



MISC 2012047131



MAY 15 2012 14:09 P 4

Misc
 FEE 20.00
 BK 22-16-11
 DF 01-60000
 C/O
 COMP
 DFL SCAN FV
 A

Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 5/15/2012 14:09:15.35



2012047131

**PERMANENT AND
 TEMPORARY CONSTRUCTION
 EASEMENTS**

THIS AGREEMENT, made this 2nd day of April, 2012, between BHD 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 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, 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

A tract of land in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska and described as follows:

TRACT 1

The easterly 17' of the westerly 50' of the northerly 247' of the southerly 312' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East, as it abuts the east right-of-way of 168th Street.

TRACT 2

The easterly 37' of the westerly 70' of the northerly 100' of the southerly 412' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East, as it abuts the east right-of-way of 168th Street.

TRACT 3

The easterly 17' of the westerly 50' of the northerly 693' of the southerly 1105' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East, as it abuts the east right-of-way of 168th Street.

Please file & return to:

A. Justin Cooper, Attorney
 Metropolitan Utilities District
 1723 Harney Street
 Omaha, Nebraska 68102-1960

✓ 964533

This permanent easement contains 0.452 of an acre, more or less, and is shown on the drawings attached hereto and made a part hereof by reference.

TEMPORARY CONSTRUCTION EASEMENT

TRACT 4

The easterly 20' of the westerly 70' of the northerly 247' of the southerly 312' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East.

TRACT 5

The easterly 20' of the westerly 90' of the northerly 100' of the southerly 412' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East.

TRACT 6

The easterly 20' of the westerly 70' of the northerly 693' of the southerly 1105' of the Northwest Quarter (NW ¼) of Section 22, Township 16 North, Range 11 East.

This temporary easement contains 0.478 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by reference.

1. The Grantor and its successors and assigns shall not at any time erect, construct on or place under 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 the temporary easement, but only during the effective period of the temporary easement. The effective period of the temporary easement shall commence upon the execution date hereof and end upon the completion of the project for which this easement is obtained, or December 31, 2012, whichever occurs first.

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 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 Nebraska limited liability company.

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

BHD LLC, a Nebraska limited liability company, Grantor

By: Barbara Udes Shaw
Barbara Udes Shaw, ~~Managing Member~~
Manager

Barbara Udes Shaw
Printed Name

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on April 2, 2012,
by Barbara Udes Shaw, ~~Managing Member~~, on behalf of BHD LLC.
Manager

Leigh M Shaw
Notary Public



