



BK 1426 PG 552-556



MISC 2002 04789

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

2002 MAR -1 PM 1:43

RECEIVED

TEMPORARY CONSTRUCTION
EASEMENT AND RIGHT-OF-WAY

misc FEE 31.50 FB DC-41865
BKP _____ C/O _____ COMP SY
5 DEL _____ SCAN 18 FV _____
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THIS INDENTURE, made this 15 day of Feb, 2002,
between WEST BAY 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
temporary construction 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, together with the right of ingress and egress on,
over, under and through lands described as follows:

TEMPORARY CONSTRUCTION EASEMENT

Several tracts of land in West Bay Woods, a
subdivision, as surveyed, platted and recorded in
Douglas County, Nebraska and being described as
follows:

The southerly fifteen feet (15') of the westerly sixty-one
and forty-five one hundredths feet (61.45') of Lot 95;

-and-

The southerly fifteen feet (15') of Lots 96, 97, 98, 99,
and 100.

These temporary easement tracts contain 0.187 of an
acre, more or less, and are shown on the drawing
attached hereto and made a part hereto by this
reference.

-and-

28 3/1/02

The southerly twenty feet (20') of Lots ~~256~~, 257, 258,
and 259.

These temporary easement tracts contain 0.202 of an
acre, more or less, and are shown on the drawing
attached hereto and made a part hereof by this
reference.

-and-

The southerly twenty feet (20') of Lots 260, 261, 262,
and 263.

These temporary easement tracts contain 0.151 of an
acre, more or less, and are shown on the drawing

Return To: TJ Secret
Mog Law Dept
1723 Harney St
Omaha NE 68102 10523

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 temporary construction easement and all associated rights, duties, obligations, terms and conditions cited herein shall commence with construction of the main and shall terminate after the completion of construction of the main, and any necessary restoration work required in the easement site.
2. During the effective period of this temporary construction easement, the Grantor and its successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building, fencing or any other structure, except pavement and similar covering, and shall not permit anyone else to do so.
3. The Grantee shall restore the surface of any soil excavated for any purpose hereunder, as nearly as is reasonably possible to its original condition within a reasonable time after the work is performed. The Grantee shall also resod or reseed any grassy area damaged by its activities on the Grantor's property.
4. 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.
5. The Grantor is a 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 asserting any right, title or interest prior to or contrary to this conveyance.

6. 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 Easement and Right-of-Way to be signed on the above date.

WEST BAY WOODS, L.L.C.,
a Nebraska Limited Liability Company,
Grantor
By: *Timothy W. Young*
Timothy W. Young
Managing Member

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on Feb 15, 2002, 2002 by Timothy W. Young, managing member of West Bay Woods, L.L.C., a Nebraska limited liability company, on behalf of the limited liability company.

