



MISC 2005104009



AUG 23 2005 11:00 P 5

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/23/2005 11:00:04.54



2005104009

PERMANENT AND TEMPORARY
CONSTRUCTION EASEMENTS

THIS INDENTURE, made this 10 day of August, 2005 between GOTTSCHE LAND CO., a Nebraska Corporation ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision, ("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 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, a possible 24-inch round iron ring and cover, and a temporary easement for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

Four tracts of land in Arbor Ridge Second Addition, a subdivision, as platted and recorded in Douglas County, Nebraska and being described as follows:

PERMANENT EASEMENT

The northerly ten feet (10.00') of the easterly twenty feet (20.00') of Outlot "A".

This permanent easement contains 0.005 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

-and-

The westerly ten feet (10.00') of Lots 105, 106 and 107, and the westerly ten feet (10.00') of the northerly ten feet (10.00') of Lot 104.

This permanent easement contains 0.093 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TEMPORARY CONSTRUCTION EASEMENT

The easterly twenty feet (20.00'), excluding the northerly ten feet (10.00') of Outlot "A".

This temporary construction easement contains 0.050 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

Please file & return to:

-and-

Patrick L. Tripp, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, NE 68102-1960

MISC REC 28.00 FB 00-00931
5
6
F
23148
23213

The easterly twenty feet (20.00') of Outlot "B".

This temporary construction easement contains 0.040 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 and Temporary Construction Easements to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

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, and, with respect to the temporary construction easement, the same prohibitions apply during the effective period of this temporary conveyance, which effective period shall commence upon the date of execution hereof and cease after completion of the project and restoration work contemplated herein.

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 Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

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

5. The person executing this instrument represents that he/she has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes these Permanent and Temporary Easements to be signed on the above date.

GOTTSCH LAND CO., a Nebraska Corporation, Grantor



Brett A. Gottsch
Authorized Corporate Officer

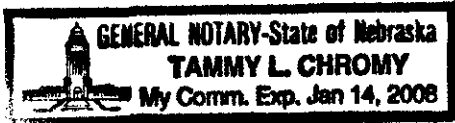
Title: _____

President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on August 10, 2005,
by Brett A. Gottsch, President of Gottsch Land Co., a Nebraska
corporation, on behalf of the corporation.



Tammy L. Chromy
Notary Public



METROPOLITAN UTILITIES DISTRICT
 OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR **WCP 9828**

LAND OWNER
 Gottsch Land Development
 1015 N. 204th Ave.
 Elkhorn, NE 68022

TOTAL ACRE PERMANENT 0.005 ±
 TOTAL ACRE TEMPORARY 0.090 ±

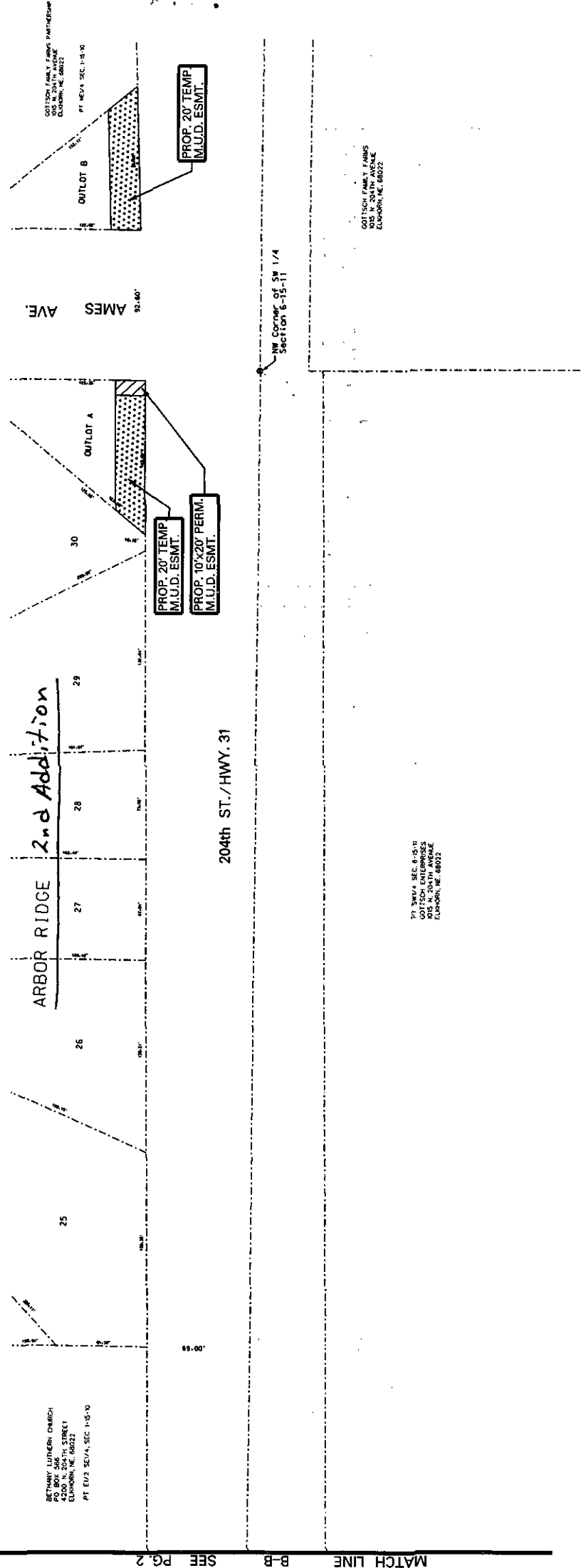
LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY TAA
 DATE 6-1-05
 CHECKED BY _____
 DATE _____
 APPROVED BY _____
 DATE _____
 REVISED BY _____
 DATE _____
 REV. CHK'D. BY _____
 DATE _____
 REV. APPROV. BY _____
 DATE _____



NO SCALE
 204th ST. FROM W. MAPLE RD.
 TO AMES AVE.



