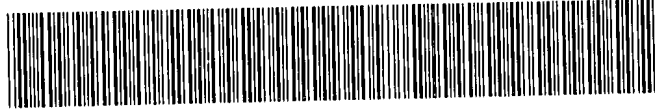


MISC 2014006608



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
1/27/2014 12:55:53.52



2014006608

THIS PAGE INCLUDED FOR INDEXING

PAGE DOWN FOR BALANCE OF INSTRUMENT

RETURN TO:

Rock Kubat
Metropolitan Utilities District
1723 HARVEY ST
OMAHA, NE 68102

CHECK NUMBER

785316 & Cash

✓ & Cash

PERMANENT EASEMENT

THIS AGREEMENT, made this 20th day of January, 2014,
between WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust,
("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 non-exclusive 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, roadway boxes, hydrants, and pipeline markers together with the right of ingress and egress on, over, under and through the "Easement" lands described as the "Easement Area":

PERMANENT EASEMENT

Tracts of land in Poppleton Park Replat One, a subdivision
as surveyed, platted and recorded in Douglas County,
Nebraska, and being described as follows:

Tract 1

The easterly 10 feet of Lot 1.

Tract 2

The southerly 10 feet and the easterly 10 feet of Lot 2.

This permanent easement contains 0.2914 of an acre, more
or less, 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. Notwithstanding, Grantor may construct, install, place, maintain and repair improvements above ground or underground in the Easement area, including but not limited to other utilities, streetlights, landscaping, and other improvements necessary for Grantor's development and use of the property provided such improvements do not interfere with the Grantee's rights hereunder.

2. The Grantee shall restore the Easement Area to its condition which existed prior to installation of any improvements in the Easement Area, including but not limited

Please file & return to:

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

to the replacement of any sod, landscaping and paving within a reasonable time after any work is performed by the Grantee.

3. The Grantor is the lawful possessor of this real estate; has good, right and lawful authority to make this 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, subject to all matters of record.

4. To the extent possible, Grantee agrees to coordinate with Grantor in the repair and maintenance of gas and water mains and exercise of its rights under this Easement in order to minimize disruption to Grantor's business operations on the property.

5. The person executing this instrument has authority to execute it on behalf of the trust.

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

WAL-MART REAL ESTATE BUSINESS TRUST

By: [Signature]

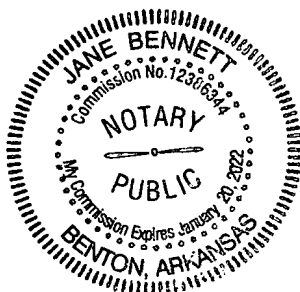
Printed Name: John E. CLARKE

Title: V.P. of Real Estate

ACKNOWLEDGMENT

~~STATE OF NEBRASKA~~)
ARKANSAS)
~~COUNTY OF DOUGLAS~~) ss
BENTON)

This instrument was acknowledged before me on January 20, 2014
by John E. Clarke, V.P. of Real Estate of
Wal-Mart Real Estate Business Trust.



[Signature]
Notary Public



EASEMENT ACQUISITION

FOR
GCM100052001634

LAND OWNER

WALMART MARKET STORE
CANADIAN FOUR STATE HOLDING
360 N. SADDLE CREEK RD.
OMAHA, NEBRASKA 68131

TOTAL ACRE
PERMANENT 2914 ±
TOTAL ACRE
TEMPORARY X ±

LEGEND

PERMANENT EASEMENT



TEMPORARY EASEMENT



PAGE 1 OF 1

DRAWN BY RCH
DATE 10/25/13
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE

