




MISC 2006105524



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PERMANENT AND  
TEMPORARY CONSTRUCTION  
EASEMENTS

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 9/13/2006 14:48:04.60  
  
 2006105524

THIS AGREEMENT, made this 13<sup>th</sup> day of AUGUST, 2006  
 between DAVID F. LANOHA REVOCABLE TRUST ("Grantor"), and METROPOLITAN  
 UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision,  
 ("Grantee"),

WITNESS:

Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable  
 consideration, receipt of which is acknowledged, hereby grants to Metropolitan Utilities  
 District of Omaha, its successors and assigns, a permanent easement 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, round iron covers, roadway  
 boxes, hydrants, and pipeline markers 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

A tract of land in the SW ¼ of the NE ¼, and also along the west ½ of the  
 SE ¼ of Section 26, Township 15 North, Range 10 East of the 6<sup>th</sup> PM,  
 Douglas County, Nebraska, being described as follows:

Commencing at the southwest corner of said SE ¼ of Section 26; thence  
 N02°02'34"W (assumed bearing) along the west line of said SE ¼ of  
 section 26, a distance of 892.34 feet; thence N87°57'26"E, a distance of  
 33.00 feet to a point on the easterly right-of-way line of Skyline Drive, said  
 point also being the point of beginning; thence 02°02'34"W along said  
 easterly right-of-way line of Skyline Drive, a distance of 1915.04 feet;  
 thence northeasterly along said easterly right-of-way line of Skyline Drive  
 on a curve to the right with a radius of 683.25 feet, a distance of 266.82  
 feet, said curve having a long chord which bears N09°08'40"E, a distance  
 of 265.13 feet; thence N20°19'55"E along said easterly right-of-way line of  
 Skyline Drive, a distance of 412.03 feet; thence northeasterly along said  
 easterly right-of-way line of Skyline Drive on a curve to the right with a  
 radius of 540.00 feet, a distance of 345.61 feet, said curve having a long  
 chord which bears N38°40'01"E, a distance of 339.74 feet; thence  
 N57°00'08"E along said easterly right-of-way line of Skyline Drive, a  
 distance of 90.97 feet; thence northeasterly along said easterly right-of-  
 way line of Skyline Drive on a curve to the left with a radius of 1468.50  
 feet, a distance of 230.75 feet, said curve having a long chord which bears  
 N52°30'02"E, a distance of 230.51 feet; thence N47°59'57"E along said  
 easterly right-of-way line of Skyline Drive, a distance of 160.05 feet to a  
 point on the north line of said SW ¼ of the NE ¼ of Section 26; thence  
 N87°44'54"E along said north line of the SW ¼ of the NE ¼ of Section 26,  
 a distance of 34.41 feet; thence S47°59'57"W, a distance of 186.50 feet;  
 thence southwesterly on a curve to the right with a radius of 1490.50 feet,  
 a distance of 234.21 feet, said curve having a long chord which bears  
 S52°30'02"W, a distance of 233.96 feet; thence S57°00'08"W, a distance  
 of 90.97 feet; thence southwesterly on a curve to the left with a radius of

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 MUD-LEGAL DEPT.  
 1723 HARNEY  
 OMAHA, NE 68102

V025911

518.00 feet, a distance of 331.53 feet, said curve having a long chord which bears S38°40'01"W, a distance of 325.90 feet; thence S20°19'55"W, a distance of 412.03 feet; thence southwesterly on a curve to the left with a radius of 661.25 feet, a distance of 258.23 feet, said curve having a long chord which bears S09°08'40"W, a distance of 256.59 feet; thence S02°02'34"E, a distance of 1917.56 feet; thence N85°30'04"W, a distance of 22.14 feet to the point of beginning.

This permanent easement contains 1.730 acres, more or less, and is shown on the attached drawing hereto and made a part hereof by reference.

