



BK 1381 PG 243-244



MISC 2001 06901

Joint
April 11, 2001RICHARD N. JARECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

01 MAY 11 PM 1:34

RECEIVED

Doc.#

JOINT UTILITY EASEMENT

METROPOLITAN UTILITIES DISTRICT, owner of the real estate described as follows, and hereafter referred to as "Grantor", That part of the Northwest Quarter (NW) of Section 25, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska and more particularly described as follows: Beginning at the Northwest corner of said Section 25; thence S90°00'00"E (assumed bearing) along the North line of said Northwest Quarter (NW¼), a distance of 370.0 feet to a point; thence S00°14'12"E, along a line 370.0 feet East of and parallel to the West line of said Northwest Quarter (NW¼), a distance of 200.00 feet to the true Point of Beginning; thence S90°00'00"E, along a line 200.00 feet South of and parallel to the North line of said Northwest Quarter (NW¼), a distance of 520.00 feet to a point; thence S00°14'12"E, along a line 890.0 feet East and parallel to the West line of said Northwest Quarter (NW¼), a distance of 626.26 feet to a point of curvature; thence Southwesterly along a curve to the right, said curve, having radius of 611.62 feet, a chord length of 122.55 feet, a chord bearing S05°30'48"W, an arc length of 122.76 feet to point of tangency; thence S11°15'48"W, a distance of 100.00 feet to a point of curvature; thence Southerly along a curve to the left, said curve having a radius of 661.62 feet, a chord length of 132.57 feet, a chord bearing S05°30'48"W, an arc length of 132.80 feet to a point of tangency; thence S00°14'12"E a distance of 143.23 feet to a point on the South line of said Northwest Quarter of the Northwest Quarter (NW¼NW¼); thence S89°58'31"W, along the South line of said Northwest Quarter of the Northwest Quarter (NW¼NW¼), a distance of 474.5 feet to a point; thence N00°14'12"W, along a line which is 370.0 feet East of and parallel to the West line of said Northwest Quarter (NW¼), a distance of 1121.72 feet to the Point of Beginning, said tract of land contains 13.05 acres.

in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the Omaha Public Power District, Qwest Communications, and Cox Cable, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit: ~~* TOWERS ARE NOT PERMITTED.~~ 5-9-01

The South Fifty feet (S50') of the East Forty feet (E40') of the above described property.
See Exhibit "A" on the reverse side hereof for sketch of easement area.

The Grantor hereby grants to said Utilities, their successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip. Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

Grantees agrees that no above ground or underground facilities will be installed in the East ten feet (E10') of said easement area, except for the underground feeder cables that will cross said ten feet strip to provide service to the utilities equipment located on the West thirty feet (W30') of said easement area.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 9TH day of MAY, 2001.

METROPOLITAN UTILITIES DISTRICT

GERALD A. RADEK, GENERAL MANAGER

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EP1
444 South 16th Street Mall
Omaha, NE 68102-2247

Approved as to form

R. Owens

05-09-2001

Lise 2

FEE 10.50 FB _____
BKP _____ C/O _____ COMP _____
DEL _____ SCAN de FV _____

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 9th day of MAY, 2001, before me the undersigned, a Notary Public in and for said County, personally came GERALD A. RADEK, General Manager of Metropolitan Utilities District, personally to me known to be the identical person(s) who signed the foregoing instrument as grantor and who acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Randall W. Owens
NOTARY PUBLIC

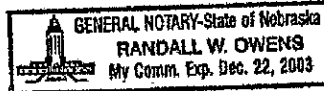
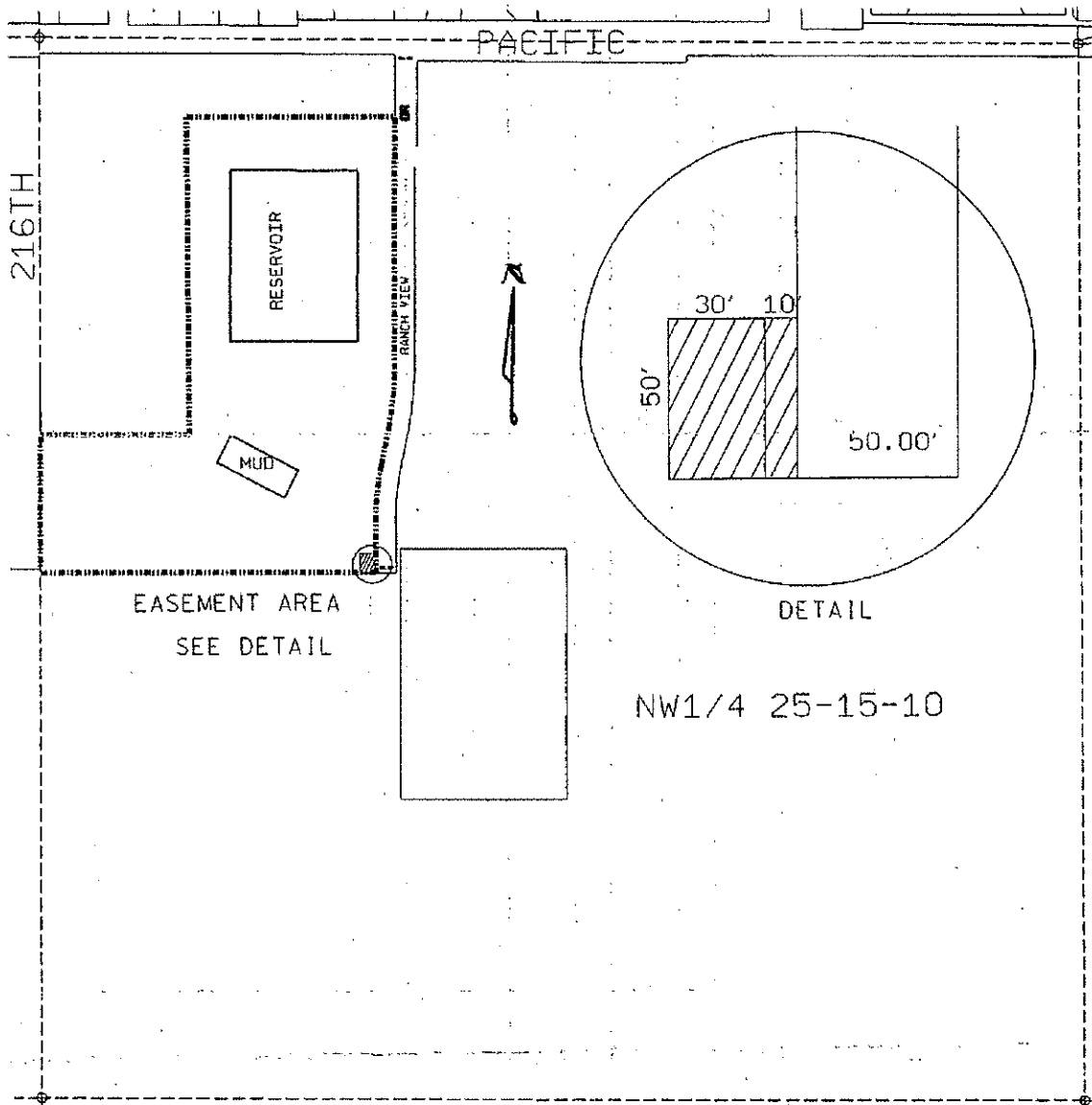


EXHIBIT "A"



NW 1/4, Section 25, Township 15 North, R 10 E, County Douglas ROW LJH
Customer Rep Hagan Engineer Gabriel Est. # W.O.# 00082024-01