



BK 1448 PG 611-614



MISC 2002 15391

RICHARD H. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

02 JUL -8 PM 1:50

RECEIVED

EASEMENT AND RIGHT-OF-WAY

MISC
FEE 2050 FB 01-60000
BKP 26-16-11 C/O _____ COMP _____
DEL _____ SCAN CR FV _____

THIS INDENTURE, made this 21st day of June, 2002,
between WATERFORD DEVELOPMENT, L.L.C., a Nebraska limited liability
company, ("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, an
easement and right-of-way to lay, maintain, operate, repair, relay and remove, at
any time, pipelines for the transportation of gas and water and all appurtenances
thereto, together with the right of ingress and egress on, over, under and through
lands described as follows:

PERMANENT EASEMENT

A permanent easement for the construction and
maintenance of gas and water mains and all
appurtenances thereto, over that part of the
Southwest Quarter of Section 26, Township 16 North,
Range 11 East of the 6th P.M. surveyed, platted and
recorded in Douglas County, Nebraska; described as
follows:

Beginning at the intersection of the East line of 156th
Street with the Southerly line of Iowa Street; Thence
on the Southerly line of said Iowa Street the following
fifteen (15) courses: 1) N87°15'04"E (Platted
Bearing), 153.72 feet to the Beginning of a curve to
the right; 2) On said curve, having a radius of 125.00
feet and a chord bearing S78°06'01"E, 63.22 feet, and
arc distance of 63.92 feet; 3) S63°27'05"E, 220.08
feet; 4) S58°41'16"E, 60.21 feet; 5) S63°27'05"E,
45.17 feet to the beginning of a curve to the left; 6) On
said curve, having a radius of 62.50 feet and a chord
bearing S63°27'05"E, 109.66, an arc distance of
133.77 feet; 7) S63°27'05"E, 45.17 feet; 8)
S68°12'54"E, 60.21 feet; 9) S63°27'05", 398.12 feet to
the beginning of a curve to the right; 10) On said
curve, having a radius of 95.00 feet and a chord
bearing S32°58'31"E, 96.36 feet an arc distance of
101.06 feet; 11) S36°01'59"W, 30.33 feet to the
beginning of curve to the left; 12) On said curve,
having a radius of 62.50 feet and a chord bearing
S13°53'25"E, 95.65 feet, an arc distance of 108.92
feet; 13) S02°29'57"E, 89.15 feet; 14) S00°48'07"W,
173.67 feet; 15) S02°29'57"E, 234.50 feet to a point

Return to: Susan Prazan
M.U.D.
1723 Harney Street
Omaha, NE 68102

on the North line of Ida Street; Thence on said North line of Ida Street, S87°30'03"W, 5.00 feet; Thence N02°29'57"W, 234.64 feet; Thence N00°48'07"E, 173.67 feet; Thence N02°29'57"W, 86.11 feet to the beginning of curve to the right; Thence on said curve, having a radius of 67.50 feet and a chord bearing N12°36'59"W, 102.34 feet, an arc distance of 114.63 feet; Thence N36°01'59"E, 28.55 feet to the beginning of a curve to the left; Thence on said curve, having a radius of 90.00 feet and a chord bearing N33°31'30"W, 89.80 feet an arc distance of 94.02 feet; Thence N63°27'05"W, 397.91 feet; Thence N68°12'54"W, 60.21 feet; Thence N63°27'05"W, 42.49 feet to the beginning of curve to the right; Thence on said curve, having a radius of 67.50 feet and a chord bearing N63°27'05"W, 115.43 feet, an arc distance of 138.47 feet; Thence N63°27'05"W, 42.49 feet; Thence N58°41'16"W, 60.21 feet; Thence N63°27'05"W, 219.87 feet to the beginning of curve to the left; Thence on said curve, having a radius of 120.00 feet and a chord bearing N78°06'01"W, 60.69 feet, an arc distance of 61.36 feet; Thence S87°15'04"W, 153.72 feet to a point on the East line of said 156th Street; Thence on said East line of 156th Street, N02°44'56"W, 5.00 feet to the Point of Beginning.

