



BK 1356 PG 114-116



MISC 2000 14456

RICHARD N TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

00 OCT 24 PM 1:46

RECEIVED

Joint  
August 18, 2000

Doc.# \_\_\_\_\_

### JOINT UTILITY EASEMENT

Commercial Federal Bank, a federal savings bank, Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots 6, 7 and 13, Commercial Federal Business Park Replat I Addition as surveyed, platted and recorded in Douglas County, Nebraska.

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, U S West Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew poles, 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:

See Exhibits "A", "B" and "C" attached.

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.

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 27 day of September, 2000.

OWNERS SIGNATURE(S)

Gary L. Matter, Executive Vice President  
Commercial Federal Bank

RETURN:

HEATH KENNEDY  
LAMP, RUMERSON & ASSOC.  
14710 WEST DODGE RD  
OMAHA, NE 68154

MISC 3/3 F 50

FEE 16 FB \_\_\_\_\_  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP \_\_\_\_\_  
DEL \_\_\_\_\_ SCAN dc FV \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**

STATE OF NEBRASKA

COUNTY OF

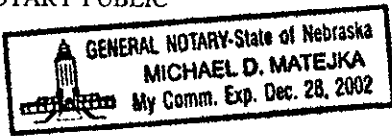
On this 27 day of September, 19 2000  
before me the undersigned, a Notary Public in and for said  
County, personally came Gary L. Matter  
Executive Vice  
President of Commercial Federal Bank

\_\_\_\_\_ personally  
to me known to be the identical person(s) who signed the  
foregoing instrument as grantor(s) 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.

Michael D. Matejka

NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
before me the undersigned, a Notary Public in and for said  
County and State, personally appeared \_\_\_\_\_

\_\_\_\_\_ personally to me known to be the identical person(s) who  
signed the foregoing instrument as grantor(s) and who  
acknowledged the execution thereof to be \_\_\_\_\_  
voluntary act and deed for the purpose therein expressed.

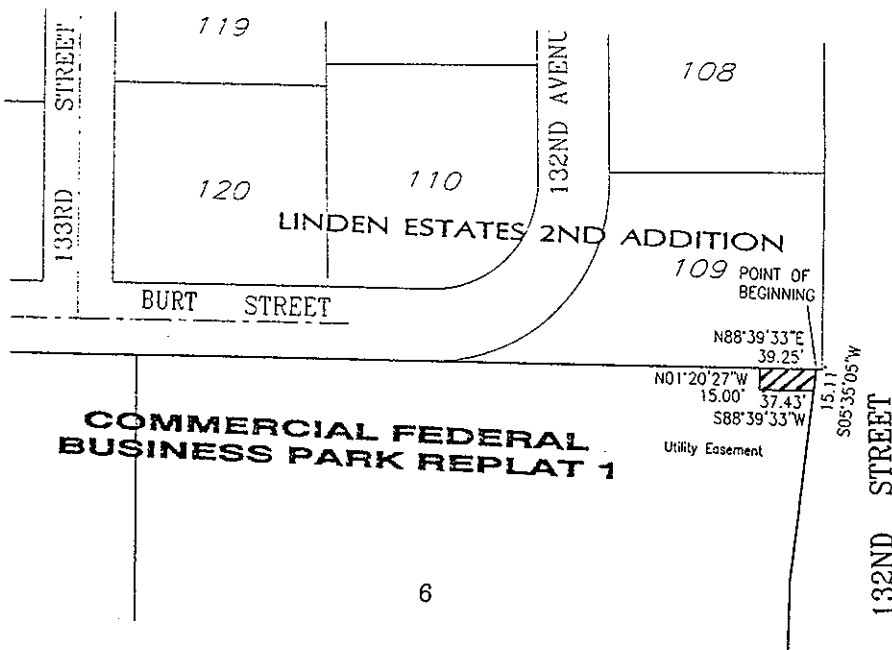
Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

**EXHIBIT "A"**

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of power and related facilities over that part of Lot 6, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:  
Beginning at the northeast corner of said Lot 6;  
Thence South 35°35'05" West for 15.11 feet along the east line of said Lot 6 to the TRUE POINT OF BEGINNING;  
Thence South 88°39'33" West for 37.43 feet parallel with and fifteen foot (15') south of the north line of said Lot 6;  
Thence North 01°20'27" West for 15.00 feet to the north line of said Lot 6  
Thence North 88°39'33" East for 39.25 feet to the Point of Beginning.  
Contains 575 square feet.