Randi A. Zahawa
Notary Public





**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA

**EASEMENT
ACQUISITION**

FOR
WCP 8887-1

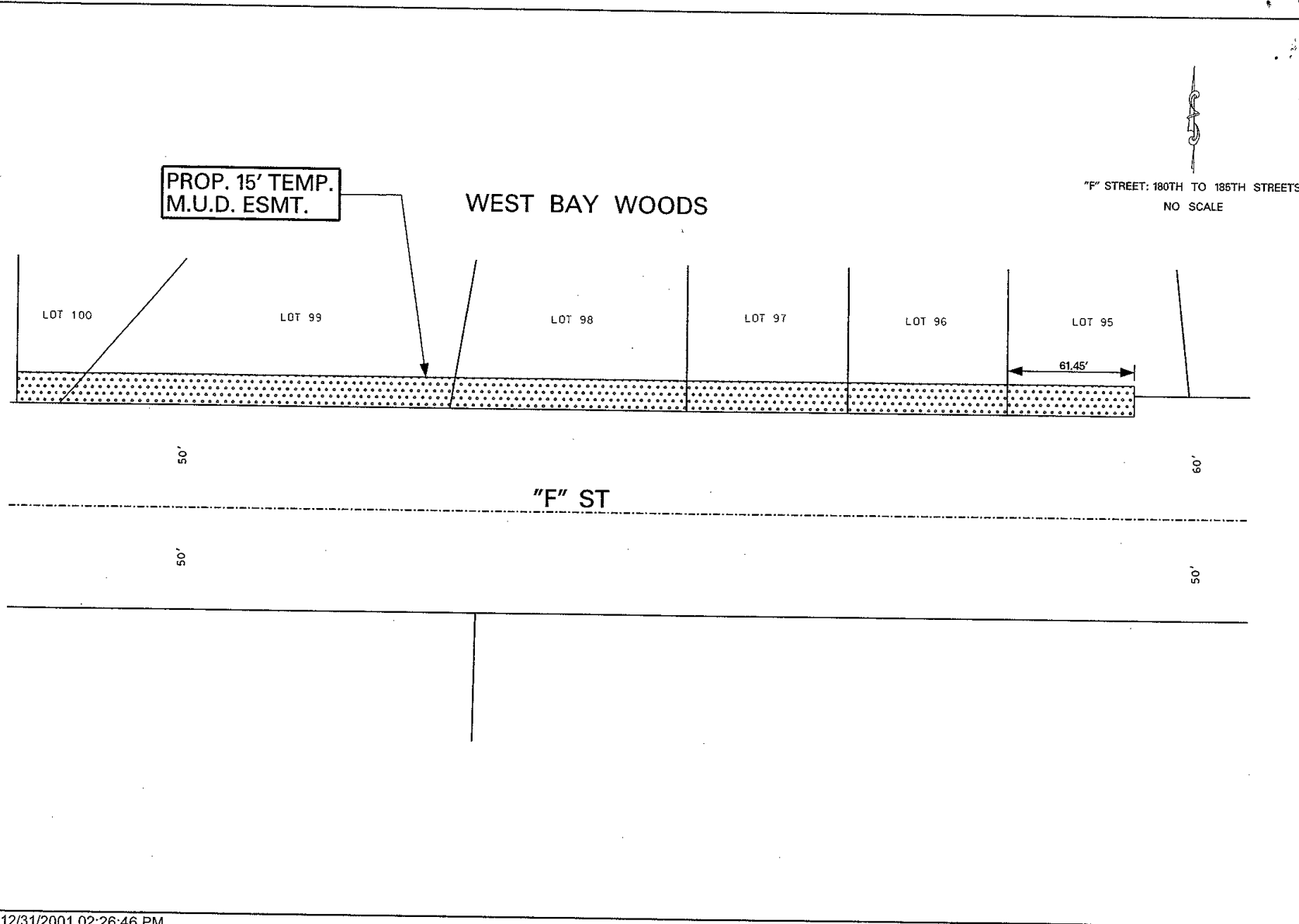
LAND OWNER
WEST BAY WOODS
11440 WEST CENTER ROAD
OMAHA, NE 68135

TOTAL ACRE
PERMANENT 0.000 ±
TOTAL ACRE
TEMPORARY 0.187 ±

LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 1 OF 3

DRAWN BY SJS
DATE 12-11-01
CHECKED BY _____
DATE _____
APPROVED BY _____
DATE _____
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____