This permanent easement contains 0.2196 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 Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

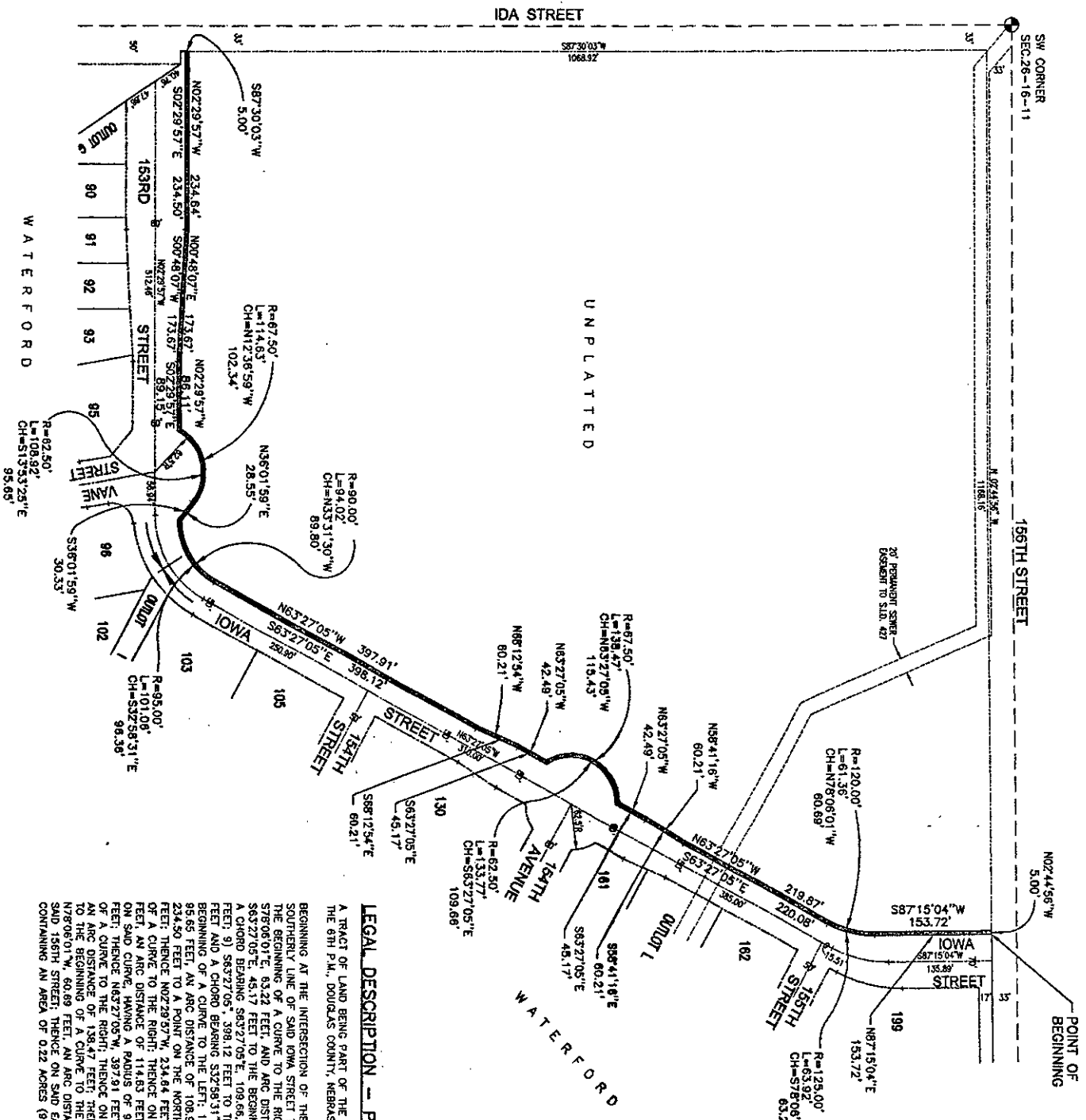
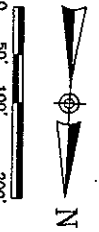
1. The Grantor and its successors and assigns shall not at any time before the gas and water pipelines and appurtenances are installed place any landscaping on the easement tracts. The Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tracts any large trees, large permanent markers or boulders, buildings or structures, except pavement and similar covering and landscaping, 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 condition 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 a 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 she has authority to execute it on behalf of the limited liability company.



LEGAL DESCRIPTION - PERMANENT UTILITY EASEMENT

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF 156TH STREET WITH THE SOUTHERLY LINE OF IOWA STREET; THENCE ON THE SOUTHERLY LINE OF SAID IOWA STREET THE FOLLOWING COURSES: (1) N87°15'04\"/>