



MISC 2007046725



APR 26 2007 13:54 P 5

PERMANENT AND
TEMPORARY CONSTRUCTION
EASEMENTS

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/26/2007 13:54:03.15



2007046725

THIS AGREEMENT, made this 24TH day of APRIL, 2007 between FRANK J. MILACEK III, 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 acknowledged, hereby grants to Metropolitan Utilities District of Omaha, its successors and assigns, a permanent easement 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, round iron covers, roadway boxes, 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

A tract of land in Lot 3, Lee's Subdivision of Lot 1, Block 5, Brookline, in the NE 1/4 of the SW 1/4 of Section 30, Township 15 North, Range 13 East, a subdivision, as platted and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the northeast corner of said Lot 3; thence South 59°48'12" West for 12.95 feet along the south right-of-way line of Center Street to the Point of Beginning; thence South 27°13'39" East for 24.53 feet to the east lot line of said Lot 3; thence North 00°03'35" West for 28.32 feet; thence South 59°48'12" West for 12.95 feet to the Point of Beginning.

This permanent easement contains 0.003 of an acre, more or less, and is shown on the attached drawing hereto and made a part hereof by reference.

TEMPORARY CONSTRUCTION EASEMENT

Commencing at the northeast corner of said Lot 3; thence South 59°48'12" West for 12.95 feet along the south right-of-way line of Center street to the Point of Beginning; thence South 27°13'39" East for 24.53 feet to the east lot line of said Lot 3; thence South 00°03'35" East for 33.45 feet; thence North 25°05'44" West for 52.77 feet to the south right-of-way line of Center Street; thence North 47°28'57" East for 4.04 feet; thence North 59°48'12" East for 9.43 feet to the Point of Beginning.

Please file & return to:

A. Justin Cooper
Metropolitan Utilities District
1723 Hamey Street
Omaha, Nebraska 68102

L
MISC
FEE 26⁰⁰ FB 40-22260
5/2 BKP _____ C/O _____ COMP. BW
DEL _____ SCAN _____ FV _____

This temporary easement contains 0.012 of an acre, more or less, and is shown on the attached drawing and made a part hereof by reference.

PERMANENT EASEMENT

A tract of land in Lot 2, Lee's Subdivision of Lot 1, Block 5, Brookline, in the NE ¼ of the SW ¼ of Section 30, Township 15 North, Range 13 East, a subdivision, as platted and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the northwest corner of said Lot 2; thence South 00°03'35" East for 28.32 feet along the west lot line of said Lot 2 to the Point of Beginning #1; thence South 27°13'39" East for 38.94 feet; thence South 89°52'47" East for 37.75 feet to the east lot line of said Lot 2; thence North 42°24'59" East for 20.11 feet; thence North 90°00'00" West for 41.89 feet; thence North 27°13'39" West for 55.10 feet to the south right-of-way line of Center Street; thence South 59°48'12" West for 2.07 feet; thence South 00°03'35" East for 28.32 feet to the Point of Beginning #1.

This permanent easement contains 0.031 of an acre, more or less, and is shown on the attached drawing hereto and made a part hereof by reference.

TEMPORARY CONSTRUCTION EASEMENT

Commencing at the northwest corner of said Lot 2; thence South 00°03'35" East for 28.32 feet along the west lot line of said Lot 2 to the Point of Beginning #1; thence South 27°13'39" East for 38.94 feet; thence South 90°00'00" West for 17.78 feet to the west lot line of said Lot 2; thence North 00°03'35" West for 34.71 feet to the Point of Beginning #1.

- and -

Commencing at the northwest corner of said Lot 2; thence South 00°03'35" East for 28.32 feet along the west lot line of said Lot 2; thence South 27°13'39" East for 38.94 feet; thence South 89°52'47" East for 5.09 feet to the Point of Beginning #2; thence South 89°52'47" East for 32.66 feet to the east lot line of said Lot 2; thence South 42°24'59" West for 26.67 feet; thence South 90°00'00" West for 15.02 feet; thence North 00°00'00" West for 20.00 feet to the Point of Beginning #2.

This temporary easement contains 0.018 of an acre, more or less, and is shown on the attached drawing and made a part hereof by reference.

1. The Grantor and his 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. The same prohibitions shall apply to temporary easements. The effective period of the temporary easement shall commence upon the execution date hereof and end after completion of the project for which these easements are obtained.

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. The Grantor is the lawful possessor of this real estate; have good, right and lawful authority to make such conveyance; and Grantors and their 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 and Temporary Easements on the above date.

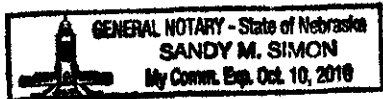
FRANK J. MILACEK III, an individual,
Grantor

Frank J. Milacek III
Frank J. Milacek III

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on April 24, 2007,
by Frank J. Milacek III.



Sandy M. Simon
Notary Public



METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR **GC 13070**

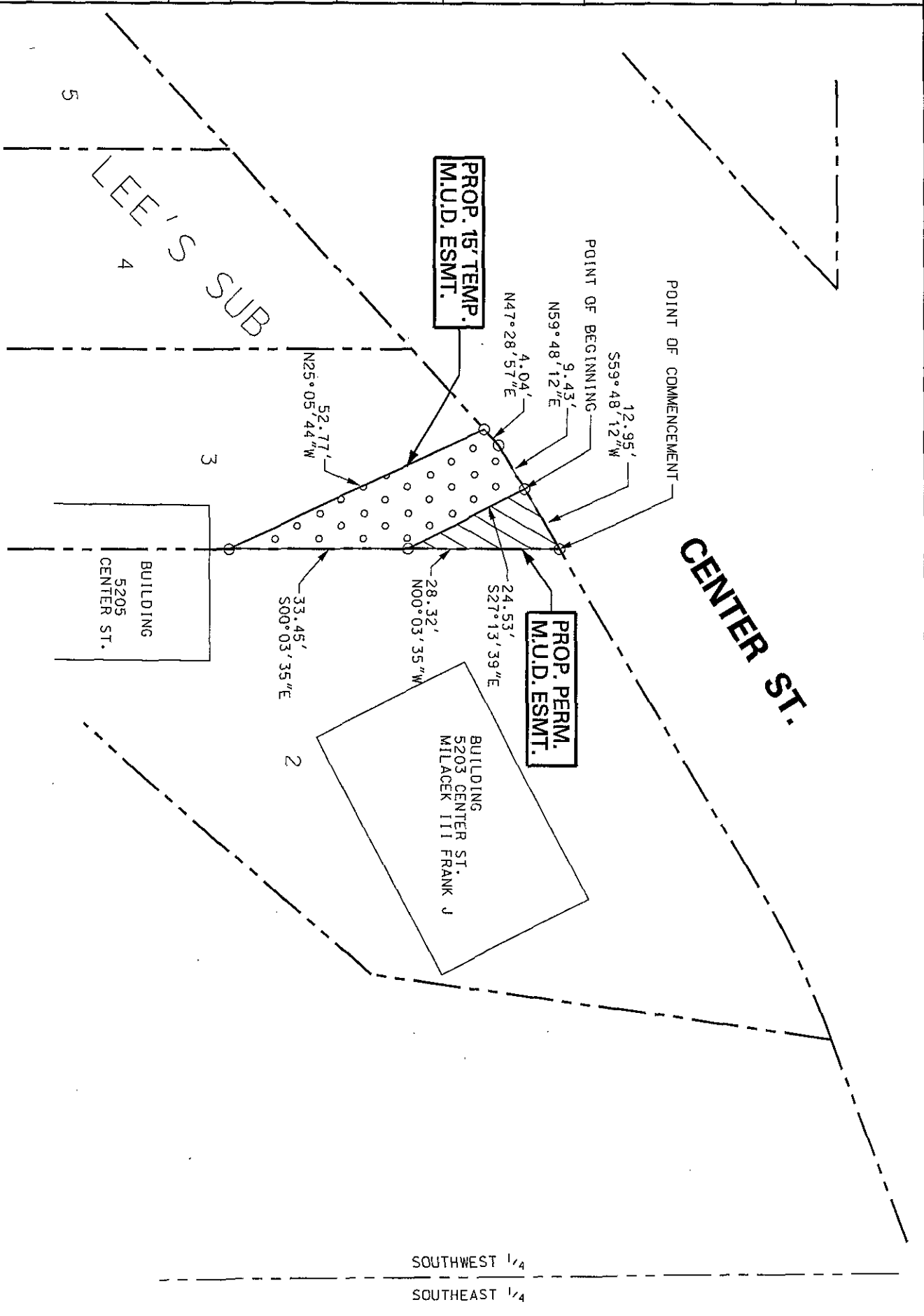
LAND OWNER
FRANK J MILACEK III

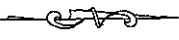
TOTAL ACRE **0.003 ±**
 PERMANENT _____
 TEMPORARY **0.012 ±**

LEGEND
 PERMANENT EASEMENT 
 TEMPORARY EASEMENT 

PAGE **1** OF **1**

DRAWN BY _____ D.R.B.
 DATE **10-1-06**
 CHECKED BY _____
 DATE _____
 APPROVED BY _____
 DATE _____
 REVISED BY _____
 DATE _____
 REV. CHK'D. BY _____
 DATE _____
 REV. APPROV. BY _____
 DATE _____




 NORTH
 NO SCALE

METROPOLITAN

UTILITIES

DISTRICT

OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR
GC 13070

LAND OWNER

FRANK J MILACEK III

TOTAL ACRES
PERMANENT 0.031 ±

TOTAL ACRES
TEMPORARY 0.018 ±

LEGEND



PERMANENT EASEMENT



TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY D.R.B.

