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By

RICHARD N TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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PERMANENT
AND
TEMPORARYEASEMENTS AND RIGHTS-OF-WAYFEE 55 FB 01-60000
BKP 18-15-11 C/O COMP
DEL SCAN Y FV

THIS INDENTURE, made this 8th day of NOVEMBER, 1999, between ROBERT BELGRADE, Successor Trustee to EDWARD L. BELGRADE, Deceased, and MARK W. ZALKIN, Trustees of the Zalkin Real Estate Trust, dated September 21, 1992, ("Grantors"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, permanent easements and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, including but not limited to four (4) fire hydrants and four (4) 24" round iron covers, and temporary easements for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT TRACTSNE 1/4 NE 1/4 AND SE 1/4 NE 1/4
18-15-11

Except the rights-of-way of 192nd Street, Blondo Street, Old Lincoln Highway and Union Pacific Railroad, the following four tracts, each in the Northeast Quarter (NE 1/4) and/or the Southeast Quarter (SE 1/4), all of the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M. in Douglas County, Nebraska:

- (1) The West Twenty-two Feet (W.22') of the East Fifty-five Feet (E.55') of the NE 1/4 of the NE 1/4 north of the Union Pacific Railroad right-of-way and abutting the section line on the north; and
- (2) **Excepting** parcel (1) above, the West Seventeen Feet (W.17') of the East Fifty Feet (E.50') of both the NE 1/4 and the SE 1/4, both of the NE 1/4, of said Section 18; and
- (3) The West Thirty Feet (W.30') of the East Eighty Feet (E.80') of the South 320 (S.320') Feet of the North 420 Feet (N.420') of the SE 1/4 of the NE 1/4 of said Section 18; and
- (4) The West Five Feet (W.5') of the East Fifty-five Feet (E.55') of the North One Hundred Feet (N.100')

PLEASE RETURN TO—

R. OWENS

M.U.D.

1723 HARVEY ST.

OMAHA 68102-1906

of the South 750 Feet (S.750') of the NE 1/4 of the NE 1/4 of said Section 18.

and, in addition, a fifth tract:

NE 1/4 SE 1/4
18-15-11

(5) The North Four Hundred Feet (N.400') of the West Seventeen Feet (W.17') of the East Fifty Feet (E.50') of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eighteen (18), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M. in Douglas County, Nebraska.

These five tracts contain a total of 1.145 acres, more or less, and are shown on the three (3) drawings attached hereto and made a part hereof by this reference.

TEMPORARY EASEMENT TRACTS

NE 1/4 NE 1/4 AND SE 1/4 NE 1/4
18-15-11

Except the rights-of-way of 192nd Street, Blondo Street, Old Lincoln Highway and Union Pacific Railroad, the following two tracts, in the Northeast Quarter (NE 1/4) and/or the Southeast Quarter (SE 1/4), all of the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M. in Douglas County, Nebraska:

(1) The West Fifty Feet (W.50') of the East One Hundred Five Feet (E.105') of the NE 1/4 of the NE 1/4 north of the Union Pacific Railroad right-of-way and abutting the section line on the north; and

(2) **Excepting** parcel (1) above and **excepting**, the West Thirty Feet (W.30') of the East Eighty Feet (E.80') of the South 320 Feet of the North 420 Feet of the SE 1/4 of the NE 1/4 of said Section 18, and **excepting** the West Five Feet (W.5') of the East Fifty-five Feet (E.55') of the North One Hundred Feet (N.100') of the South 750 Feet (S.750') of the NE 1/4 of the NE 1/4 of said Section 18, the West Fifty Feet (W.50') of the East One Hundred Feet (E.100') of both the NE 1/4 and the SE 1/4, both of the NE 1/4, of said Section 18.

and, in addition, a third tract:

NE 1/4 SE 1/4
18-15-11

(3) The North Four Hundred Feet (N.400') of the West Fifty Feet (W.50') of the East One Hundred Feet (E.100') of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eighteen (18), Township Fifteen (15) North, Range Eleven (11) East of 6th P.M., in Douglas County, Nebraska.

These three tracts contain 2.742 acres, more or less, and are shown on the three (3) drawings attached hereto and made a part hereof by this reference.

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

1. The Grantors and their successors and assigns shall not at any time erect, construct or place on or below the surface of the permanent easement tracts any building or structure and shall not permit anyone else to do so, and, with respect to the temporary easement tracts, the same prohibitions apply during the effective period of those temporary conveyances, which effective period shall commence upon the date of execution hereof and cease upon completion of the project contemplated herein or on January 1, 2001, whichever occurs first.

