



BK 1434 PG 274-279



MISC 2002 08408

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

2002 APR 12 AM 9:53

RECEIVED

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*misc.* FEE 3/00 FB 62-31224

*6* BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP *J*

*2* DEL \_\_\_\_\_ SCAN *R* FV \_\_\_\_\_

**PERMANENT EASEMENT AND RIGHT-OF-WAY**

THIS INDENTURE, made this 8th of APRIL, 2002, between PRAIRIE LIFE CENTER OF Q STREET, LTD., a Nebraska Limited Partnership, ("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 easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

**PERMANENT EASEMENT TRACT**

Two (2) tracts in Lot One (1), and one (1) tract in Lot Three (3), all in Prairie Life Center 2, an Administrative Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and as further described and shown on Exhibit "A" (4 pages), attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD this 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 pavement and similar covering, and shall not permit anyone else to do so.

2. The Grantee shall restore the surface of the tract excavated for any purpose hereunder, as nearly as is reasonably possible, to its original contour and 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 the lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and Grantor and its executors, administrators, 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 he has the authority to

*Please return to -  
MUD  
R. OWENS  
1723 HARVEY ST.  
OMAHA 68102*

*✓ 11223*

execute it on behalf of the Grantor limited partnership.

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

PRAIRIE LIFE CENTER OF Q STREET, LTD.,  
a Nebraska Limited Partnership, Grantor

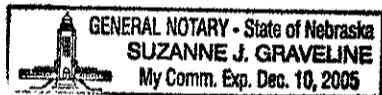
BY: LIFE CENTERS, INC., a  
Nebraska Corporation, General Partner

By: Dean F. Rasmussen  
Dean F. Rasmussen, President

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
  ) ss  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me on the 8<sup>th</sup> day of April, 2002, by Dean F. Rasmussen, President of Life Centers, Inc., a Nebraska corporation, for and on behalf of said corporation in its capacity as the general partner of Prairie Life Center of Q Street, Ltd., a Nebraska limited partnership.



Suzanne J. Graveline  
Notary Public

Permanent Gas Main Easement  
GRM 12276 – Prairie Life Center 2 - Lot 1

**Lot 1 Tract 1:** A tract of land in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 10, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., as platted and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the NE corner of the NE  $\frac{1}{4}$  of Section 10, Township 14 North, Range 12 East, thence North 90°00'00" West (an assumed bearing relative to all bearings contained herein) a distance of 388.08 feet; thence South 00°00'00" East a distance of 46.64 feet to the Point of Beginning 1; thence South 00°24'43" East a distance of 203.81 feet; thence South 84°29'17" East a distance of 172.24 feet to a point at the northwest corner of Lot 3 of Prairie Life Center 2; thence South 00°10'47" East along the west line of Lot 3 of Prairie Life Center 2 a distance of 10.04 feet; thence North 84°29'17" West a distance of 182.32 feet; thence North 00°24'43" West a distance of 213.85 feet; thence S84°29'17"E along the south right-of-way line of "Q" Street a distance of 10.04' feet to the Point of Beginning 1.



Lot 1 Tract 1 contains 0.0887 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