#### TEMPORARY CONSTRUCTION EASEMENT

A tract of land in the SW ¼ of the NE ¼, and also the west ½ of the SE ¼ of Section 26, Township 15 North, Range 10 East of the 6<sup>th</sup> PM, Douglas County, Nebraska being described as follows:

Commencing at the southwest corner of said SE ¼ of Section 26; thence N02°02'34"W (assumed bearing) along the west line of said SE ¼ of Section 26, a distance of 892.34 feet; thence N87°57'26"E, a distance of 33.00 feet to a point on the easterly right-of-way line of Skylline Drive; thence S85°30'04"E, a distance of 22.14 feet to the point of beginning; thence N02°02'34"W, a distance of 1917.56 feet; thence northeasterly on a curve to the right with a radius of 661.25 feet, a distance of 258.23 feet, said curve having a long chord which bears N09°08'40"E, a distance of 256.59 feet; thence N20°19'55"E, a distance of 412.03 feet; thence northeasterly on a curve to the right with a radius of 518.00 feet, a distance of 331.53 feet, said curve having a long chord which bears N38°40'01"E, a distance of 325.90 feet; thence N57°00'08"E, a distance of 90.97 feet; thence northeasterly on a curve to the left with a radius of 1490.50 feet, a distance of 234.21 feet, said curve having a long chord which bears N52°30'02"E, a distance of 233.96 feet; thence N47°59'57"E, a distance of 186.50 feet to a point on the north line of said SW ¼ of the NE ¼ of Section 26; thence N87°44'54"E along said north line of the SW ¼ of the NE ¼ of Section 26, a distance of 31.28 feet; thence S47°59'57"W, a distance of 210.55 feet; thence southwesterly on a curve to the right with a radius of 1510.50 feet, a distance of 237.35 feet, said curve having a long chord which bears S52°30'02"W, a distance of 237.10 feet; thence S57°00'08"W, a distance of 90.97 feet; thence southwesterly on a curve to the left with a radius of 498.00 feet, a distance of 318.73 feet, said curve having a long chord which bears S38°40'01"W, a distance of 313.32 feet; thence S20°19'55"W, a distance of 412.03 feet; thence southwesterly on a curve to the left with a radius of 641.25 feet, a distance of 250.42 feet, said curve having a long chord which bears S09°08'40"W, a distance of 248.83 feet; thence S02°02'34"E, a distance of 1919.86 feet; thence N85°30'04"W, a distance of 20.13 feet to the point of beginning.

This temporary construction easement contains 1.577 acres, more or less, and is shown on the drawing attached hereto and made a part hereof by reference.

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. The same prohibitions shall apply to temporary easements. The effective period of the temporary easements shall commence upon the execution date hereof and end after completion of the project for which these easements are obtained, or in the alternative, twelve months from the date of this instrument, whichever timeframe is shortest.


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. The Grantor is the lawful possessor of this real property; has good, right and lawful authority to make this 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.

4. The person executing this instrument has authority to execute it on behalf of the trust.

IN WITNESS WHEREOF, Grantor executes this Permanent and Temporary Easements on the above date.

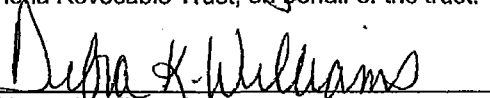
DAVID F. LANOHA REVOCABLE TRUST,  
Grantor

By:   
David Lanoha, Trustee

ACKNOWLEDGMENT

STATE OF NEBRASKA    )  
  ) ss  
COUNTY OF DOUGLAS   )

This instrument was acknowledged before me on Aug 22, 2006,  
by David Lanoha, Trustee of David F. Lanoha Revocable Trust, on behalf of the trust.

