



PERMANENT EASEMENT

THIS AGREEMENT, made this 9<sup>th</sup> day of August, 2018, between NEW WEST FARM HOLDINGS, LLC, 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, valve boxes, round iron covers, roadway boxes, 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 being a portion of Lot 2, West Farm Replat 2, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the northwest corner of said Lot 2, West Farm Replat 2, thence along the north line of said Lot 2, West Farm Replat 2, also being the south right of way line of West Dodge Road the following four courses:

1. thence north 53°00'35" east (bearings referenced to the final plat of West Farm) for 96.46 feet;
2. thence north 80°35'15" east for 352.28 feet;
3. thence north 87°06'26" east for 400.00 feet;
4. thence south 87°10'56" east for 31.00 feet;

Thence south 02°49'04" west for 20.00 feet; thence 20.00 feet south of and parallel to the north line of said Lot 2, West Farm Replat 2, for the following four courses:

1. thence north 87°10'56" west for 30.00 feet;
2. thence south 87°06'26" west for 397.86 feet;
3. thence south 80°35'15" west for 346.23 feet;
4. thence south 53°00'35" west for 90.06 feet to the west line of said Lot 2, West Farm Replat 2; thence along a curve to the left (having a radius of 627.51 feet and a long chord bearing north 41°15'17" west for 20.06 feet) for an arc length of 20.06 feet to the Point of Beginning.

*Please file & return to:*

Rick Kubat, Government Relations Attorney  
Metropolitan Utilities District  
1723 Harney Street  
Omaha, Nebraska 68102-1960

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This permanent easement contains 17,438 square feet and is shown on the drawing attached hereto and made a part hereof by this reference.

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.

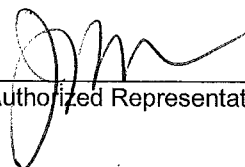
2. The Grantee shall restore the soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.

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.

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

NEW WEST FARM HOLDINGS, LLC, a  
Nebraska limited liability company, Grantor  
BY: North American Casualty Co.,  
Its Manager

By:  \_\_\_\_\_  
Authorized Representative

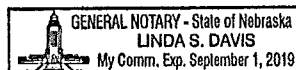
\_\_\_\_\_  
Jeffrey A. Silver  
Printed Name

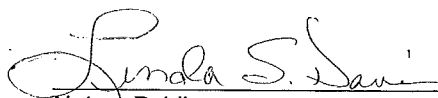
\_\_\_\_\_  
Vice President  
Title

ACKNOWLEDGMENT

STATE OF NEBRASKA    )  
                                  ) ss  
COUNTY OF DOUGLAS    )

This instrument was acknowledged before me on August 9, 2018, by Jeffrey A. Silver, Vice President of New West Farm Holdings, LLC, on behalf of the limited liability company.



 \_\_\_\_\_  
Notary Public

# EASEMENT EXHIBIT

## LEGAL DESCRIPTION

A PERMANENT WATER EASEMENT OVER PART OF LOT 2, WEST FARM REPLAT 2, A SUBDIVISION AS SURVEYED, PLATTED, AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, WEST FARM REPLAT 2 THENCE ALONG THE NORTH LINE OF SAID LOT 2, WEST FARM REPLAT 2 ALSO BEING THE SOUTH RIGHT OF WAY LINE OF WEST DODGE ROAD THE FOLLOWING FOUR COURSES;

1. THENCE NORTH 53°00'35" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 96.46 FEET;
2. THENCE NORTH 80°35'15" EAST FOR 352.28 FEET;
3. THENCE NORTH 87°06'26" EAST FOR 400.00 FEET;
4. THENCE SOUTH 87°10'56" EAST FOR 31.00 FEET;

THENCE SOUTH 02°49'04" WEST FOR 20.00 FEET;

THENCE 20.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 2, WEST FARM REPLAT 2 FOR THE FOLLOWING FOUR COURSES:

