



BK 1400 PG 351-355



MISC 2001 15245

2001 SEP 25 PM 12:09

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HARRISON - St.

PERMANENT AND TEMPORARY EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 21st day of SEPTEMBER, 2001, between BHD, 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 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 three hydrants, eight R.I. covers, one cc box and an underground pump station, and a temporary construction easement, together with the right of ingress and egress on, over, under and through lands described as follows:

Permanent and Temporary Easement Tracts

The permanent and temporary easement tracts are in the Southwest Quarter (SW ¼) and the Southeast Quarter (SE ¼), both of the Southwest Quarter (SW ¼) of Section Eight (8), Township Fourteen (14) North, Range Eleven (11) East of the 6th P.M., in Douglas County, Nebraska, and are further described and shown on Exhibit "A" (three pages) 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 Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the permanent easement tracts any building, structure, pavement or similar covering, and shall not permit anyone else to do so. This same prohibition shall apply with respect to the temporary easement tracts but only for the effective period of the temporary easement grant which grant expires upon completion of the project.

Please return to -
M.U.D.
R. Owens
1723 Harvey St.
Omaha 68102

8759.

MISC 2574
FEE _____ FB _____
5 BKP _____ C/O _____ COMP _____
1 DEL _____ SCAN UR FV _____

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.

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 executors, administrators, successors and assigns shall warrant and defend this conveyance and shall indemnify and hold harmless Grantee forever against claims of all persons except those having any right, title or interest prior to this conveyance.

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

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

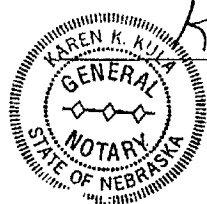
BHD, L.L.C. a Nebraska Limited Liability Company,
Grantor

By: Maurice M. Udes
Title: Manager

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on the 21st day of September, 2001, by Maurice M. Udes, Manager of BHD, L.L.C., a Nebraska Limited Liability Company, on behalf of the said Company.



Karen K. Kula
Notary Public

(Stamp or Seal)

MY COMMISSION EXPIRES:
JULY 26, 2005

Permanent and Temporary Water Main Easements
WCP 8754 & WCP 9212 - 36" Water Main in Harrison Street: 180th to 189th Streets

Unplatted tracts of land bounded on the south by Harrison Street ROW in the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska and being described as follows:

TEMPORARY EASMENT

The northerly fifteen feet (15') of the southerly seventy feet (70') of the westerly one thousand seventy-nine feet (1,079') of the easterly one thousand one hundred twenty feet (1,120') of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.

This tract contains 0.372 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

The northerly fifteen feet (15') of the southerly seventy feet (70') of the westerly one hundred forty feet (140') of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.

This tract contains 0.048 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

The northerly fifteen feet (15') of the southerly seventy feet (70') of the easterly one hundred twenty-three and fifty-four one-hundredths feet (123.54') of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.**

This tract contains 0.043 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

PERMANENT EASEMENT

The northerly twenty-two feet (22') of the southerly fifty-five feet (55') of the westerly one thousand seventy-nine feet (1,079') of the easterly one thousand one hundred twenty feet (1,120') of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.

This tract contains 0.545 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

The northerly twenty-two feet (22') of the southerly fifty-five feet (55') of the westerly one hundred forty feet (140') of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.

** Note: Excluded from this description is the west 15.3 feet of the description. Said 15.3 feet is owned by Douglas County.

This tract contains 0.071 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

The northerly twenty-two feet (22') of the southerly fifty-five feet (55') of the easterly one hundred twenty-three and fifty-four one-hundredths feet (123.54') of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska. **

This tract contains 0.062 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

The northerly thirty feet (30') of the southerly one hundred feet (100') of the easterly sixty feet (60') of the westerly two hundred feet (200') of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T14N, R11E of the 6th P.M., Douglas County, Nebraska.

This tract contains 0.041 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

** Note: Excluded from this description is the west 15.3 feet of the description. Said 15.3 feet is owned by Douglas County.

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR **WCP 9212**


LAND OWNER

Gene Graves
Main Street Partners, LLC
1945 N 120th Street

Omaha, Nebraska 68154

TOTAL ACRE ±
PERMANENT 2.75 ±
TOTAL ACRE ±
TEMPORARY 2.46 ±

LEGEND

PERMANENT EASEMENT 

TEMPORARY EASEMENT 

PAGE 1 OF 1

DRAWN BY DAS

DATE 6-13-2001

CHECKED BY

DATE

APPROVED BY

DATE

REVISED BY

DATE

REV. CHK'D. BY

DATE

REV. APPROV. BY

DATE

