



MISC 2008014833



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PERMANENT AND
TEMPORARY CONTRUCTION
EASEMENTS

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/15/2008 13:39:36.65



2008014833

THIS AGREEMENT, made this 12 day of February, 2008 between OMAHA LIVESTOCK MARKET, INC., a Nebraska Corporation ("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 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, manhole covers, and pipeline markers and a temporary easement for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Tracts of land located in Section 4, Township 14 North, Range 13 East, and in Section 9, Township 14 North, Range 13 East, in Douglas County, Nebraska, and being described as follows:

Commencing at the Southeast Corner of the Southeast ¼ of the Southeast ¼ of Section 4-14-13; thence South 86°31'13" West (assumed bearing) along the Section line of "Q" Street, a distance of 239.00 feet; thence South 75°50'21" West a distance of 33.00 feet; thence North 14°9'39" West a distance of 45.00 feet, to the Point of Beginning; thence North 75°50'21" East a distance of 20.00 feet; thence North 14°9'39" West a distance of 30.00 feet; thence South 75°50'21" West a distance of 20.00 feet; thence South 14°9'39" East a distance of 30.00 feet, back to the Point of Beginning.

This permanent easement contains 0.0137 of an acre, more or less, and is shown on the attached drawing hereto and made a part hereof by reference.

TEMPORARY EASEMENT

Commencing at the Southeast corner of the Southeast ¼ of the Southeast ¼ of Section 4-14-13; thence South 86°31'13" West (assumed bearing) along the Section line of "Q" Street, a distance of 239.00 feet, to the Point of Beginning; thence south 75°50'21" West a distance of 33.00 feet; thence North 14°9'39" West a distance of 45.00 feet; thence North

Please file & return to:

Patrick L. Tripp, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

✓ 104497 * CASH

75°50'21" East a distance of 20.00 feet; thence North 14°9'39" West a distance of 30.00 feet; thence South 75°50'21" West a distance of 20.00 feet; thence North 14°9'39" West a distance of 45.00 feet; thence North 75°50'21" East a distance of 33.00 feet; thence South 14°9'39" East a distance of 120.00 feet, back to the Point of Beginning.

This temporary easement contains 0.0826 of an acre, more or less, and is shown on the attached drawing hereto and made a part hereof by 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. The same prohibitions shall apply to temporary easements. The effective period of the temporary easement shall commence upon the execution date hereof and end after completion of the project for which these easements are obtained.

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 corporation.

IN WITNESS WHEREOF, Grantor executes this Permanent and Temporary Easements on the above date.

OMAHA LIVESTOCK MARKET, INC.,
Grantor,


Authorized Individual's Signature

REGINALD SCHAWER
Printed Name


VICE PRESIDENT
Title

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss

This instrument was acknowledged before me on FEBRUARY 12, 2008, by REGINALD SCHAWER, VICE PRESIDENT of Omaha Livestock Marketing, Inc., on behalf of the corporation.

CATHERINE WHITE
Notary Public, State of New York
No. 01WH6097519
Qualified in Suffolk County
Commission Expires August 25, 2011


Notary Public

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR WC 10386-1

DRAWING #1

LAND OWNER
OMAHA LIVESTOCK MKT INC
c/o RAIL CAR NEBRASKA

4901 S. 28th ST.
OMAHA, NE 68107

TOTAL ACRE 0.0137±
PERMANENT
TOTAL ACRE 0.0826±
TEMPORARY

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY DML
DATE 8/30/2007
CHECKED BY DRR
DATE 9/4/2007
APPROVED BY DRR
DATE 9/4/2007
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE

PROP. 120' TEMP.
M.U.D. ESMT.

33.00'
N75°50'21"E

45.00'
N14°9'39"W

20.00'
S75°50'21"W

30.00'
N14°9'39"W

20.00'
N75°50'21"E

120.00'
S14°9'39"E

45.00'
N14°9'39"W

33.00'
S75°50'21"W

239.00'
S86°31'13"W

POINT OF BEGINNING
SECTION 9

ST.

TOWNSHIP 14 NORTH
RANGE 13 EAST

SECTION 4
TOWNSHIP 14 NORTH
RANGE 13 EAST

SECTION 5
TOWNSHIP 14 NORTH
RANGE 13 EAST

COMMENCING POINT
SE CORNER OF THE
SE 1/4 OF SECTION 4
TOWNSHIP 14 NORTH
RANGE 13 EAST

SECTION 10
TOWNSHIP 14 NORTH
RANGE 13 EAST

NO SCALE
28th. ST. & "Q" ST.
M.U.D. TO CUT-OFF EXIST. DRAIN CONNECTION
AND INSTALL NEW DRAIN HYDT.

26th. ST.

"Q"

METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA

EASEMENT
ACQUISITION

FOR
WC 10386-1
DRAWING #2

LAND OWNER
OMAHA LIVESTOCK MKT INC
c/o RAIL CAR NEBRASKA
4901 S. 28th ST.
OMAHA, NE 68107

TOTAL ACRE
PERMANENT 0.0137±
TOTAL ACRE
TEMPORARY 0.0826±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

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