



MISC 2003127499



JUL 01 2003 15:04 P 6

Affects -
Check/Lots Abutting Harrison St
RICHARD N TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE
to :
189th
ST.

RECEIVED

MS
FEE 25.00 FB 01-60000
BKP 8-14-11 C/O _____ COMP _____
DEL _____ SCAN R

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 23rd of JUNE, 2003, 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 hydrants, 24- and 36-inch R.I. covers, and pipeline markers, and a temporary construction easement, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT TRACTS

Two tracts, both in the Southwest Quarter (SW ¼) 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 further described on Exhibit "A" and shown on Exhibit "B", both of which are attached hereto and made a part hereof by this reference.

TEMPORARY EASEMENT TRACTS

Two tracts, both in the Southwest Quarter (SW ¼) 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 further described on Exhibit "C" and shown on Exhibit "B", both of which are 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 or structure, except pavement and similar covering, and shall not permit anyone else to do so. These same prohibitions shall apply with respect to the temporary easement tracts but only for the effective period of the temporary easement grants, which period shall be from date of execution hereof to completion of the underlying initial installation project.

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 the easement tract and has

(Please Return To: Justin Cooper
MUD-Legal Dept.
1723 Harney
Omaha, Ne 68102)

good, right and lawful authority to make such conveyance. 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 she/he has the 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

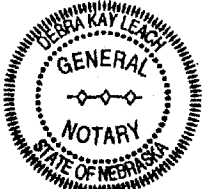
By: Barbara Lides Shaw
Title: Manager

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on the 23rd day of June, 2003, by Barbara Lides Shaw as Manager of and on behalf of BHD, L.L.C., a Nebraska Limited Liability Company.

Barbara Lides Shaw
Notary Public



MY COMMISSION EXPIRES:
May 28, 2006

Permanent and Temporary Water Main Easements
 WCP 9426, WCP 9427, WCP 9517 – Install 35' of 42" & 1300' of 36" Water Main
 in Harrison Street from 189th Street to 192nd Street. Install 2700' of 36" & 4000'
 of 24" Water Main in 192nd Street from Chandler Road to "U" Street.

Unplatted tracts of land in the SW ¼ of the SW ¼ of Section 8-14-11 in Douglas County, Nebraska and being described as follows:

PERMANENT EASEMENT

TRACT 1

Commencing at the SW corner of the SW ¼ of the SW ¼ of Section 8-14-11, N87°17'17"E (assumed bearing), along south line of said Section, a distance of nine hundred ninety-six and seventy-six one-hundredths feet (996.76'); thence N02°42'43"W a distance of thirty-three (33.00') to the Point of Beginning. Commencing from the Point of Beginning, N02°42'43"W a distance of seventeen feet (17.00'); thence N75°58'41"E a distance of twenty-five and fifty one-hundredths feet (25.50'); thence S87°17'17"W a distance of eight hundred eighty-nine and seventy-four one-hundredths feet (889.74'); thence S02°42'43"E a distance of twenty-two feet (22.00'); thence N87°17'17"E a distance of eight hundred sixty-four and seventy-six one-hundredths feet (864.76') back to the Point of Beginning.

This tract contains 0.438 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TRACT 3

Commencing at the SW corner of the SW ¼ of the SW ¼ of Section 8-14-11, N02°42'43"W (assumed bearing) a distance of fifty-six and sixty-two one-hundredths feet (56.62'); thence N87°17'17"E a distance of one thousand twenty-nine and eighty-seven one-hundredths feet (1,029.87') to the Point of Beginning. Commencing from the Point of Beginning, N02°42'42"W a distance of fifty-three and thirty-eight one-hundredths feet (53.38'); thence N87°17'17"E a distance of one hundred fifty-five feet (155.00'); thence S02°42'43"E a distance of fifty-five and eighty-six one-hundredths feet (55.86'); thence N83°57'57"W a distance of thirty-eight and fifty-six one-hundredths feet (38.56'); thence S87°17'17"W a distance of one-hundred feet (100.00'); thence S75°58'41"W a distance of seventeen and twenty-two one-hundredths feet (17.22') back to the Point of Beginning.

