



MISC 2006038663



APR 06 2006 14:49 P 3

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/6/2006 14:49:39.87



2006038663

PERMANENT AND TEMPORARY
CONTRUCTION EASEMENTS

THIS INDENTURE, made this 28 day of March, 2006 between UPLAND PROPERTIES, L.L.C., a Nebraska Limited Liability Company, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and 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, a permanent easement to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

An unplatted tract of land in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 9, Township 14 North, Range 13 in Douglas County, Nebraska and being described as follows:

The southerly five feet (5.00') of the northerly thirty feet (30.00') of the westerly ten feet (10.00') of the easterly forty-three feet (43.00') of the SW ¼ of Section 09-14-13.

This permanent easement contains 0.001 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TEMPORARY EASEMENT

An unplatted tract of land in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 9, Township 14 North, Range 13 in Douglas County, Nebraska and being described as follows:

The southerly ten feet (10.00') of the northerly forty feet (40.00') of the westerly ten feet (10.00') of the easterly forty-three feet (43.00') of the SW ¼ of Section 09-14-13.

This temporary construction easement contains 0.002 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

-and-

The southerly fifteen feet (15.00') of the northerly forty feet (40.00') of the westerly two hundred fifty feet (250.00') of the easterly two hundred ninety-three feet (293.00') of the SW ¼ of Section 09-14-13.

Please file and return to:

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

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FEE 15.00
BKP 9-14-13 vs 01-60000
DEL

✓ 024747

This temporary construction easement contains 0.086 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 and Temporary Construction Easements to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor and their 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, and, with respect to the temporary construction easement, the same prohibitions apply during the effective period of this temporary conveyance, which effective period shall commence upon the date of execution hereof and cease after completion of the project and restoration work contemplated herein.

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/she has authority to execute it on behalf of the limited liability company.

IN WITNESS WHEREOF, Grantor executes these Permanent and Temporary Easements to be signed on the above date.

UPLAND PROPERTIES, LLC, a Nebraska Limited Liability Company, Grantor

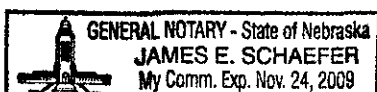
By: *Terry Veluppek*

Title: *President*

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on March 28, 2006, by Terry Veluppek, President of Upland Properties, LLC, a limited liability company, on behalf of the company.





James E. Schaefer
Notary Public

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR **WCC 10144**

LAND OWNER
Upland Properties LLC
3030 Upland Parkway
Omaha, Nebraska 68107

TOTAL ACRE PERMANENT 0.001 ±
TOTAL ACRE TEMPORARY 0.088 ±

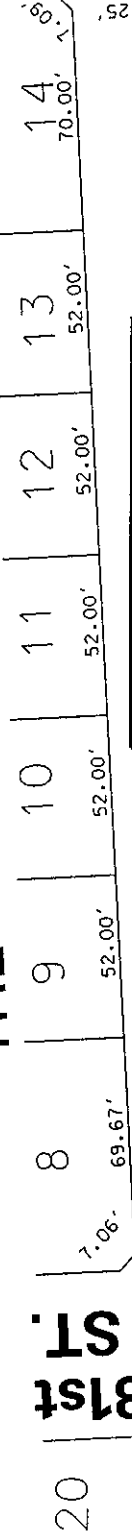
LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY DDI
 DATE 1/20/06
 CHECKED BY
 DATE
 APPROVED BY
 DATE
 REVISED BY
 DATE
 REV. CHK'D. BY
 DATE
 REV. APPROV. BY
 DATE

NE Corner, SW 1/4
Section 9-14-13

THE VILLAGE AT OMAHA



NO SCALE
THE VILLAGE AT OMAHA
31st ST. & X ST.

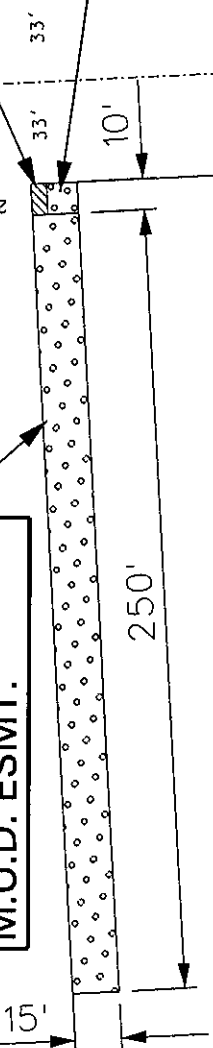
PROP. 5'x10' PERM.
M.U.D. ESMT.

PROP. 10'x10' TEMP.
M.U.D. ESMT.

PROP. 15'x250' TEMP.
M.U.D. ESMT.

ST.

"Y"



UNPLATTED

PKWY

UPLAND

30th