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By

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

00 JUL 20 PM 4:05

RECEIVED

FEE 12 FB 01-60000
BKP 22-16-11 C/O _____ COMP _____
OEL _____ SCAN BW FV _____EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 15th day of July 2000, between DIANE B. NEIBEL and OLIVER J. NEIBEL, JR., husband and wife; PETER C. BACKHUUS, JR. and ADELYNE K. BACKHUUS, husband and wife; EVELYN SUVERKRUBBE, an individual; MARK C. BACKHUUS, an individual, and JAN R. BACKHUUS, an individual ("Grantors"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee"),

WITNESS:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do 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

A tract of land in the NE ¼ of the SE ¼ of Section 22, Township 16 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska and described as follows:

Commencing at the North East (NE) corner of the North East Quarter (NE ¼) of the South East Quarter (SE ¼) of Section 22, Township 16 North, Range 11 East; thence South 90°00'00" West (assumed bearing) a distance of 70 feet; thence South 00°00'00" West a distance of 52.55 feet to the point of beginning, said point also being on the south right-of-way line of Military Road; thence South 59°24'41" East along the south right-of-way line of Military Road a distance of 17.42 feet to a point on the west right-of-way line of 156th Street; thence South 0°00'00" West along the west right-of-way line of 156th Street a distance of 258.86 feet; thence South 90°00'00" West a distance of 15 feet; thence North 0°00'00" East a distance of 267.73 feet to the point of beginning.

This permanent easement contains 0.091 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD this Easement and Right-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantee shall pay Grantor(s) the fair and reasonable value for crop damage, if any, which may arise in connection with Grantee exercising the easement rights granted herein. Prior to the beginning of construction, the

Return To: TJ Secret
Muf Law Dept
1723 Harvard St
Omaha NE 68102-1960

004250

NE 14
SE 14

District engineer and the Grantors will determine the crop acreage within the easement site. Fair and reasonable value for crop damage, if any, in the easement site will be determined by crop yield of the area of the field directly adjacent to the easement for the current year in which Grantee exercises its rights in the easement site relative to this property. The fair and reasonable value paid for crop damage, if any, will be based upon the comparable cash (market) price of said crop, minus the transportation and harvesting costs of the effected crop in the easement site. The market price for the crop will be determined by the market price used at the DeBruce Grain Elevator in Fremont, Nebraska on November 15th of any such year in which Grantee disturbs the crop in the easement site. Specifically, crop damage will only be paid in a year where Grantee digs or excavates in the easement site and such activity results in crop damage.

2. The Grantors and their 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 pavement and similar covering, and shall not permit anyone else to do so.


3. 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.


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

5. The Grantors are a lawful possessor of this real estate; have good right and lawful authority to make such conveyance; and Grantors and their executors, administrators, 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.


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

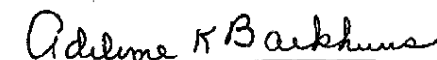
DIANE B. NEIBEL and
OLIVER J. NEIBEL, JR.,
Husband and Wife, Grantors


Diane B. Neibel


Oliver J. Neibel, Jr.

PETER C. BACKHUUS, JR. and
ADELYNE K. BACKHUUS,
Husband and Wife, Grantors


Peter C. Backhuus, Jr.


Adelyne K. Backhuus

EVELYN SUVERKRUBBE,
an Individual, Grantor

Evelyn Suverkrubbe
Evelyn Suverkrubbe

MARK C. BACKHUUS,
an Individual, Grantor

Mark C. Backhuus
Mark C. Backhuus

JAN R. BACKHUUS,
an Individual, Grantor

Jan R. Backhuus
Jan R. Backhuus

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on July 15, 2000,
2000, by DIANE B. NEIBEL and OLIVER J. NEIBEL, JR., husband and wife.

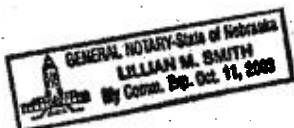


Lori Olsen
Notary Public

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on July 17, 2000,
2000, by PETER C. BACKHUUS, JR. and ADELYNE K. BACKHUUS, husband
and wife.

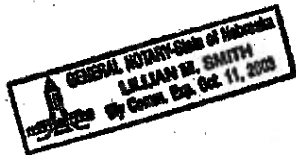


William M. Smith
Notary Public

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on July 14, 2000
2000, by EVELYN SUVERKRUBBE, an individual.

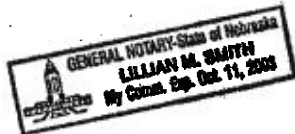


Lillian M. Smith
Notary Public

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on July 13, 2000
2000, by MARK C. BACKHUUS, an individual.



Lillian M. Smith
Notary Public

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on July 14, 2000
2000, by JAN R. BACKHUUS, an individual.



Lillian M. Smith
Notary Public

**METROPOLITAN
UTILITIES
DISTRICT
OMAHA, NEBRASKA**

**EASEMENT
ACQUISITION**

FOR
G.C. 11459

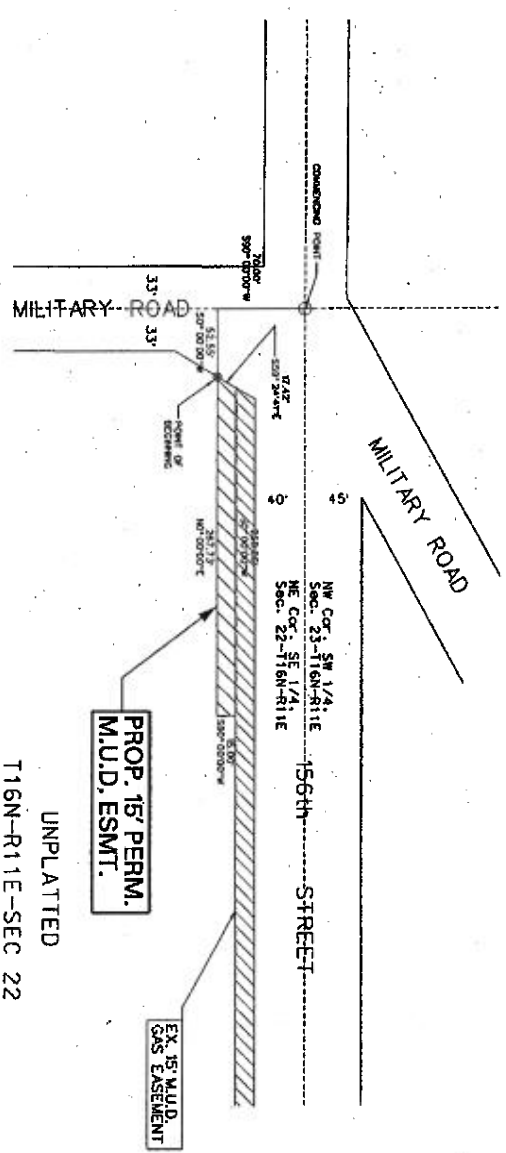
LAND OWNER
BACKLUS FAMILY
16055 MILITARY RD.
BENNINGTON, NE 68007

TOTAL ACRE 0.091 ±
PERMANENT _____
TOTAL ACRE _____
TEMPORARY _____

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY J. STANER
DATE 6-22-2000
CHECKED BY _____
DATE _____
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____



NO SCALE
156TH & MILITARY RD.