

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2001-34890

2001 OCT 25 P 12:07 R

Sharon J. ...
REGISTER OF DEEDS

Counter *[Signature]*

Verify *[Signature]*

D.E. *[Signature]*

Proof *[Signature]*

Fee \$ 28.00

CK Cash Chg

76975

PERMANENT AND TEMPORARY NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 1st day of June, 2001, between HARRISON WOODS, L.L.C., a Nebraska limited liability company, ("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, a permanent non-exclusive 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 a 24-inch round iron frame and cover, and a temporary easement for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

A tract of land in both the Northeast Quarter (NE ¼) and the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 16, Township 14 North, Range 11 East of the 6th P.M. in Sarpy County, Nebraska and described as follows:

PERMANENT EASEMENT

A permanent seventeen foot (17') wide strip easement along and parallel to the west right-of-way line of 168th Street beginning 1138.35 feet south of the section line in Harrison Street and extending south 249.46 feet on the east side of said strip and 520.56 feet on the west side of said strip to a point located 1658.91 feet south of the section line in Harrison Street and 50 feet west of the section line in 168th Street. Said easement ends at a point as shown on the drawing attached hereto and by this reference made a part hereof.

This permanent easement contains 0.150 of an acre, more or less.

TEMPORARY EASEMENT

A ten foot (10') wide temporary easement lying outside of and abutting the west side of the above-described permanent easement. Said easement extends 520.56 feet on the east side of said easement and 667.65 feet on the west side of said easement to a point located 1806 feet south of the section line in Harrison Street and 60 feet west of the section line in 168th Street. Said easement ends at a point as shown

Ret +

*Return to: Susan Blazan
M.U.D.
1723 Nainey Street
Omaha, NE 68106*

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on the drawing attached hereto and by this reference made a part hereof.

This temporary easement contains 0.136 of an acre, more or less.

A tract of land over those parts of Outlots "B" and "C" and Lots 2, 3, and 4, Harrison Woods, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska and described as follows:

TEMPORARY EASEMENT

The easterly 10 feet of Outlots "B" and "C" and of Lots 2, 3, and 4, as abuts the west right-of-way line of 168th Street.

This temporary easement contains 0.221 of an acre, more or less, and is shown on the drawing attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD said Permanent and Temporary 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 permanent easement tract any building or structure, except paving and similar covering, and shall not permit anyone else to do so, and, with respect to the temporary easement tract, the same prohibitions apply during the effective period of that temporary conveyance, which effective period shall commence upon the date of execution hereof and cease upon completion of the project contemplated herein.

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. Furthermore, nothing herein shall be construed to take away any of Grantor's rights of access or rights of ingress and egress to this real estate.

4. The Grantor is 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 this Permanent and Temporary Easement and Right-of-Way to be signed on the above date.

HARRISON WOODS, L.L.C.,
a Nebraska limited liability company,
Grantor

By: Micheal R. Spivey

Title: Managing Member

2001-34890C

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR **W.C.P. 8721**

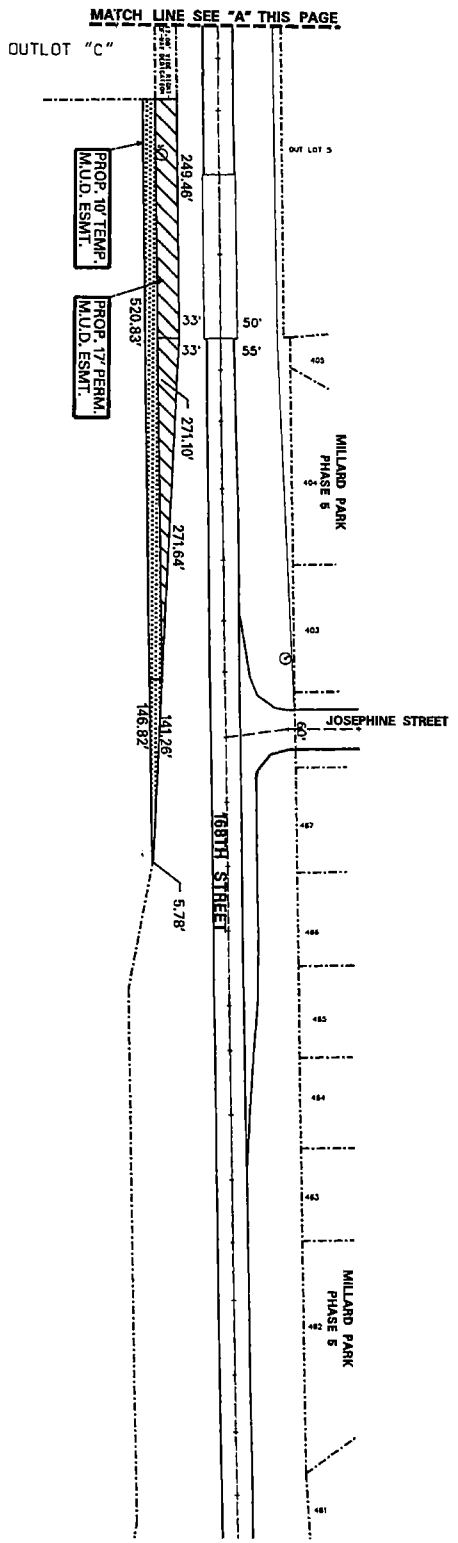
LAND OWNER
Harrison Woods L.L.C.
10836 Old Mill Rd.
Omaha, NE 68154

TOTAL ACRE 0.150 ±
PERMANENT 0.150 ±
TEMPORARY 0.136 ±

LEGEND
PERMANENT EASEMENT [diagonal lines]
TEMPORARY EASEMENT [dotted pattern]

PAGE 1 OF 2

DRAWN BY DAS
DATE 4-17-2001
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY C.J.L.
DATE 5-16-2001
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



NO SCALE