**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA



**EASEMENT
ACQUISITION**

FOR
WCP 8887-1

LAND OWNER
WEST BAY WOODS
11440 WEST CENTER ROAD
OMAHA, NE 68135

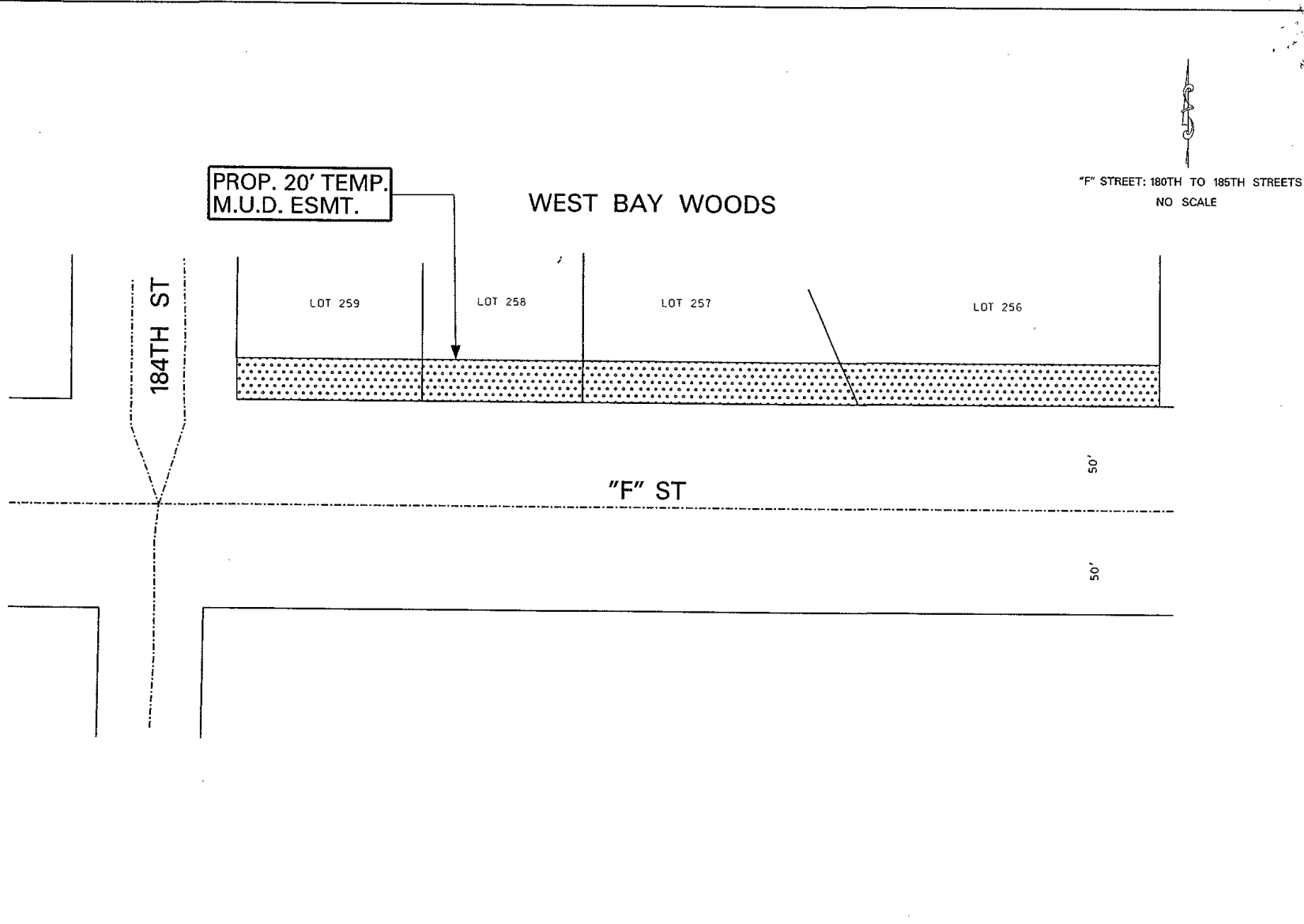
TOTAL ACRE
PERMANENT 0.000 ±

TOTAL ACRE
TEMPORARY 0.202 ±

LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 2 OF 3

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DATE _____
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DATE _____



**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA



**EASEMENT
ACQUISITION**

FOR WCP 8887-1

LAND OWNER
WEST BAY WOODS
11440 WEST CENTER ROAD
OMAHA, NE 68135

TOTAL ACRE
PERMANENT 0.000 ±

TOTAL ACRE
TEMPORARY 0.151 ±

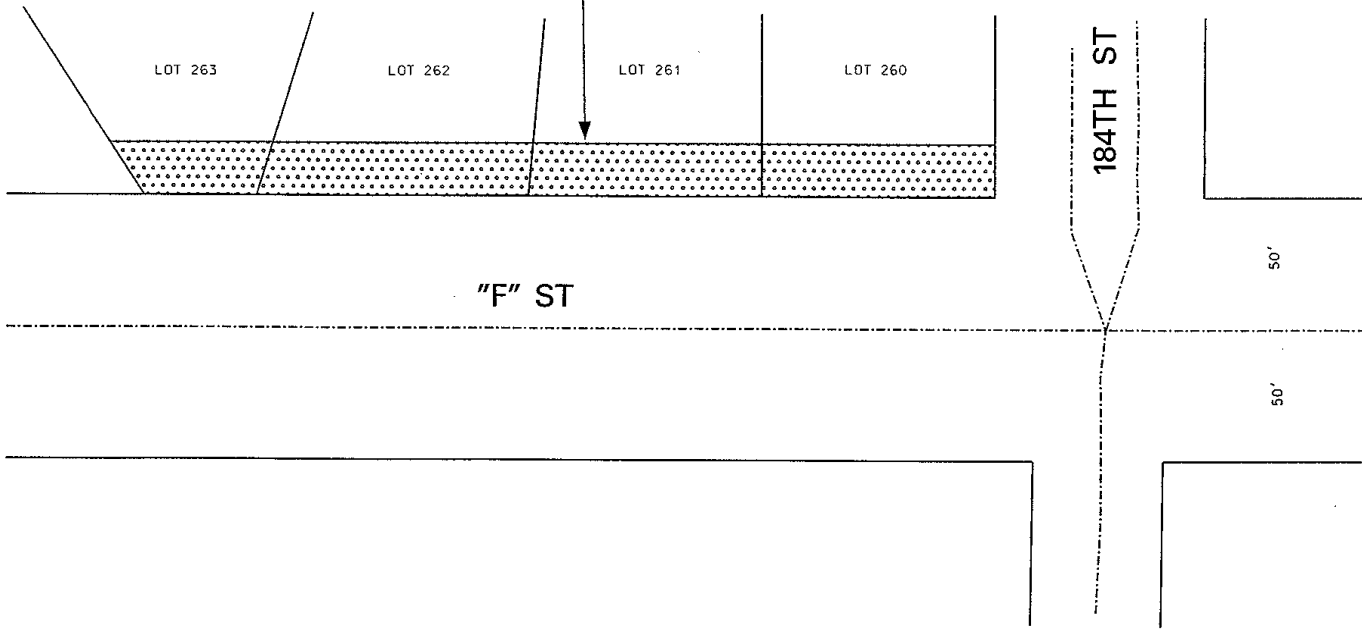
LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 


PAGE 3 OF 3

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DATE _____
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DATE _____
REV. APPROV. BY _____
DATE _____

WEST BAY WOODS

**PROP. 20' TEMP.
M.U.D. ESMT.**




"F" STREET: 180TH TO 185TH STREETS
NO SCALE