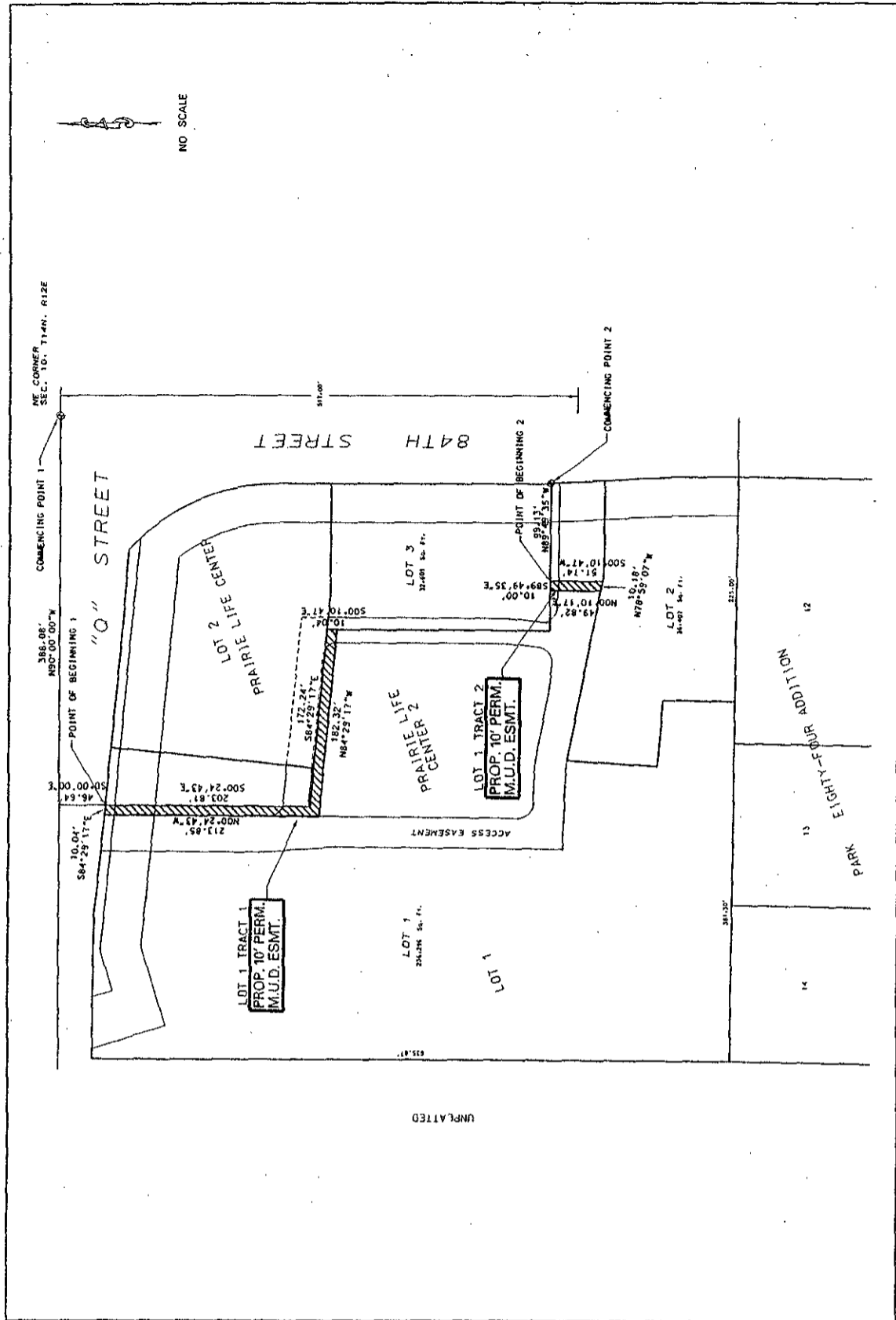
**Lot 1 Tract 2:** A tract of land in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 10, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., as platted and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the southeast corner of Lot 3 of Prairie Life Center 2 in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 10, Township 14 North, Range 12 East, thence North 89°49'35" West (an assumed bearing relative to all bearings contained herein) a distance of 99.13 feet to the Point of Beginning 2, a point along the south property line of Lot 3 of Prairie Life Center 2; thence South 00°10'47" West a distance of 51.74 feet; thence North 78°59'07" West a distance of 10.18 feet; thence North 00°10'17" East a distance of 49.82 feet; thence South 89°49'35" East along the south line of Lot 3 of Prairie Life Center 2 a distance of 10.00 feet to the Point of Beginning 2.

Lot 1 Tract 2 contains 0.0117 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

Combined, the Lot 1 tracts contain 0.100 of an acre, more or less.

<b>METROPOLITAN UTILITIES DISTRICT</b> OMAHA, NEBRASKA	
<b>EASEMENT ACQUISITION</b>	
FOR GRM 12276	
LAND OWNER PRAIRIE LIFE CTR. OF "Q" ST. LTD. LOT 1 - 8625 "Q" STREET OMAHA, NE 68127	
TOTAL ACRE PERMANENT _____ TOTAL ACRE TEMPORARY _____	0.100 ±
LEGEND  PERMANENT EASEMENT  TEMPORARY EASEMENT	
PAGE 1 OF 1	
DRAWN BY C.A.R. DATE 05-07-2002 CHECKED BY _____ DATE _____ APPROVED BY _____ DATE _____ REVISED BY _____ DATE _____ REV. CHK'D. BY _____ DATE _____ REV. APPROV. BY _____ DATE _____	