  
Notary Public

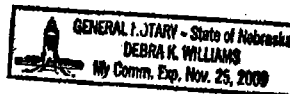
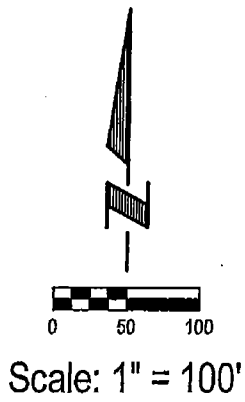
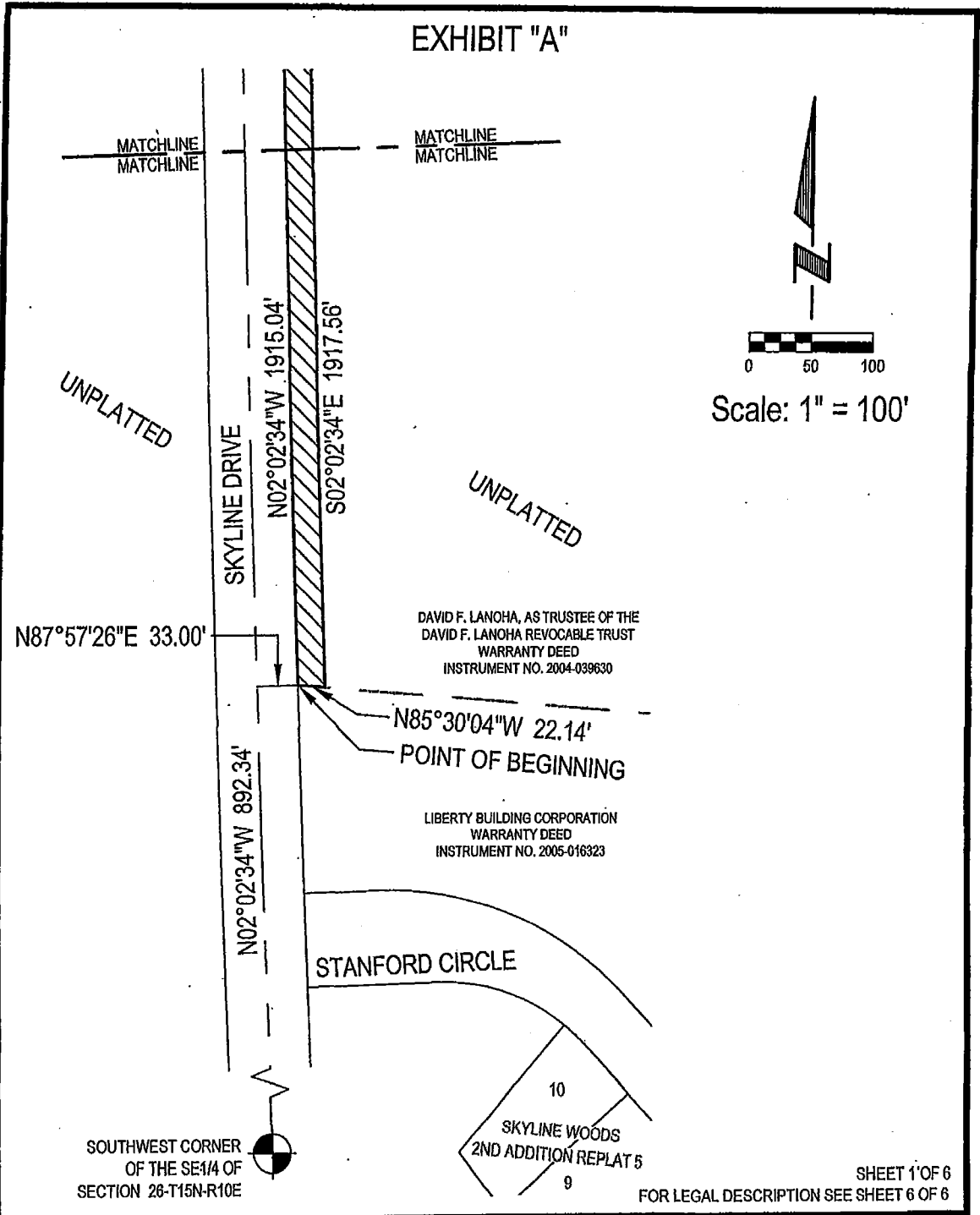


EXHIBIT "A"

