

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2003-20839

2003 APR 18 P 2:13

Sharon J. Dowling
REGISTER OF DEEDS

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Proof D
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EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 3rd day of April, 2003, between THE 192ND AND HARRISON PARTNERSHIP, LTD. ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

That Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, an easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and all appurtenances thereto, including but not limited to one valve box, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

North portion of proposed Lot 359

A tract of land in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 17, Township 14 North, Range 11 East of the 6th P.M., in Sarpy County, Nebraska, and being described as follows:

Commencing at the NW corner of Section 17, Township 14 North, Range 11 East, thence North 89°59'40" East (an assumed bearing relative to all bearings contained herein) a distance of 1220.68' along the northern boundary line of Section 17; thence South 0°00'00" East a distance of 50' to the Point of Beginning; thence southerly on a 446' radius curve to the left, 58.35' (long chord bears South 01°29'44" East a distance of 58.31'); thence South 05°14'37" East a distance of 167.12'; thence southerly on a 639.93' radius curve to the right, 276.38' (long chord bears South 05°33'40" West a distance of 274.65'); thence South 16°49'27" West a distance of 71.45'; thence South 62°30'33" West a distance of 5.93'; thence North 71°48'22" West a distance of 0.76'; thence North 16°49'27" East a distance of 75.58'; thence northerly on a 634.93' radius curve to the left, 274.36' (long chord bears North 05°33'32" East a distance of 272.65'); thence North 05°14'37" West a distance of 167.12'; thence northerly on a 451' radius curve to the right, 58.81' (long chord bears North 01°30'29" West a distance of 58.77'); thence North 89°59'40" East a distance of 5' to the Point of Beginning.

-AND-

Return to: *Susan Pagan*
M.U.D.
1723 Harney Street
Omaha, NE 68102

20839

A

South portion of proposed Lot 359

A tract of land in the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 17, Township 14 North, Range 11 East of the 6th P.M., in Sarpy County, Nebraska, and being described as follows:

Commencing at the NW corner of Section 17, Township 14 North, Range 11 East, thence South 00°41'34" West (an assumed bearing relative to all bearings contained herein) along the western boundary line of Section 17 a distance of 670.75'; thence North 90°00'00" East a distance of 1189.94' to the Point of Beginning; thence South 71°48'22" East a distance of 0.8'; thence South 26°50'18" East a distance of 5.94'; thence South 18°11'38" West a distance of 5.45'; thence southerly on a 425' radius curve to the left, 449.83' (long chord bears South 12°07'40" East a distance of 429.13'); thence southerly along a 175' curve to the right, 48' (long chord bears South 34°35'29" East a distance of 47.85'); thence South 63°16'00" West a distance of 5'; thence northerly on a 170' radius curve to the left, 46.63' (long chord bears North 34°35'29" West a distance of 46.48'); thence northerly on a 430' radius curve to the right, 455.12' (long chord bears North 12°07'40" West a distance of 434.18'); thence North 18°11'38" East a distance of 9.64' to the Point of Beginning.

This permanent easement contains 0.132 of an acre, more or less, and is shown on the drawings attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Easement and Right-of-Way 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 easement tract any building or structure, except landscaping, pavement and similar covering, and shall not permit anyone else to do so. Other utility facilities may be placed within the easement area provided the installation, operation, and maintenance of such facilities do not interfere with the operation and maintenance of Grantee's gas pipelines.

2. The Grantee shall restore the surface of any 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. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is a 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.

5. The persons executing this instrument represent that they have authority to execute it on behalf of the partnership.

B

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.

THE 192ND AND HARRISON PARTNERSHIP,
LTD., Grantor

BHD, L.L.C., Partner

By: Barbara Udes Shaw
~~Maurice M. Udes, Manager~~
Barbara Udes Shaw

JOHN L. HOICH, Partner

By: John L. Hoich
John L. Hoich

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF Douglas)

This instrument was acknowledged before me on April 3, 2003, by ~~Maurice M. Udes~~, Manager of BHD, L.L.C., Partner of The 192nd and Harrison Partnership, Ltd., on behalf of the partnership.

