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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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2010088596

PERMANENT EASEMENT

THIS AGREEMENT, made this 22 day of September, 2010 between WEST DUNDEE DEVELOPMENT CO., L.L.C, a Nebraska limited liability company ("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 hereby 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 water and all appurtenances thereto, including, but not limited to, round iron covers, roadway boxes, hydrants, and pipeline markers, 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 23, West Dodge Hills, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska and described as follows:

Beginning at the most northerly corner of said Lot 23; thence S45°36'13"E (assumed bearing) 20.35 feet on the northeasterly line of said Lot 23; thence S44°23'47"W 10.00 feet; thence N45°36'13"W 14.30 feet on a line 10.00 feet southwesterly of and parallel with the northeasterly line of said Lot 23; thence southwesterly on a line 10.00 feet southeasterly of and concentric with the northwesterly line of said Lot 23 on a 112.50 foot radius curve to the right, chord bearing S84°16'14"W, chord distance 41.42 feet, an arc distance of 41.66 feet; thence southwesterly on a line 10.00 feet southeasterly of and concentric with the northwesterly line of said Lot 23 on a 52.50 foot radius curve to the left, chord bearing S69°21'41"W, chord distance 45.23 feet, an arc distance of 46.76 feet; thence N46°09'21"W 10.00 feet to the northwesterly line of said Lot 23; thence northeasterly on the northwesterly line of said Lot 23 on a 62.50 foot radius curve to the right, chord bearing N69°21'41"E, chord distance 53.85 feet, an arc distance of 55.67 feet; thence northeasterly on the northwesterly line of said Lot 23 on a 102.50 foot radius curve to the left, chord bearing N82°39'27"E, chord distance 43.40 feet, an arc distance of 43.73 feet to the point of beginning.

This permanent easement contains 0.026 of an acre, more or less, and is shown on the drawing attached hereto as Exhibit "A" and made a part hereof by this reference.

TO HAVE AND TO HOLD said Permanent Easement 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 permanent easement any building or structure, except pavement or a similar covering, and shall not permit anyone else to do so.

Please file & return to:

Susan E. Prazan, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

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