2. The Grantee shall restore or replace, where reasonably necessary, any fencing, landscaping and/or ground cover (paving, asphalt, etc.), to its condition prior to the onset of the project or the onset of any subsequent maintenance. Temporary fencing shall be installed and maintained by the Grantee in locations where fencing is removed for easement purposes, until the permanent fencing is restored. Furthermore, the Grantee shall restore the soil or sod excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour and condition within a reasonable time after the original or any subsequent work is performed.

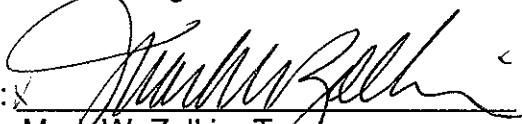
3. Nothing herein shall be construed to waive any right of Grantors or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantors are lawful possessors 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, Grantors execute these Permanent and Temporary Easements and Rights-of-Way to be signed on the above date.

ROBERT BELGRADE, Successor
Trustee to EDWARD L. BELGRADE,
Deceased, and MARK W. ZALKIN,
Trustees of the Zalkin Real Estate
Trust, dated September 21, 1992,
Grantors

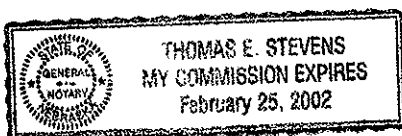
By: 
Robert Belgrade, Trustee

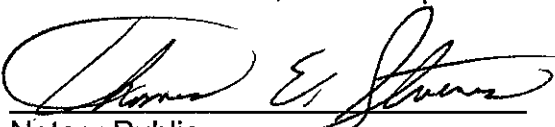
By: 
Mark W. Zalkin, Trustee

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 11/19, 1999,
by Robert Belgrade, Trustee of the Zalkin Real Estate Trust, dated September 21, 1992.




Notary Public

ACKNOWLEDGMENT

STATE OF COLORADO)
) ss
COUNTY OF Denver)

This instrument was acknowledged before me on Nov. 08, 1999,
by Mark W. Zalkin, Trustee of the Zalkin Real Estate Trust, dated September 21, 1992.