Jana L. McDonald
Notary Public

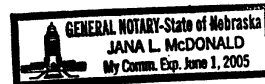
ACKNOWLEDGMENT



STATE OF NEBRASKA)
) ss
COUNTY OF Douglas)

This instrument was acknowledged before me on April 3, 2003, by John L. Hoich, Partner of The 192nd and Harrison Partnership, Ltd., on behalf of the partnership.

Jana L. McDonald
Notary Public





METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR
GRM 12121-1-2

LAND OWNER
*The 19th and Harrison Partnership, Ltd,
90 GDR*

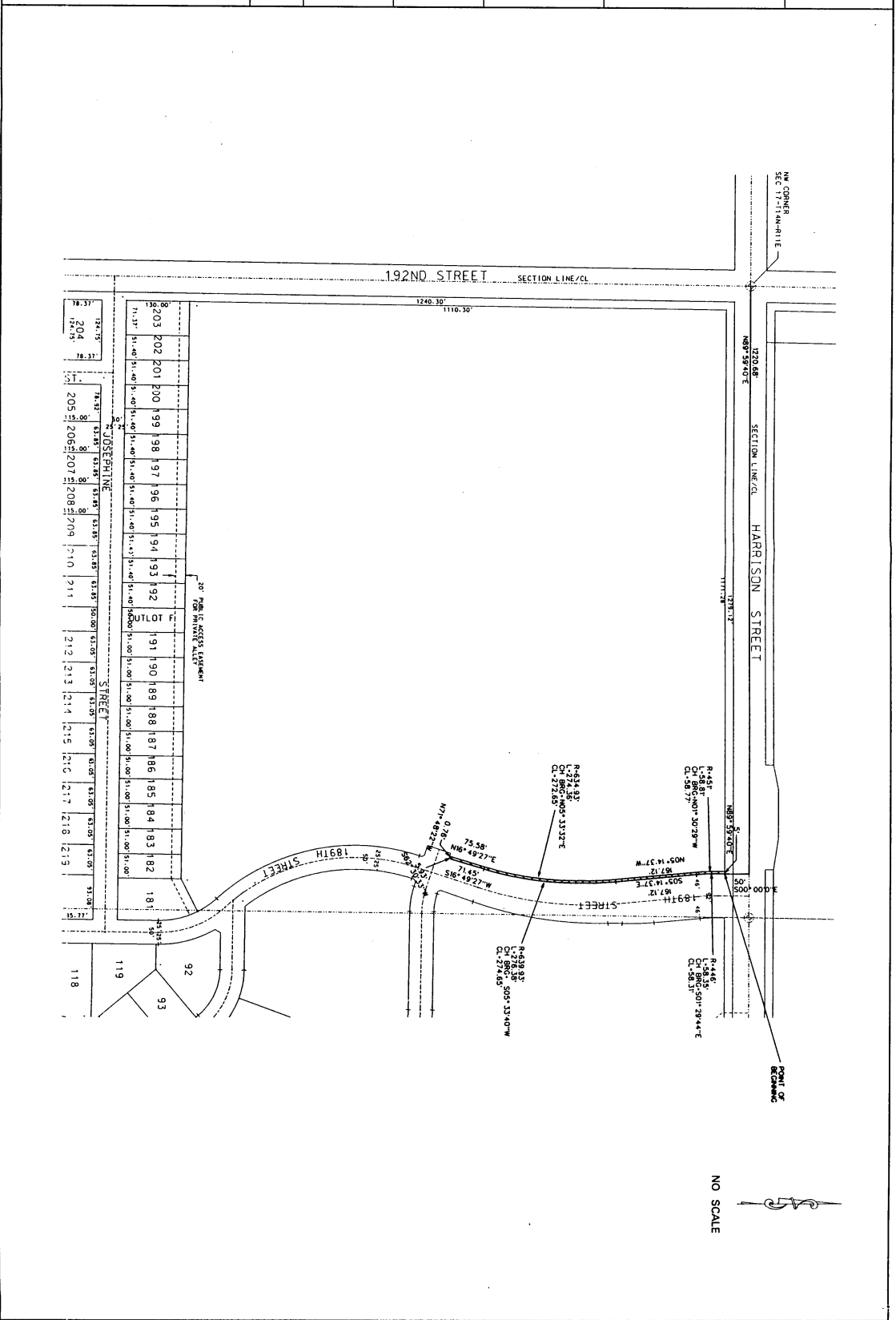
TOTAL ACRE *119.30* Bluff St, Suite 165 Omaha
PERMANENT 0.064 ±
TOTAL ACRE _____
TEMPORARY ±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 2