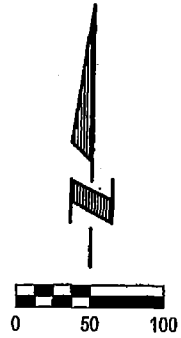
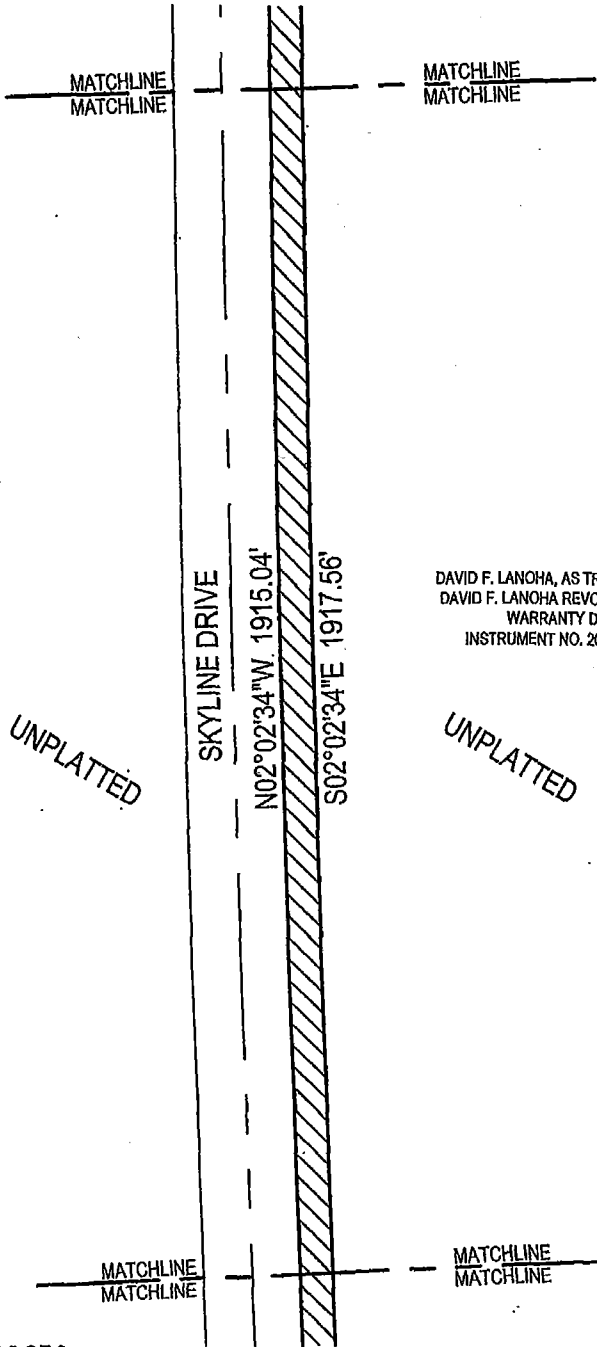


**e+a** E&A CONSULTING GROUP, INC.  
 ENGINEERING • PLANNING • FIELD SERVICES  
 330 NORTH 17TH STREET OMAHA, NE 68154 PHONE (402) 896-4700

Drawn by: BAS Chkd by: *wac 6-7-06* Chkd by: \_\_\_\_\_  
 Job No.: 2005027.01 Date: 05/11/2006 Book No.: \_\_\_\_\_

**22.00 FOOT WIDE  
 PERMANENT MUD EASEMENT**  
 DOUGLAS COUNTY, NEBRASKA

EXHIBIT "A"



Scale: 1" = 100'