Rosalie Wagner
Notary Public



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA
EASEMENT
ACQUISITION

FOR W.C.P. 8715

LAND OWNER

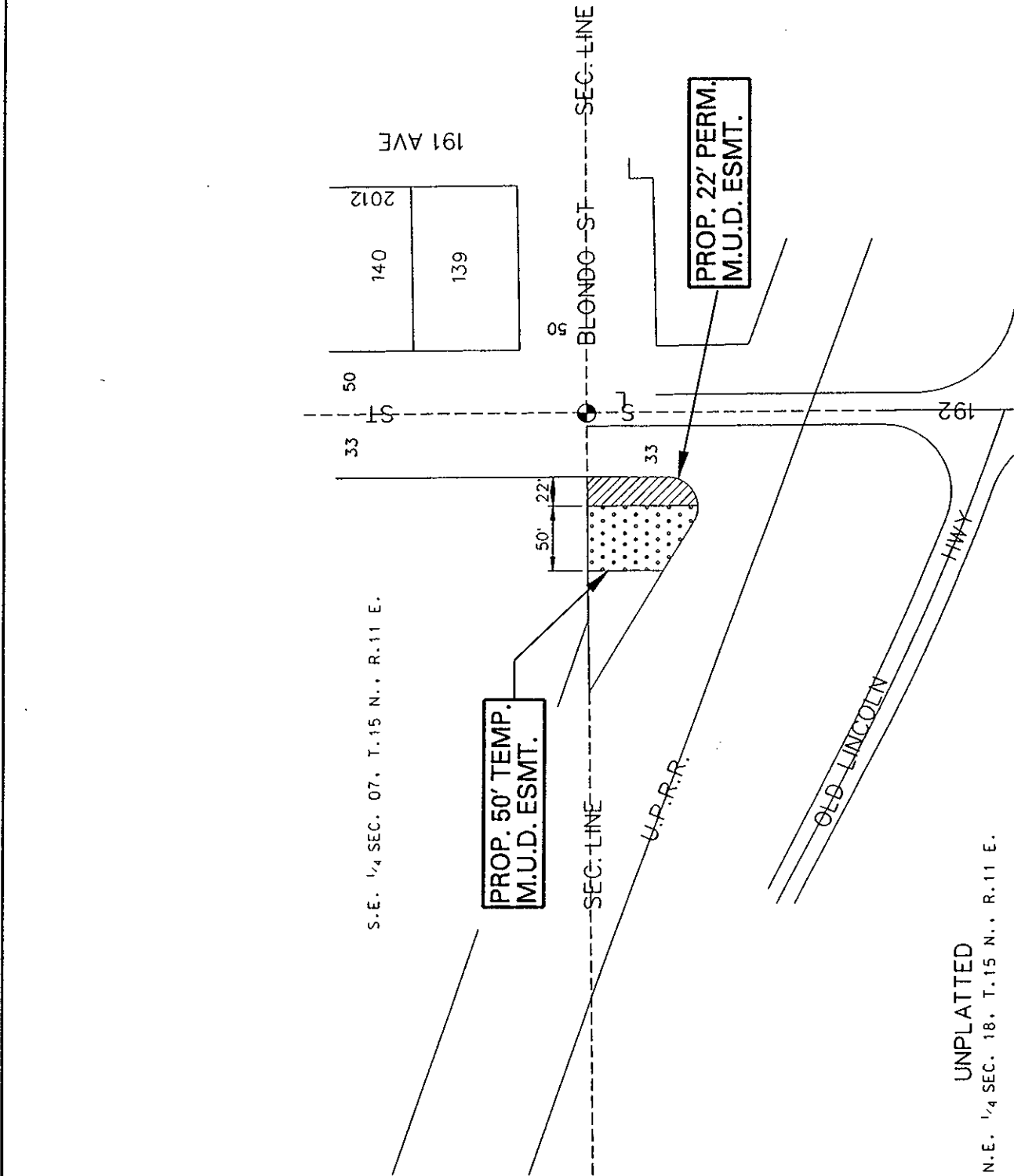
Zalkin Real Estate
Trust

TOTAL ACRE PERMANENT 0.039 ±
TOTAL ACRE TEMPORARY 0.082 ±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY R. RILEY
DATE 10-05-1999
CHECKED BY
DATE
APPROVED BY JWS
DATE 10-11-99
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



UNPLATTED
N.E. 1/4 SEC. 18, T.15 N., R.11 E.

