



MISC 2004162716



DEC 16 2004 15:29 P 3

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Register of Deeds, Douglas County, NE
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2004162716

PERMANENT EASEMENT

THIS INDENTURE, made this 16 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 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.

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

MISC	FEE	16.00	FB	5142108
3	BKP		C/O	COMP
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