

MISC

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DEC 16 2004 15:29 P 3

Received - RICHARD TAKECHI Register of Deeds, Douglas County, NE 12/16/2004 15;29:47.87

PERMANENT EASEMENT

THIS INDENTURE, made this / day of / December, 2004 between DAVID C. FEHR and ANGELA FEHR, Husband and Wife, ("Grantors"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision, ("Grantee"),

WITNESS:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant 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 gas and all appurtenances thereto, together with the right of ingress and egress on, over, under and through tracts of land described as follows:

PERMANENT EASEMENT

A tract of land in Westchester Replat #5, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska and being described as follows:

The north twelve feet (12') of Lot 1.

The north twelve feet (12') of Lot 2.

This permanent easement contains 0.059 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said Permanent Easement to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

- 1. The Grantors and their successors and assigns shall not <u>at any time</u> erect, construct or place on or below the surface of the <u>permanent</u> <u>easement</u> any building or structure, except pavement or a similar covering, and shall not permit anyone else to do so.
- 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. Nothing herein shall be construed to waive any right of Grantors or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.
- 4. The Grantors are the lawful possessor of this real estate; have good, right and lawful authority to make such conveyance; and Grantors and their 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.

Please file & return to:

Susan E. Prazan Metropolitan Utilities District 1723 Harney Street Omaha, NE 68102-1960 IN WITNESS WHEREOF, Grantors execute this Permanent Easement to be signed on the above date.

V	Pavid C. Fehr and Angela Fehr, Husband and Vife, Brantors
В	y: David C. Fehr
В	y: Angela Jehn Angela Fehr
<u>ACKNOWLEDGMENT</u>	
STATE OF NEBRASKA)) ss COUNTY OF DOUGLAS)	
This instrument was acknowledged by David C. Fehr.	before me on 12.10 , 2004,
AMIE J. BYBEE My Comm. Exp. Aug. 22, 2005	VLEDGMENT
STATE OF NEBRASKA)) ss	
COUNTY OF DOUGLAS)	
This instrument was acknowledged by Angela Fehr.	l before me on <i> D</i> , 2004,
GENERAL NOTARY - State of Nebraska AMIE J. BYBEE My Comm. Exp. Aug. 22, 2005	Jotary Public

9429 WEST-DODGE-ROAD-US-HWY-6-9430 9503 9 PROP. 12' PERM. M.U.D. ESMT. 9507 9510 9507 \sim O CHICAGO STREET Westchester Replat #5 (lots 1 % 2) 113.85 9515 9520 9519 ∞ 100 LOT 1 9525 9530 3341S-H196

0.059 ±

TOTAL ACRE PERMANENT __

Angela tehr 1625 South 94th Street Omaha, Nebraska 68724

Dave Fehr

LAND OWNER

+ı **X**

TEMPORARY __

TOTAL ACRE

PERMANENT EASEMENT

LEGEND

TEMPORARY EASEMENT

NO SCALE

METROPOLITAN

UTILITIES

DISTRICT OMAHA, NEBRASKA ACQUISITION

GC 12811

EASEMENT

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REV. APPROV. BY __

REV. CHK'D. BY

REVISED BY

DATE ___

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DRAWN BY

11/18/2004

CHECKED BY

APPROVED BY

DATE _