MISC 2010111570

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BKP ____ C/O ____ COMP CC

DEL ____ SCAN ____ FV ____

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/24/2010 10:44:11.25

2010111570

PERMANENT EASEMENT

THIS AGREEMENT, made this 18 day of November, 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 gas 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:

The westerly five feet (5') of Lot 23.

This permanent easement contains 0.1256 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 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.

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. 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.

4. The person executing this instrument has authority to execute it on behalf of the limited liability company.

Please file & return to:

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

✓ 745264

IN WITNESS WHEREOF, Grantor executes this Permanent Easement on the above date.

WEST DUNDEE DEVELOPMENT CO., L.L.C.,
a Nebraska limited liability company,
Grantor

Howard M. Kooper

Howard M. Kooper, Member-Manager

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on November 18, 2010, by Howard M. Kooper, Member-Manager of West Dundee Development Co., L.L.C., on behalf of the limited liability company.

GENERAL NOTARY - State of Nebraska
REBECCA JO ANDERSON
My Comm. Exp. March 9, 2012

Rebecca J. Anderson

Notary Public

METROPOLITAN UTILITIES DISTRICT

OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR

GP1416

100060000740

LAND OWNER
Howard M. Kooper, Member

C/O: West Dundee Development Co., LLC

809 N. 90th St.

Omaha, NE. 68114

TOTAL ACRE PERMANENT 0.1256 ±

TOTAL ACRE TEMPORARY N/A ±

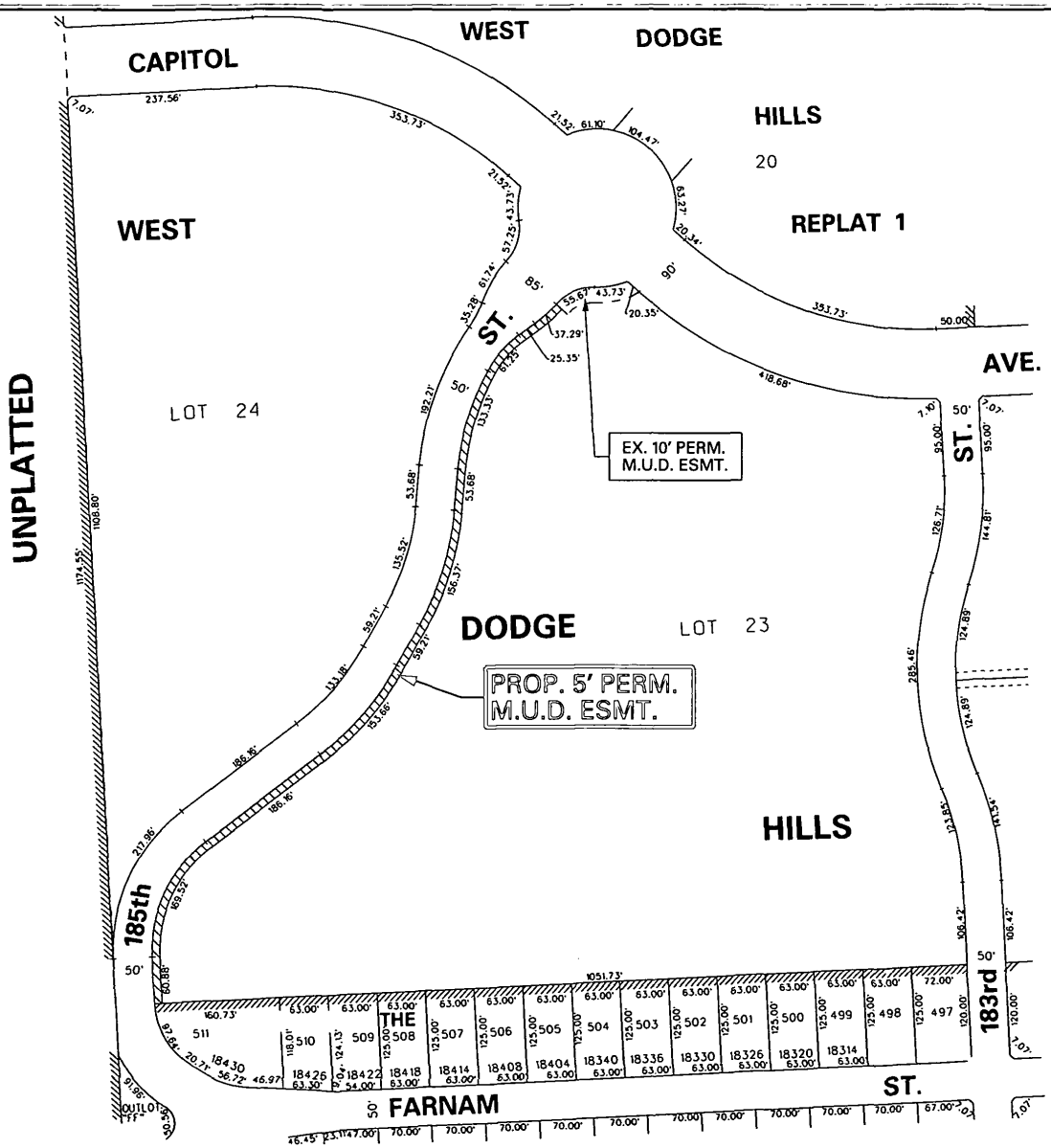
LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY JJG
DATE 10-19-2010
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



NO SCALE
WEST DODGE HILLS LOTS 23 & 24
185th ST. & CAPITOL AVE. to FARNAM ST.

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