This tract contains 0.181 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

EXHIBIT "A"



METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR **WCP 9426**

LAND OWNER
BHD L.L.C.
c/o Paula Provorse CPA
10822 Old Mill Road
Omaha, NE 68154

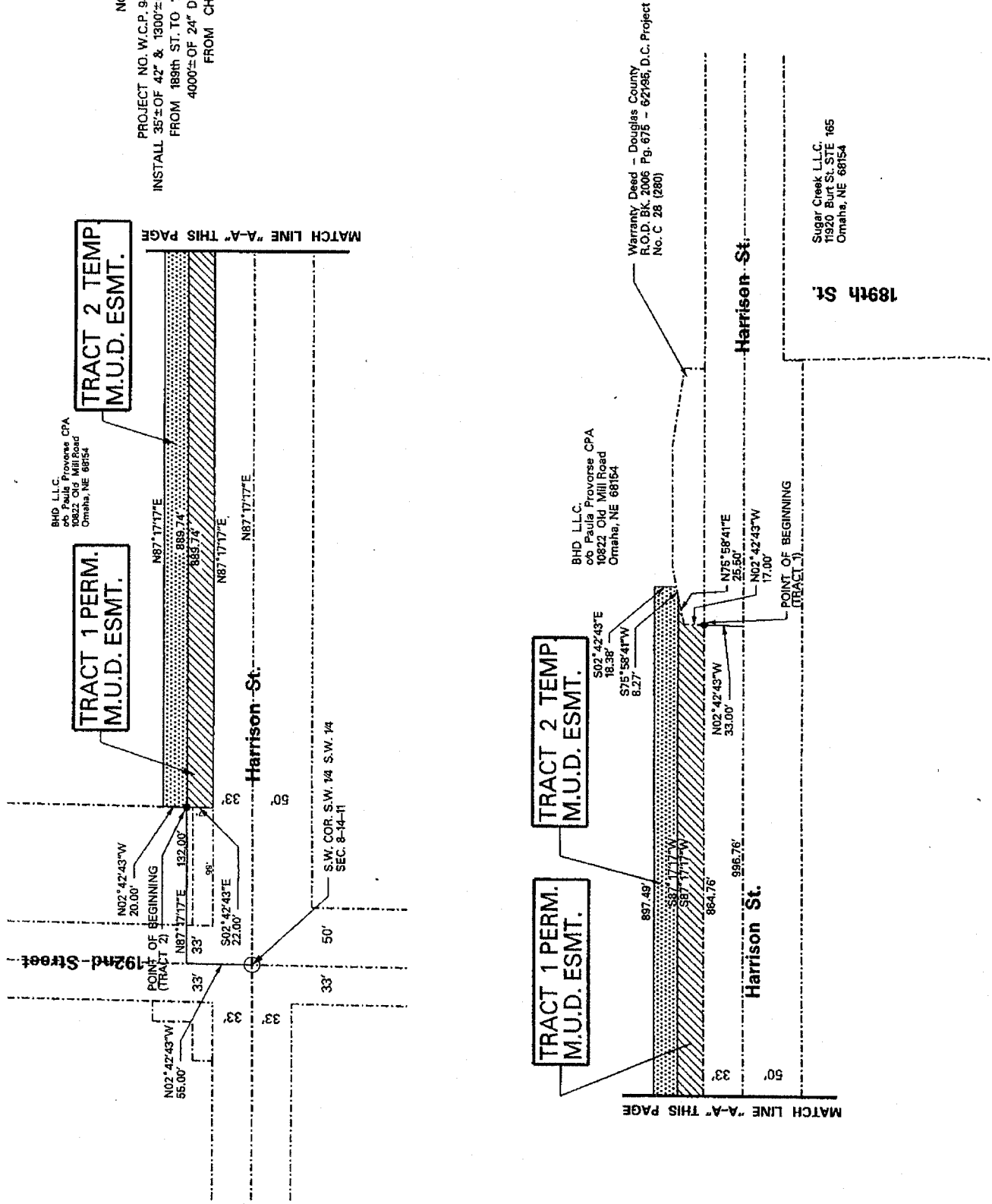
TOTAL ACRE
PERMANENT 0.438 ±
TOTAL ACRE
TEMPORARY 0.412 ±

LEGEND

PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 1 OF 4

DRAWN BY DAS
DATE 1-15-2003
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



NO SCALE

PROJECT NO. W.C.P. 9426 W.C.P. 9427 & W.C.P. 9517
INSTALL 36"± OF 42" & 1300'± OF 36" D.I. WATER MAIN IN HARRISON ST.
FROM 189th ST. TO 192nd ST., INSTALL 2700' OF 36" &
4000'± OF 24" D.I. WATER MAIN IN 192nd ST.
FROM CHANDLER RD. TO "U" ST.



EXHIBIT "B"
(Page 1 of 2)

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION
FOR **WCP 9426**

LAND OWNER
BHD L.L.C.
c/o Paula Provorse CPA
10822 Old Mill Road
Omaha, NE 68154

TOTAL ACRE
PERMANENT 0.181 ±
TOTAL ACRE
TEMPORARY 0.071 ±

LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT

PAGE 2 OF 4

DRAWN BY DAS
DATE 1-15-2003
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE

NO SCALE
 PROJECT NO. W.C.P. 9426, W.C.P. 9427 & W.C.P. 9517
 INSTALL 36"± OF 42" & 1300"± OF 36" D.I. WATER MAIN IN HARRISON ST.
 FROM 189TH ST. TO 192ND ST., INSTALL 2700' OF 36" &
 4000"± OF 24" D.I. WATER MAIN IN 192ND ST.
 FROM CHANDLER RD. TO "J" ST.