DAVID F. LANOHA, AS TRUSTEE OF THE  
DAVID F. LANOHA REVOCABLE TRUST  
WARRANTY DEED  
INSTRUMENT NO. 2004-039630

UNPLATTED

UNPLATTED

SHEET 2 OF 6

FOR LEGAL DESCRIPTION SEE SHEET 6 OF 6

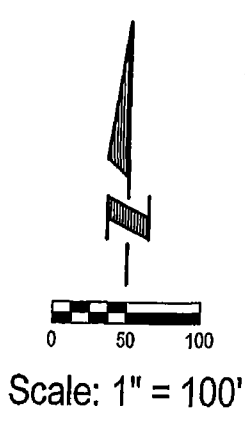
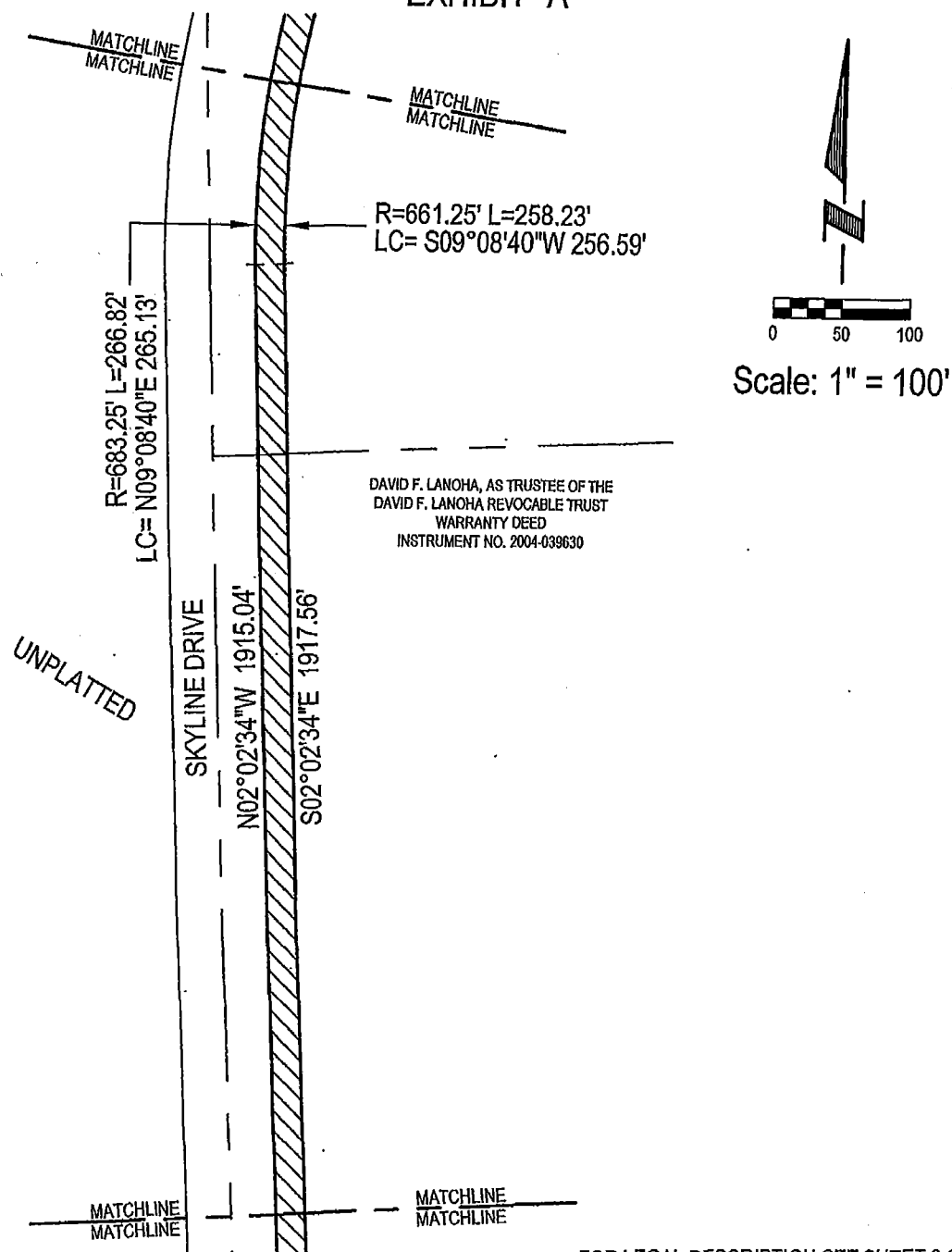
**e+a** E&A CONSULTING GROUP, INC.  
ENGINEERING • PLANNING • FIELD SERVICES  
330 NORTH 117TH STREET, OMAHA, NE 68154 PHONE: (402) 965-4700