**Exhibit "A"**  
**Page 2 of 4**

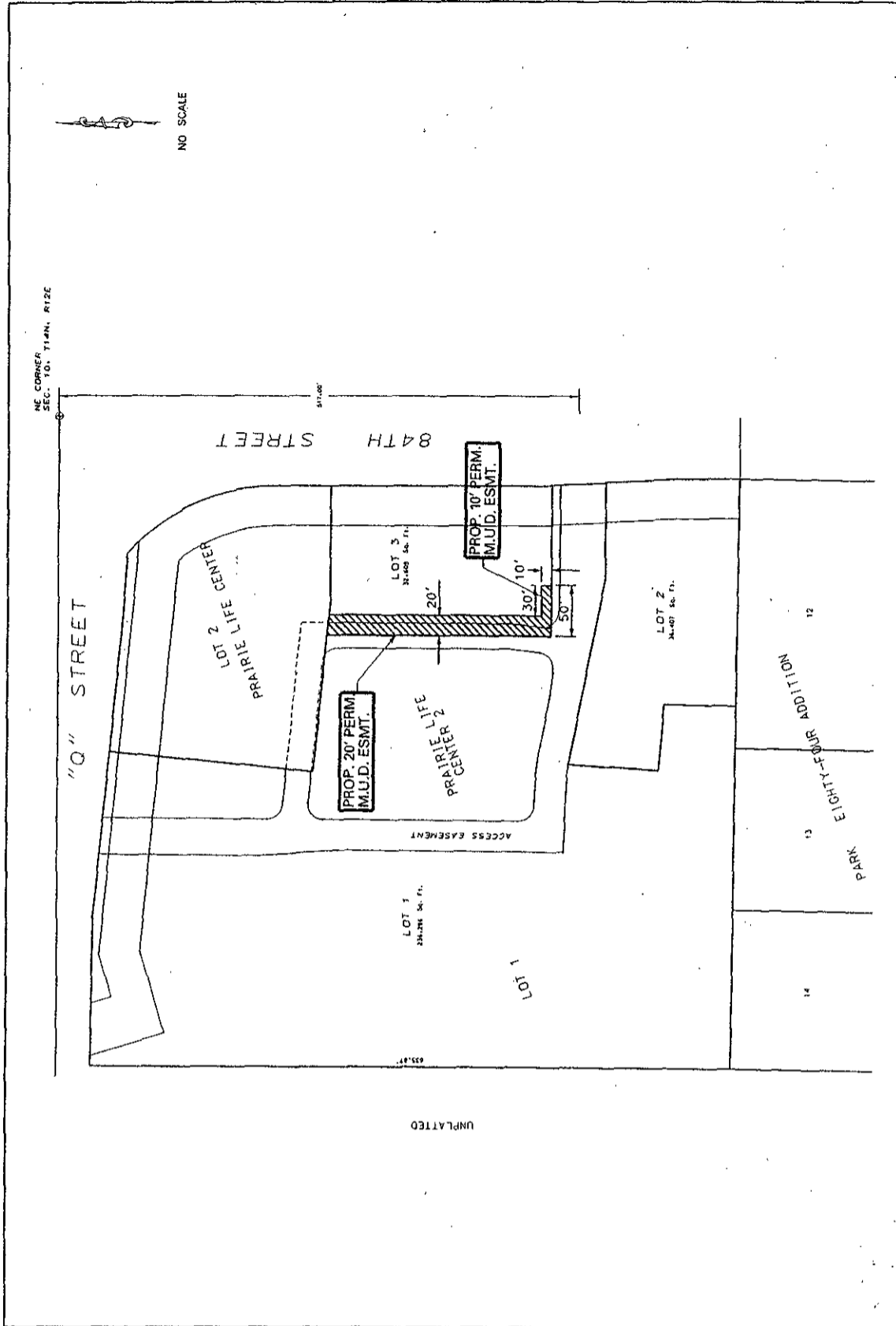
Permanent Gas Main Easement  
GRM 12276 – Prairie Life Center 2 - Lot 3

A tract of land in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 10, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., as platted and recorded in Douglas County, Nebraska, and being described as follows:

The westerly twenty feet (20') of Lot 3; and the southerly ten feet (10') of the easterly thirty feet (30') of the westerly fifty feet (50') of Lot 3 in Prairie Life Center 2.

The tract contains 0.109 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

<b>METROPOLITAN UTILITIES DISTRICT</b> OMAHA, NEBRASKA	
<b>EASEMENT ACQUISITION</b> FOR GRM 12276	
LAND OWNER PRAIRIE LIFE CTR. OF "Q" ST. LTD. LOT 3 - 8525 "Q" STREET OMAHA, NE 68127	TOTAL ACRE PERMANENT 0.109 ± TOTAL ACRE TEMPORARY _____
<b>LEGEND</b>  PERMANENT EASEMENT  TEMPORARY EASEMENT	PAGE 2 OF 2
DRAWN BY C.A.R. DATE 03-01-2002 CHECKED BY _____ DATE _____ APPROVED BY _____ DATE _____ REVISED BY _____ DATE _____ REV. CHK'D. BY _____ DATE _____ REV. APPROV. BY _____ DATE _____	



**Exhibit "A"**  
**Page 4 of 4**