

MISC

2016023341



APR 01 2016 13:53 P 4

> Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 4/1/2016 13:53: 48:90 2 0 1 6 0 2 3 3 4 1

PERMANENT EASEMENT

THIS AGREEMENT, made this <u>30</u> day of March, 2016, between TRP PROPERTIES L.L.C., a Nebraska limited liability company, ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision ("Grantee"),

WITNESS:

Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grant 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 gas and water and all appurtenances thereto, including, but not limited to, round iron covers, valve boxes, roadway boxes, above-ground regulator pipes, and pipeline markers, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

This easement is for multiple tracts of land within Omaha Works Industrial Park as specifically identified and described below and as shown on the attached exhibit.

Gas only

 A tract of land being a portion of Outlot "A", Omaha Works Industrial Park Replat 11, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, being more particularly described as follows:

BEGINNING AT THE WEST CORNER OF LOT 3, OMAHA WORKS INDUSTRIAL PARK REPLAT 11; THENCE ALONG A 230.00 FOOT RADIUS CURVE TO THE LEFT (CHORD WHICH BEARS N52°12'13"W, A DISTANCE OF 10.00 FEET) FOR 10.02 FEET ALONG SAID CURVE; THENCE N40°51'18"E, A DISTANCE OF 89.59 FEET; THENCE ALONG A 135.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD WHICH BEARS N63°48'12"E, A DISTANCE OF 105.27 FEET) FOR 108.14 FEET ALONG SAID CURVE; THENCE N86°44'53"E, A DISTANCE OF 163.28 FEET; THENCE N17°58'11"W, A DISTANCE OF 41.35 FEET; THENCE N86°45'7"E, A DISTANCE OF 20.47 FEET; THENCE S18°10'31"E, A DISTANCE OF 51.74 FEET: THENCE S86°45'7"W, A DISTANCE OF 186.60 FEET; THENCE ALONG A 125.00 FOOT RADIUS CURVE TO THE LEFT (CHORD WHICH BEARS S63°48'12"W, A DISTANCE OF 97.48 FEET) FOR 100.13 FEET ALONG SAID CURVE; THENCE S40°51'18"W, A DISTANCE OF 89.05 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINS 0.0869 OF AN ACRE, MORE OR LESS.

Water only

 A TRACT OF LAND BEING A PORTION OF LOT 3, OMAHA WORKS INDUSTRIAL PARK REPLAT 11, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY TEN (10) FEET OF LOT 3, OMAHA INDUSTRIAL PARK REPLAT 11, ABUTTING THE SOUTH 130TH STREET RIGHT OF WAY.

- 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. Grantee shall restore property, if modified for any purpose hereunder, as nearly as is reasonably possible to its original condition within a reasonable time after the work is performed.
- 3. 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 after this conveyance; provided, Grantee takes title to this easement interest subject to recorded or unrecorded easements or conditions that may exist on the property.
- 4. Grantee shall indemnify Grantor for any and all damage to the property associated with the construction activities associated with the construction of the pipelines described herein.
- 5. The persons executing this instrument have authority to execute it on behalf of the Grantor.

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

TRP PROPERTIES L.L.C., a Nebraska limited liability asympany, Grantor

By:

Terry R. Peterson, Manager

<u>ACKNOWLEDGMENT</u>

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on Mark 30, 2016, by Terry R. Peterson, Manager, of TRP PROPERTIES L.L.C., on behalf of the limited liability company.

GENERAL NOTARY-State of Nebraska

DANIELLE FLYNN

My Comm. Exp. July 1, 2016

Hotary Public

1430940.1

DRAWN BY JCK DATE 12:22:2015 CHECKED BY RMT DATE 3:21-16 APPROVED BY PAUSED BY DATE 17-2(-('6) REV. CHK'D. BY DATE REV. CHK'D. BY DATE REV. APPROV. BY DATE REV. APPROV. BY	TOTAL ACRE	100055001159 LAND OWNER TRP PROPERTIES, LLC 13010 "F" ST. OMAHA, NE 68137	METROPOLITAN OTILITIES DISTRICT EASEMENT ACQUISITION FOR WP1421
LOT 8		S. 130th ST.	OMAHA WORKS OMAHA WORKS OMATA PARK INTERMEDIATION OUTLOT 4 REP 9 OUTLOT 4 REP 9 OUTLOT 4 REP 9 OUTLOT 4 REP 9
OMAHA WORKS INDUSTRIAL PARK REPLAT 11	TOT:	PROP. 10' PERM. M.U.D. ESMT.	"A"
IORKS 11 11		LOT 2	NO SCALE

3P2113.dgn ESMT OUTLOT A 3/22/2016 12:04:15 PM METROPOLITAN TOTAL ACRE
PERMANENT
TOTAL ACRE
TEMPORARY FOR DATE REV. APPROV. BY REV. CHK'D. BY DATE REVISED BY PERMANENT EASEMENT APPROVED BY CHECKED BY DRAWN BY TEMPORARY EASEMENT LAND OWNER **ACQUISITION** PAGE **EASEMENT** 100060001234 TRP PROPERTIES LLC **OMAHA, NE 68137** 13010 "F" ST GP2113 LEGEND 읶 0.0869 ± OMAHA WORKS INDUSTRIAL PARK REPLAT 11 OUTLOT "A" R= 230.00' L= 10.02' CHB= N52°12'13"W CH= 10.00' INDUSTRIAL PARK OMAHA WORKS N40°51'J8"E 89.59 . 18 Maey S40°51'18"W 89.05 POINT OF BEGINNING R= 125.00' L= 100.13' CHB= S63°48'12"W CH= 97.48' LOT 3 R= 135.00' L= 108.14' CHB= N63°48'12"E CH= 105.27' EX. 60'x30' PERM. M.U.D. ESMT 100.00 OMAHA WORKS OMAHA WORKS INDUSTRIAL PARK REPLAT 11 N86°44'53"E 163.28' S86°45'7"W 186.60'-LOT 1 N17°58'11"W 41.35'-PROP. 10' PERM M.U.D. ESMT. EX. EGRESS ESMT. "F" PLZ LOT 2 N86°45'7"E 20.47' -S18°10'31"E 51.74" . Is wor . S NO SCALE