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ ROW LJH Date \_\_\_\_\_  
Section SE 1/4 13 Township 15 North, Range 11 East, County Douglas  
Cust Services Carnazzo Engineer \_\_\_\_\_ W.O.# 10207-01

EXHIBIT "B"

COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of utilities over that part of Lot 7, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:  
 Commencing at the northeast corner of said Lot 7;  
 Thence along a curve to the left (having a radius of 250.00 feet and a long chord bearing South 83°21'07" West (bearings referenced to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 47.88 feet) for an arc length of 47.95 feet along the north line of said Lot 7 to the TRUE POINT OF BEGINNING;  
 Thence South 65°49'21" East for 64.94 feet to the southwest line of Outlot 3;  
 Thence along a curve to the left (having a radius of 50.00 feet and a long chord bearing South 65°47'35" East for 43.54 feet) for an arc length of 45.05 feet along said southwest line of Outlot 3 to the southeast corner thereof;  
 Thence South 00°41'59" East for 11.00 feet along the east line of Lot 7;  
 Thence North 65°49'21" West for 125.82 feet parallel with and ten foot (10') southwest of the initial course of this easement to the north line of said Lot 7;  
 Thence along a curve to the right (having a radius of 250.00 feet and a long chord bearing North 76°00'10" East for 16.18 feet) for an arc length of 16.18 feet along said north line of Lot 7 to the Point of Beginning.  
 Contains 1026 square feet.

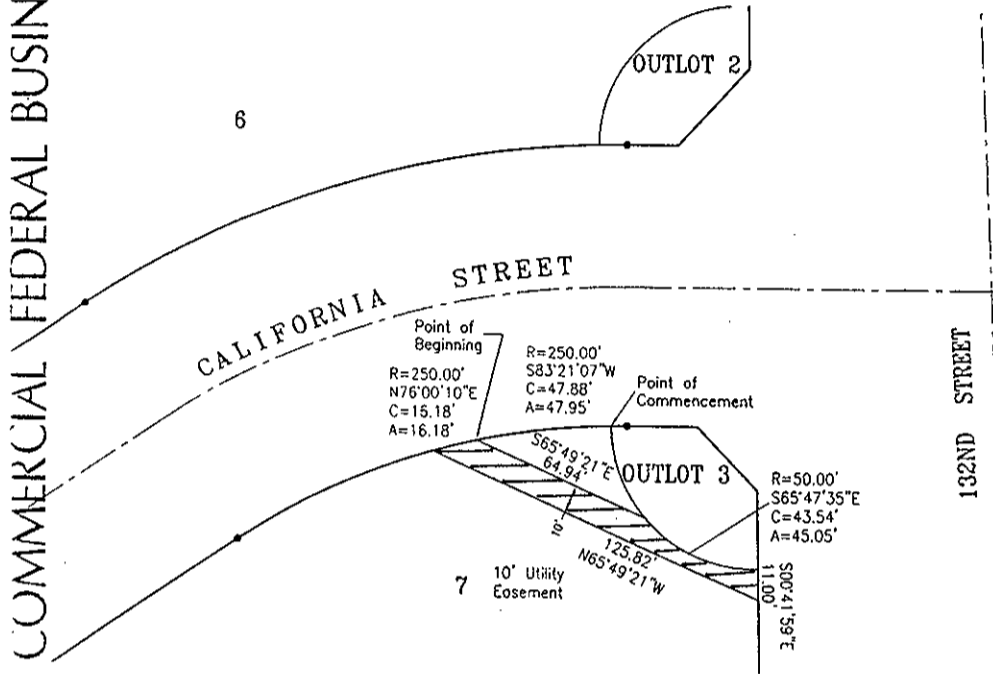


EXHIBIT "C"

A permanent easement for the construction and maintenance of utilities over that part of Lot 13, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:  
 Commencing at the southwest corner of said Lot 13;  
 Thence North 02°13'48" West (bearings referenced to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 190.00 feet along the west line of said Lot 13 to the TRUE POINT OF BEGINNING;  
 Thence North 02°13'48" West for 15.00 feet along the west line of said Lot 13;  
 Thence North 87°46'12" East for 25.00 feet;  
 Thence South 02°13'48" East for 15.00 feet parallel with and 25.00 feet east of the west line of said Lot 13;  
 Thence South 87°46'12" West for 25.00 feet to the Point of Beginning.  
 Contains 375 square feet.