**22.00 FOOT WIDE  
PERMANENT MUD EASEMENT**  
DOUGLAS COUNTY, NEBRASKA

Drawn by: BAS Chkd by: *WAC 6-7-06* Chkd by: \_\_\_\_\_  
Job No.: 2005027.01 Date: 05/11/2006 Book No.: \_\_\_\_\_

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EXHIBIT "A"



DAVID F. LANOHA, AS TRUSTEE OF THE  
 DAVID F. LANOHA REVOCABLE TRUST  
 WARRANTY DEED  
 INSTRUMENT NO. 2004-039630

UNPLATTED

SKYLINE DRIVE

N02°02'34"W 1915.04'

S02°02'34"E 1917.56'

SHEET 3 OF 6 FOR LEGAL DESCRIPTION SEE SHEET 6 OF 6

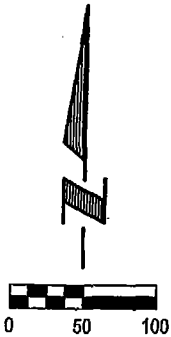
<b>e+a</b>	<b>E&amp;A CONSULTING GROUP, INC.</b>	
	ENGINEERING • PLANNING • FIELD SERVICES 300 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 665-4700	
Drawn by: BAS	Chkd by: <u>WAC 6-2-06</u>	Chkd by: _____
Job No.: 2005027.01	Date: 05/11/2006	Book No.: _____

**22.00 FOOT WIDE  
 PERMANENT MUD EASEMENT**  
 DOUGLAS COUNTY, NEBRASKA

EXHIBIT "A"

SKYLINE HOLLOW

2



Scale: 1" = 100'

UNPLATTED

R=540.00' L=345.61'  
LC= N38°40'01"E 339.74'

R=518.00' L=331.53'  
LC= S38°40'01"W 325.90'

UNPLATTED

SKYLINE DRIVE

N20°19'55"E 412.03'  
S20°19'55"W 412.03'

R=683.25' L=266.82'  
LC= N09°08'40"E 265.13'

R=661.25' L=258.23'  
LC= S09°08'40"W 256.59'

DAVID F. LANOHA, AS TRUSTEE OF THE  
DAVID F. LANOHA REVOCABLE TRUST  
WARRANTY DEED  
INSTRUMENT NO. 2004-039630

SHEET 4 OF 6

FOR LEGAL DESCRIPTION SEE SHEET 6 OF 6



E&A CONSULTING GROUP, INC.

ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 117TH STREET OMAHA, NE 68164 PHONE (402) 895-4700

Drawn by: BAS

Chkd by: WAC 6-7-06

Chkd by:

Job No.: 2005027.01

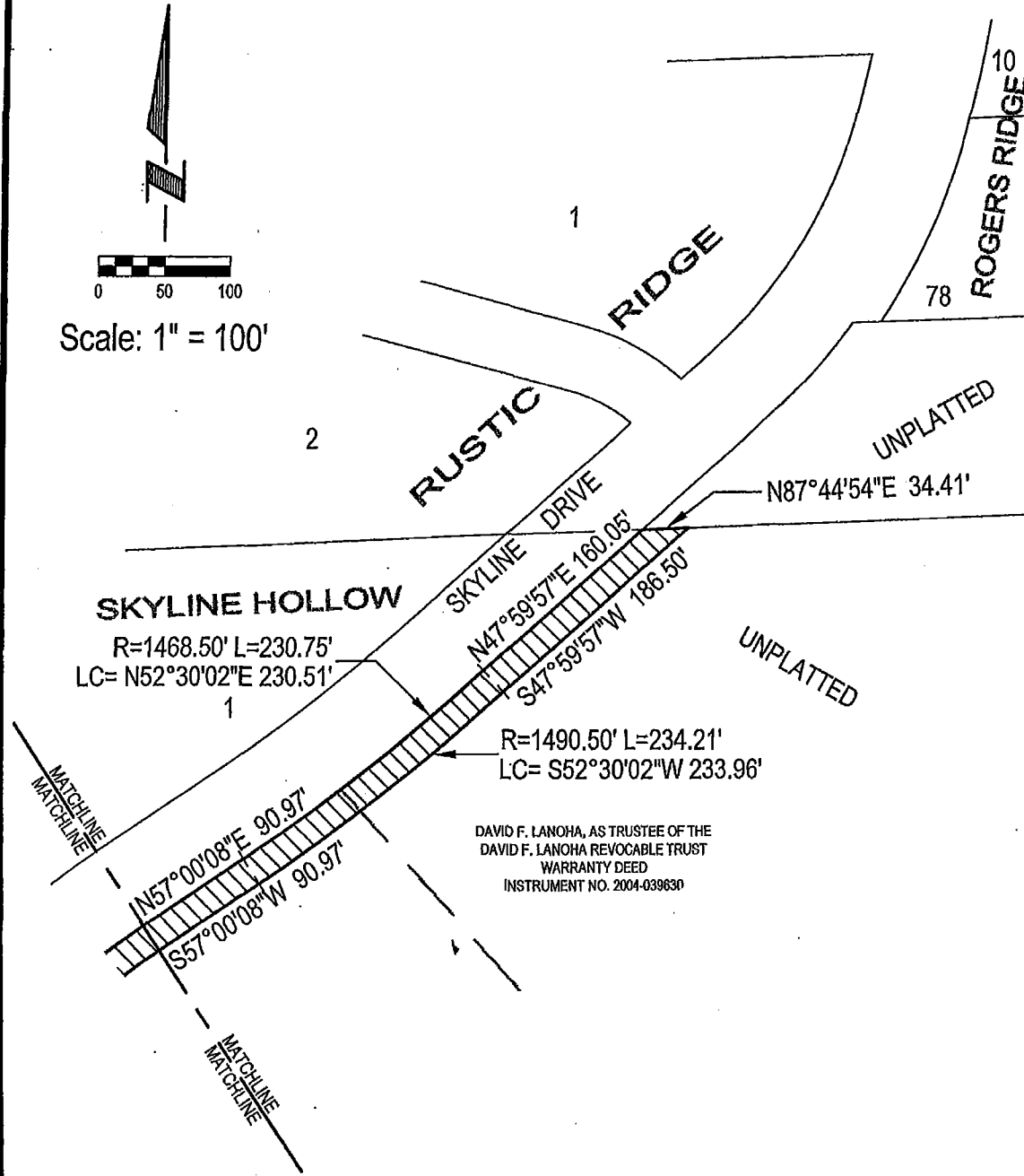
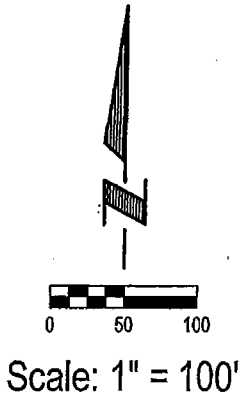
Date: 05/11/2006

Book No.:

22.00 FOOT WIDE  
PERMANENT MUD EASEMENT

DOUGLAS COUNTY, NEBRASKA

EXHIBIT "A"



SHEET 5 OF 6

FOR LEGAL DESCRIPTION SEE SHEET 6 OF 6



E&A CONSULTING GROUP, INC.  
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330 NORTH 117TH STREET OMAHA, NE 68164 PHONE (402) 995-4700

22.00 FOOT WIDE  
PERMANENT MUD EASEMENT  
DOUGLAS COUNTY, NEBRASKA

Drawn by: BAS Chkd by: *WAC 6-7-06* Chkd by: \_\_\_\_\_  
Job No.: 2005027.01 Date: 05/11/2006 Book No.: \_\_\_\_\_