DRAWN BY _____ C.A.R.
DATE 02-03-2003
CHECKED BY _____
DATE _____
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____

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2003 20839 D

METROPOLITAN

UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR GRM 12121-1-2

LAND OWNER

The 192nd and Harrison Partnership P, Ltd., y
% GDR

11920 84th St, Suite 65
Omaha

TOTAL ACRE 0.058 ±

TEMPORARY _____ +

LEGEND



PERMANENT EASEMENT



TEMPORARY EASEMENT

PAGE 2 OF 2

DRAWN BY CAR.

DATE 02-03-2003

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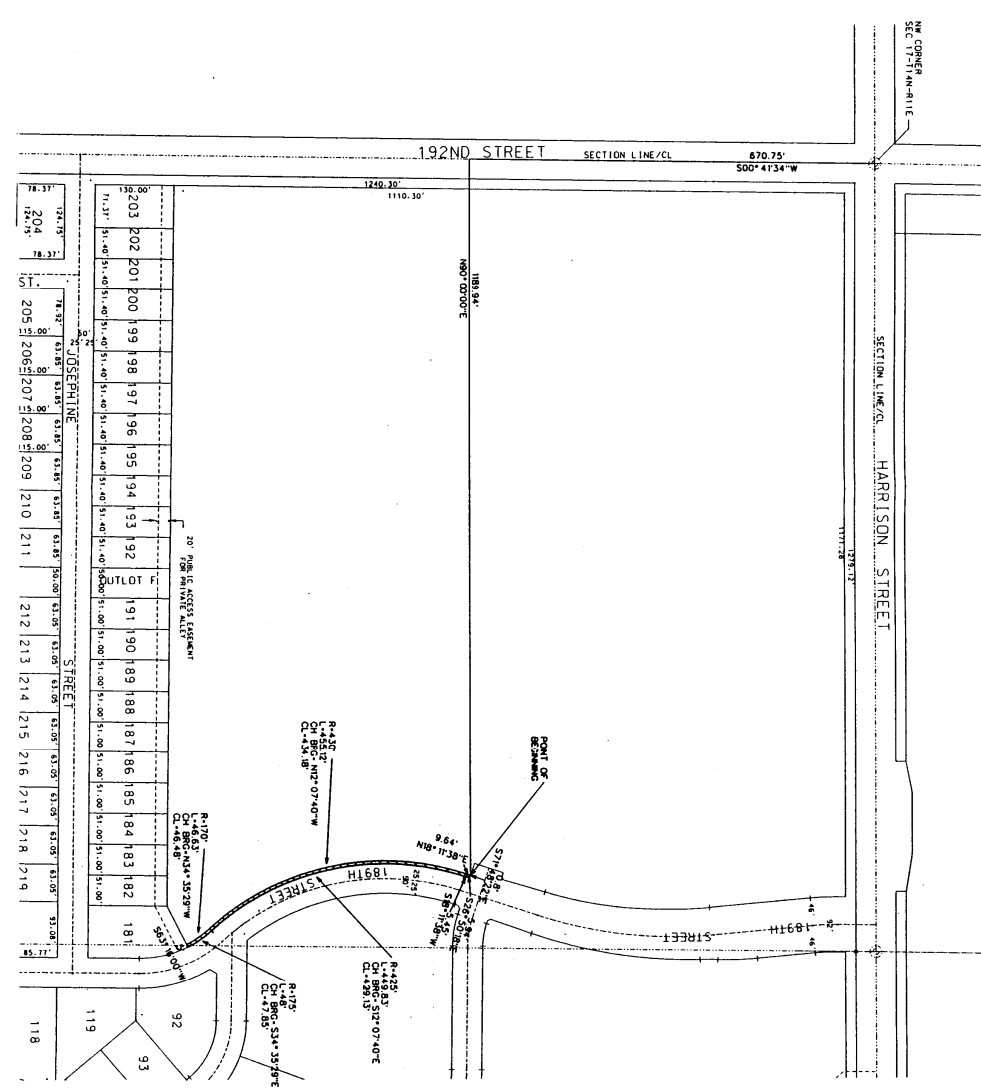
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NO SCALE