BETHANY LUTHERAN CHURCH
 P.O. BOX 568
 1015 N. 204th STREET
 ELKHORN, NE 68022
 PT. 1/2 SEC. 14, SEC. 1-5-10

ARBOR RIDGE 2nd Addition

204th ST./HWY. 31

NW Corner of SW 1/4
 Section 6-15-11

PT. 1/4 SEC. 6-15-11
 GOTTSCH ENTERPRISES
 805 N. 204th AVENUE
 ELKHORN, NE 68022

GOTTSCH FAMILY FARMS
 805 N. 204th AVENUE
 ELKHORN, NE 68022

GOTTSCH FAMILY FARMS PARTNERSHIP
 805 N. 204th AVENUE
 ELKHORN, NE 68022
 PT. 1/4 SEC. 1-5-10

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION FOR WCC 9826-1

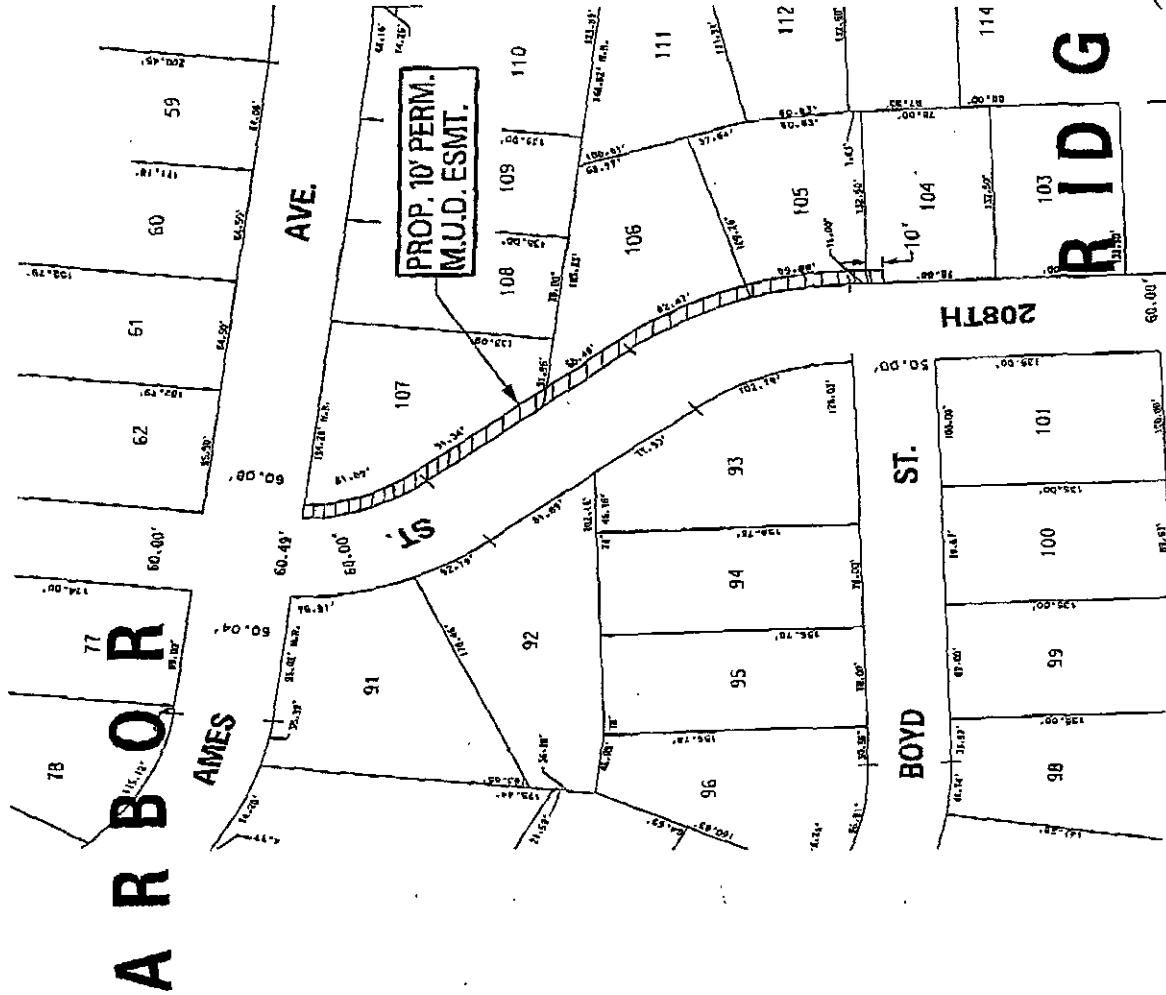
LAND OWNER
Gortsch Land Development
1016 N. 204th Ave.
Elkhorn, NE 68022

TOTAL ACRE PERMANENT 0.093 ±
TOTAL ACRE TEMPORARY 0.000 ±

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY JKS
DATE 3-25-05
CHECKED BY
DATE
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



2nd Addition

NO SCALE
ARBOR RIDGE 2ND ADDITION
204TH ST. & AMES AVE.