENGTH OF 15.68 FEET, A CHORD BEARING OF SOUTH 73 DEGREES 42 MINUTES 40 SECONDS EAST AND A CHORD LENGTH OF 15.49 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 48 SECONDS EAST, ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 60.32 FEET TO THE EAST LINE OF SAID LOT 3; THENCE SOUTH 00 DEGREES 45 MINUTES 03 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 3, SAID LINE BEING THE WEST RIGHT-OF-WAY LINE OF 170TH STREET, A DISTANCE OF 30.00 FEET TO A SOUTHEAST CORNER OF SAID LOT 3, SAID POINT BEING THE NORTHEAST CORNER OF LOT 4, VILLAGE POINTE; THENCE NORTH 89 DEGREES 11 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 3, SAID LINE BEING THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 60.35 FEET TO A SOUTH CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF SAID LOT 4; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 3, SAID LINE BEING THE NORTH LINE OF SAID LOT 4, HAVING A RADIUS OF 59.00 FEET, A DELTA ANGLE OF 30 DEGREES 58 MINUTES 18 SECONDS, AN ARC LENGTH OF 31.89 FEET, A CHORD BEARING OF NORTH 73 DEGREES 42 MINUTES 39 SECONDS WEST AND A CHORD LENGTH OF 31.51 FEET TO A SOUTH CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF SAID LOT 4; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 3, SAID LINE BEING THE NORTH LINE OF SAID LOT 4, HAVING A RADIUS OF 91.00 FEET, A DELTA ANGLE OF 30 DEGREES 58 MINUTES 05 SECONDS, AN ARC LENGTH OF 49.19 FEET, A CHORD BEARING OF NORTH 73 DEGREES 42 MINUTES 33 SECONDS WEST AND A CHORD LENGTH OF 48.59 FEET TO A SOUTH CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF SAID LOT 4; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, A DISTANCE OF 212.00 FEET TO A SOUTH CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF SAID LOT 4; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 3 AND ITS EXTENSION, HAVING A RADIUS OF 89.00 FEET, A DELTA ANGLE OF 62 DEGREES 36 MINUTES 28 SECONDS, AN ARC LENGTH OF 97.25 FEET, A CHORD BEARING OF NORTH 57 DEGREES 53 MINUTES 22 SECONDS WEST AND A CHORD LENGTH OF 92.48 FEET; THENCE NORTH 26 DEGREES 35 MINUTES 08 SECONDS WEST, DISTANCE OF 56.88 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 81.00 FEET, A DELTA ANGLE OF 62 DEGREES 36 MINUTES 28 SECONDS, AN ARC LENGTH OF 88.51 FEET, A CHORD BEARING OF NORTH 57

DEGREES 53 MINUTES 22 SECONDS WEST AND A CHORD LENGTH OF 84.17 FEET; THENCE NORTH 89 11 MINUTES 36 SECONDS DEGREES WEST. DISTANCE OF 211.84 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 101.00 FEET, A DELTA ANGLE OF 67 DEGREES 29 MINUTES 50 SECONDS, AN ARC LENGTH OF 118.98 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 03 MINUTES 29 SECONDS WEST AND A CHORD LENGTH OF 112.22 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG THE EXTENSION OF THE SOUTH LINE OF SAID LOT 3 AND THE SOUTH LINE OF SAID LOT 3, HAVING A RADIUS OF 142.26 FEET, A DELTA ANGLE OF 67 DEGREES 28 MINUTES 45 SECONDS, AN ARC LENGTH OF 167.54 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 04 MINUTES 02 SECONDS WEST AND A CHORD LENGTH OF 158.03 FEET TO A SOUTH CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF LOT 5, VILLAGE POINTE; THENCE NORTH 89 DEGREES 11 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 3, SAID LINE BEING THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 174.45 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING A NORTH CORNER OF SAID LOT 5; THENCE NORTH 00 DEGREES 45 MINUTES 16 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 3, SAID LINE BEING AN EAST LINE OF SAID LOT 5, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 38,077.52 SQUARE FEET OR 0.87 OF AN ACRE, MORE OR LESS, AND IS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

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

- 1. The Grantor and its successors and assigns shall not <u>at any time</u> 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.
- 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 the 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 limited partnership.

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

168TH AND DODGE, LP, a Nebraska limited partnership, Grantor

By: RED Development of West Dodge Road, LLC, a Missouri corporation authorized to do business in Nebraska

Mike Ebert, Managing Member

ACKNOWLEDGMENT

STATE OF ARIZONA) ss COUNTY OF MANICOPA)

This instrument was acknowledged before me on Account 2003, by Mike Ebert, Managing Member of 168TH AND DODGE, LP, a Nebraska limited partnership.

Notary Public



DATE: 08/06/03