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA
EASEMENT
ACQUISITION

FOR W.C.P. 8715

LAND OWNER

Zalkin Real Estate
Trust

TOTAL ACRE
PERMANENT 0.95 ±
TOTAL ACRE
TEMPORARY 2.2 ±

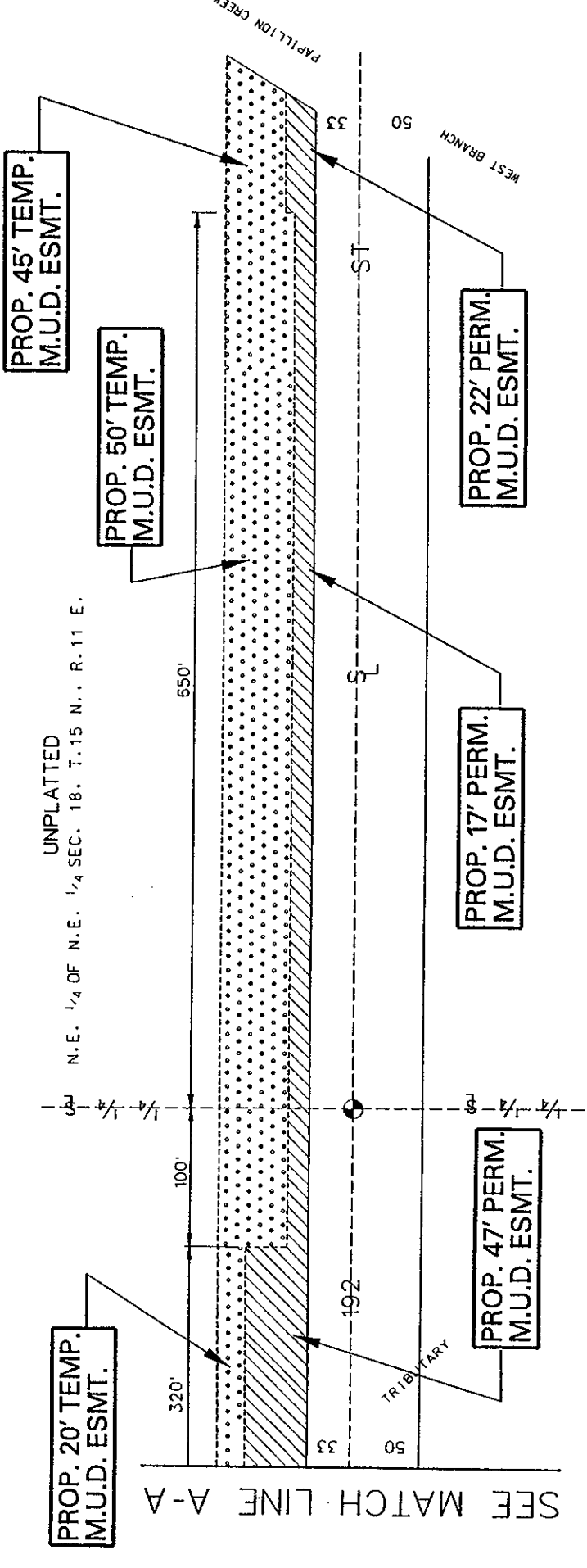
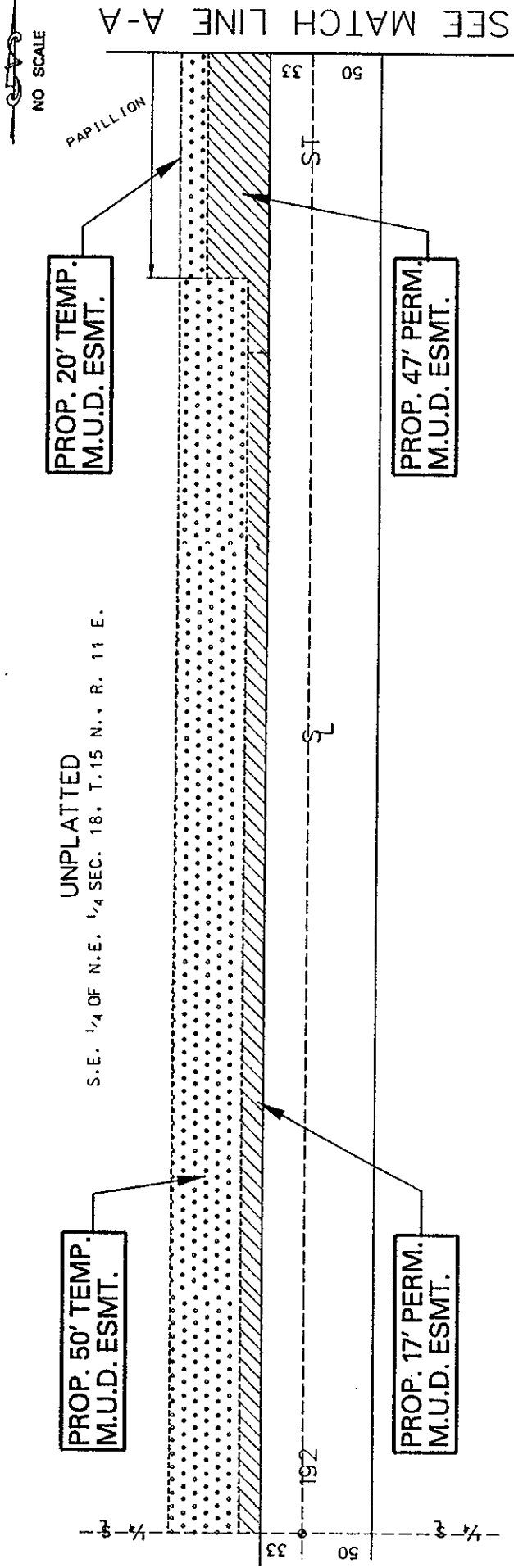
LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY R RILEY
DATE 09-16-98
CHECKED BY
DATE
APPROVED BY JWS
DATE 9-17-99
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA
EASEMENT
ACQUISITION
FOR W.C.P. 8715

LAND OWNER
Zalkin Real Estate
Trust

TOTAL ACRE	
PERMANENT	0.156 ±
TOTAL ACRE	
TEMPORARY	0.46 ±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY R RILEY
DATE 09-16-99
CHECKED BY
DATE
APPROVED BY JWS
DATE 9-16-99
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE

UNPLATTED
N.E. 1/4 OF S.E. 1/4 SEC. 18, T.15 N., R. 11 E.