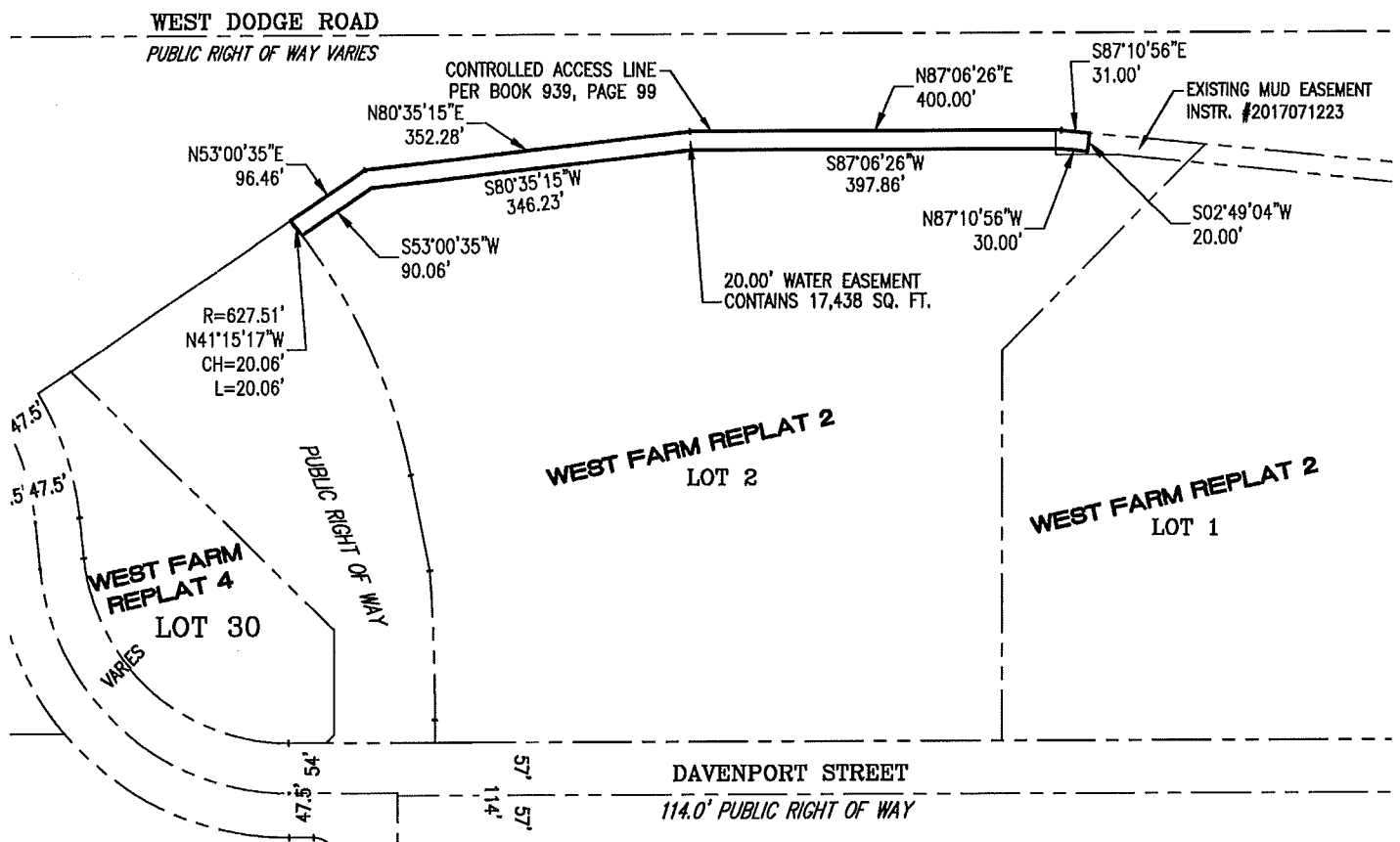
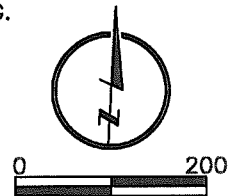
1. THENCE NORTH 87°10'56" WEST FOR 30.00 FEET;
2. THENCE SOUTH 87°06'26" WEST FOR 397.86 FEET;
3. THENCE SOUTH 80°35'15" WEST FOR 346.23 FEET;
4. THENCE SOUTH 53°00'35" WEST FOR 90.06 FEET TO THE WEST LINE OF SAID LOT 2, WEST FARM REPLAT 2;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 627.51 FEET AND A LONG CHORD BEARING NORTH 41°15'17" WEST FOR 20.06 FEET) FOR AN ARC LENGTH OF 20.06 FEET TO THE POINT OF BEGINNING.

CONTAINS 17,438 SQUARE FEET.

## LEGEND

- EASEMENT LINE
- - - LOT LINE
- - - SECTION LINE



**LAMP RYNEARSON  
& ASSOCIATES**

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
EAM

DESIGNED BY

REVIEWED BY  
WEK

PROJECT - TASK NUMBER  
0117072.01-020

DATE  
6-5-18

BOOK AND PAGE

REVISIONS