BHD L.L.C.
c/o Paula Provorse CPA
10822 Old Mill Road
Omaha, NE 68154

MATCH LINE "A-A" THIS PAGE

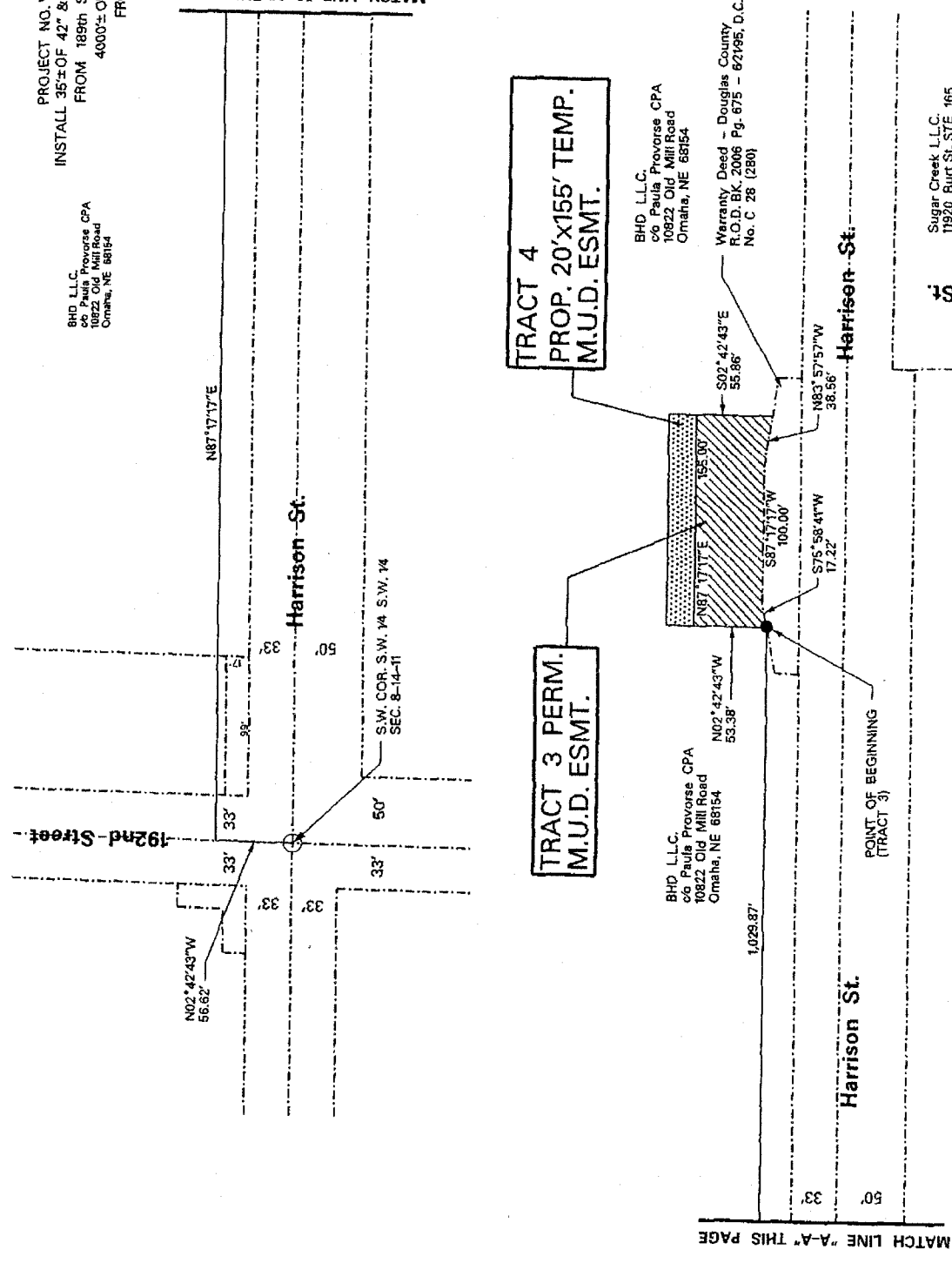


EXHIBIT "B"
(Page 2 of 2)

BHD L.L.C.
c/o Paula Provorse CPA
10822 Old Mill Road
Omaha, NE 68154
 Warranty Deed - Douglas County
 R.O.D. BK. 2006 Pg. 675 - 62185, D.C. Project
 No. C 28 (280)

Sugar Creek L.L.C.
11920 Burt St STE 165
Omaha, NE 68154

Unplatted tracts of land in the SW ¼ of the SW ¼ of Section 8-14-11 in Douglas County, Nebraska, and being described as follows:

TEMPORARY EASEMENT

TRACT 2

Commencing at the SW corner of the SW ¼ of the SW ¼ of Section 8-14-11, N02°42'43"W (assumed bearing) a distance of fifty-five feet (55.00'); thence N87°17'17"E a distance of one hundred thirty-two feet (132.00') to the Point of Beginning. Commencing from the Point of Beginning, N02°42'43"W a distance of twenty feet (20.00'); thence N87°17'17"E a distance of eight hundred ninety-seven and forty-nine one-hundredths feet (897.49'); thence S02°42'43"E a distance of eighteen and thirty-eight one-hundredths feet (18.38'); thence S75°58'41"W a distance of eight and twenty-seven one-hundredths feet (8.27'); thence S87°17'17"W a distance of eight hundred eighty-nine and seventy-four one-hundredths feet (889.74') back to the Point of Beginning.

This tract contains 0.412 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TRACT 4

The northerly twenty feet (20.00') of the southerly one hundred thirty feet (130.00') of the easterly one hundred fifty-five feet (155.00') of the westerly one thousand one hundred eighty-four and eighty-seven one-hundredths feet (1,184.87') of the SW ¼ of the SW ¼ of Section 8-14-11.

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.

EXHIBIT "C"

