

FILED SARPY CO. NE
INSTRUMENT NUMBER
200409003

2004 MR 16 AM 11:13

Sharon J. Dowling
REGISTER OF DEEDS

COUNTER Y C.E. LM
VERIFY LM D.E. LM
PROOF Y
FEES \$ 15.50
CHECK# 19430
CHG. _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

PERMANENT
AND
TEMPORARY CONSTRUCTION
EASEMENTS AND RIGHTS-OF-WAY

THIS INDENTURE, made this 1ST day of MARCH, 2004
between CHEYANNE COUNTRY ESTATES, L.L.C., a Nebraska Limited Liability
Company ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a
Municipal Corporation and Political Subdivision, ("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, a permanent
easement and right-of-way 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, 24-inch round iron covers, hydrants, roadway boxes, and pipeline
makers, 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 in the N ½ of the NW ¼ Section 27-14-11 in
Sarpy County, Nebraska and being described as follows:

TRACT 1

The east 37 feet of the west 70 feet of the south 525 feet of
the north 1320 feet abutting the east right-of-way line of
168th Street of the NW ¼ of said Section 27.

This permanent easement contains 0.45 of an acre, more or
less, and is shown on the drawing attached hereto and made
a part hereof by this reference.

TEMPORARY CONSTRUCTION EASEMENT

Tracts of land in the N ½ of the NW ¼ Section 27-14-11 in
Sarpy County, Nebraska and being described as follows:

TRACT 2

The east 30 feet of the west 100 feet of the south 525 feet of
the north 1320 feet parallel to the east right-of-way line of
168th Street of the NW ¼ of said Section 27.

TRACT 3

The east 80 feet of the west 113 feet of the south 200 feet of
the north 795 feet abutting the east right-of-way line of 168th
Street of the NW ¼ of said Section 27.

Please Return To: *JUSTIN COOPER*
MUD - Legal Department
1723 Harney Street
Omaha, Ne 68106
1/3

A

This temporary construction easement contains 0.73 of an acre, more or less, and are shown on the drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Permanent and Temporary Construction Easements and Rights-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 permanent easement any building or structure, except pavement or a similar covering, and shall not permit anyone else to do so, and, with respect to the temporary construction easement, the same prohibitions apply during the effective period of this temporary conveyance, which effective period shall commence upon the date of execution hereof and cease after completion of the project and restoration work contemplated herein.

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. 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 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.

5. The person executing this instrument represents that he has authority to execute it on behalf of the limited liability company.

IN WITNESS WHEREOF, Grantor executes these Permanent and Temporary Easements and Rights-of-Way to be signed on the above date.

W CHEYENNE
CHEYENNE COUNTRY ESTATES, L.L.C., a
Nebraska Limited Liability Company,
Grantor

By: Michael R. Riedman
Michael R. Riedman, Manager

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 3/1/04, 2004, by Michael R. Riedman, Manager of *W* Cheyenne Country Estates, L.L.C., a limited liability company, on behalf of the limited liability company.



Mark Palmer
Notary Public

METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA
EASEMENT ACQUISITION
 FOR **WCP 9735**

LAND OWNER
 BRUGMANN, MERLIN E. &
 BARBARA A
 5701 PLATTEVIEW ROAD
 PAPPILLON, NE 68133

TOTAL ACRE PERMANENT	0.45 ±
TOTAL ACRE TEMPORARY	0.73 ±

LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY DAS
 DATE 1-9-2004
 CHECKED BY MKM
 DATE 1-12-2004
 APPROVED BY
 DATE
 REVISED BY
 DATE
 REV. CHK'D. BY
 DATE
 REV. APPROV. BY
 DATE