DATE 10-1-06

CHECKED BY

DATE

APPROVED BY

DATE

REVISED BY

DATE

REV. CHKD. BY

DATE

REV. APPROV. BY

CENTER ST.

PROP. 15' PERM.
M.U.D. ESMT.

POINT OF COMMENCEMENT

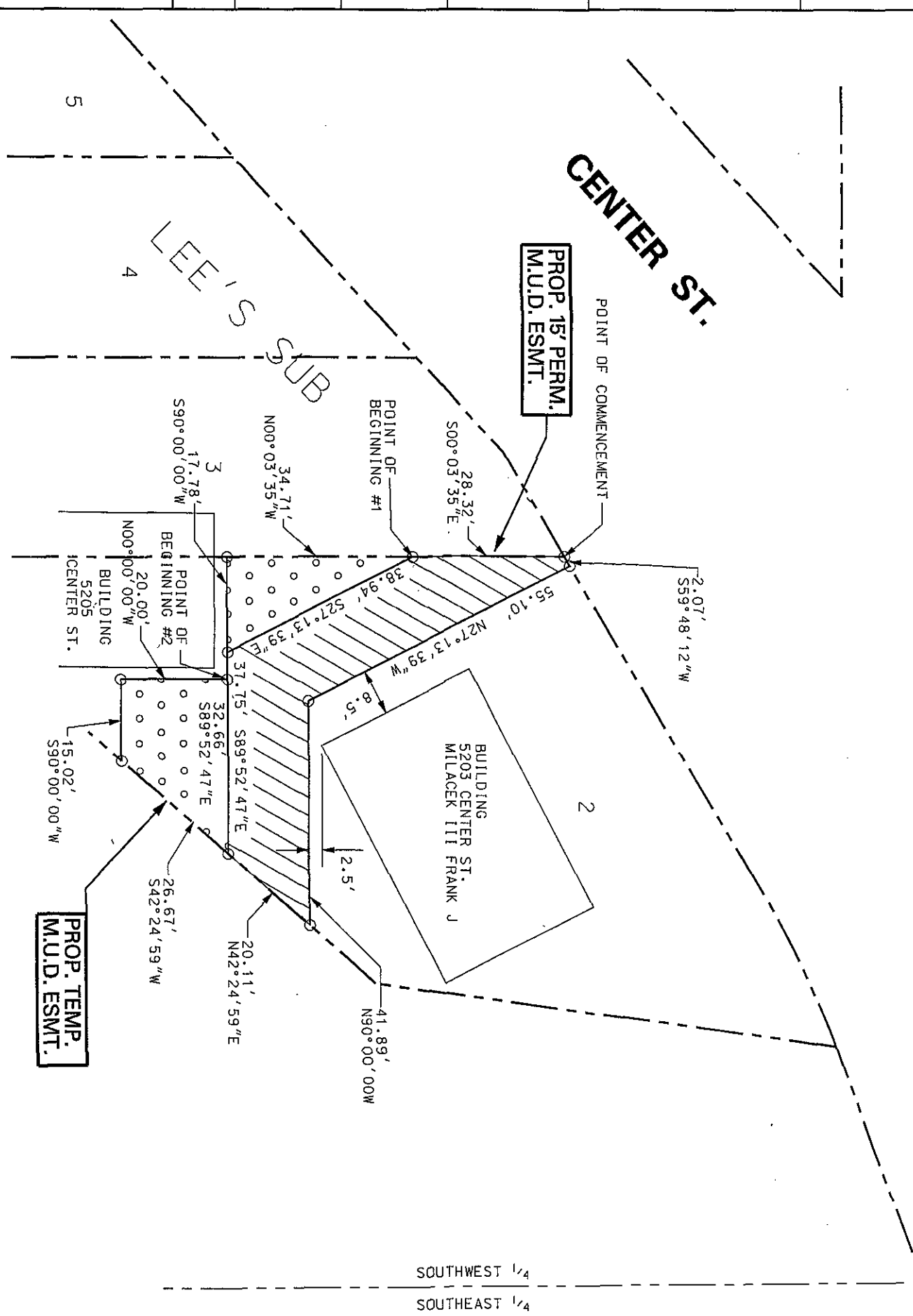
POINT OF BEGINNING #1

LEE'S SUB

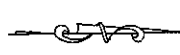
POINT OF BEGINNING #2
BUILDING
5205
CENTER ST.

BUILDING
5203 CENTER ST.
MILACEK III FRANK J

PROP. TEMP.
M.U.D. ESMT.



SOUTHWEST 1/4
SOUTHEAST 1/4



NORTH

NO SCALE