



BK 1433 PG 208-211



MISC 2002 07826

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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PERMANENT AND TEMPORARY EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 2nd day of April, 2002, between MICHAEL L. HENERY, a Single Person, ("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, an 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, including but not limited to two (2) fire hydrants and four (4) round iron covers, and a temporary easement and right of way for construction purposes in connection therewith, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT and TEMPORARY EASEMENT TRACTS

Separate tracts, one permanent and one temporary, and both in the -

Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-one (21), Township Sixteen (16) North, Range Twelve (12) East of the 6th P.M. in Douglas County, Nebraska.

Both the permanent and temporary easement tracts are described and shown on Exhibit "A" (2 pages) attached hereto and made a part hereof by this reference.

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

1. The Grantor and his successors and assigns shall not at any time erect, construct or place on or below the surface of the easement tract any building or structure, **except** pavement and similar covering, and **except** as allowed in Paragraph No. 5 below, and shall not permit anyone else to do so. The same prohibition shall apply with respect to the temporary easement tract but only for the effective period of the temporary easement grant, that period being from the date of execution of this document until completion of the underlying project.

Please return to:
R. OWENS
M. U. D.
1723 HARVEY ST.
OMAHA, NE 68102

Permanent & Temporary Water Main Easement
WCP 8864-1, State Street

A tract of land in the both the SW ¼ of SW ¼ of Section 21, Township 16 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska and described as follows:

Permanent

Commencing in the southwest corner of the of the southwest 1/4 of Section 21, T16N, R12E;
Thence N 00°00'00"E a distance of 33.00';
Thence N 90°00'00"E a distance of 940.44' along the North right-of-way line of State Street to the Point of Beginning;
Thence N 90°00'00"E(assumed bearing) a distance of 340.00' along the North right-of-way line of State Street to the West right-of-way line of Irvington Road;
Thence N 08°05'40"W a distance of 42.58' along the West right-of-way line of Irvington Road;
Thence N 90°00'00"W a distance of 348.40';
Thence S 18°54'31"E a distance of 44.42' to the North right-of-way line of State Street and the Point of Beginning.

The tract contains 0.332 acres, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

Temporary

Commencing in the southwest corner of the of the southwest 1/4 of Section 21, T16N, R12E;
Thence N 00°00'00"E a distance of 33.00';
Thence N 90°00'00"E a distance of 940.44' along the North right-of-way line of State Street;
Thence N 18°54'31"W a distance of 44.42' to the Point of Beginning;
Thence N 90°00'00"E a distance of 348.40' to the West right-of-way line of Irvington Road;
Thence N 08°05'40"W a distance of 15.01' along the West right-of-way line of Irvington Road;
Thence N 90°00'00"W a distance of 351.42';
Thence S 18°54'31"E a distance of 15.86' to the Point of Beginning.

The tract contains 0.120 acres, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR W.C.P. 8864-1

LAND OWNER MIKE HENRY

TOTAL ACRE PERMANENT .3321 ± TOTAL ACRE TEMPORARY .1202 ±

LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY DAS DATE 9-14-2001 CHECKED BY DATE APPROVED BY DATE REVISED BY DATE REV. SHK'D. BY DATE REV. APPROV. BY DATE

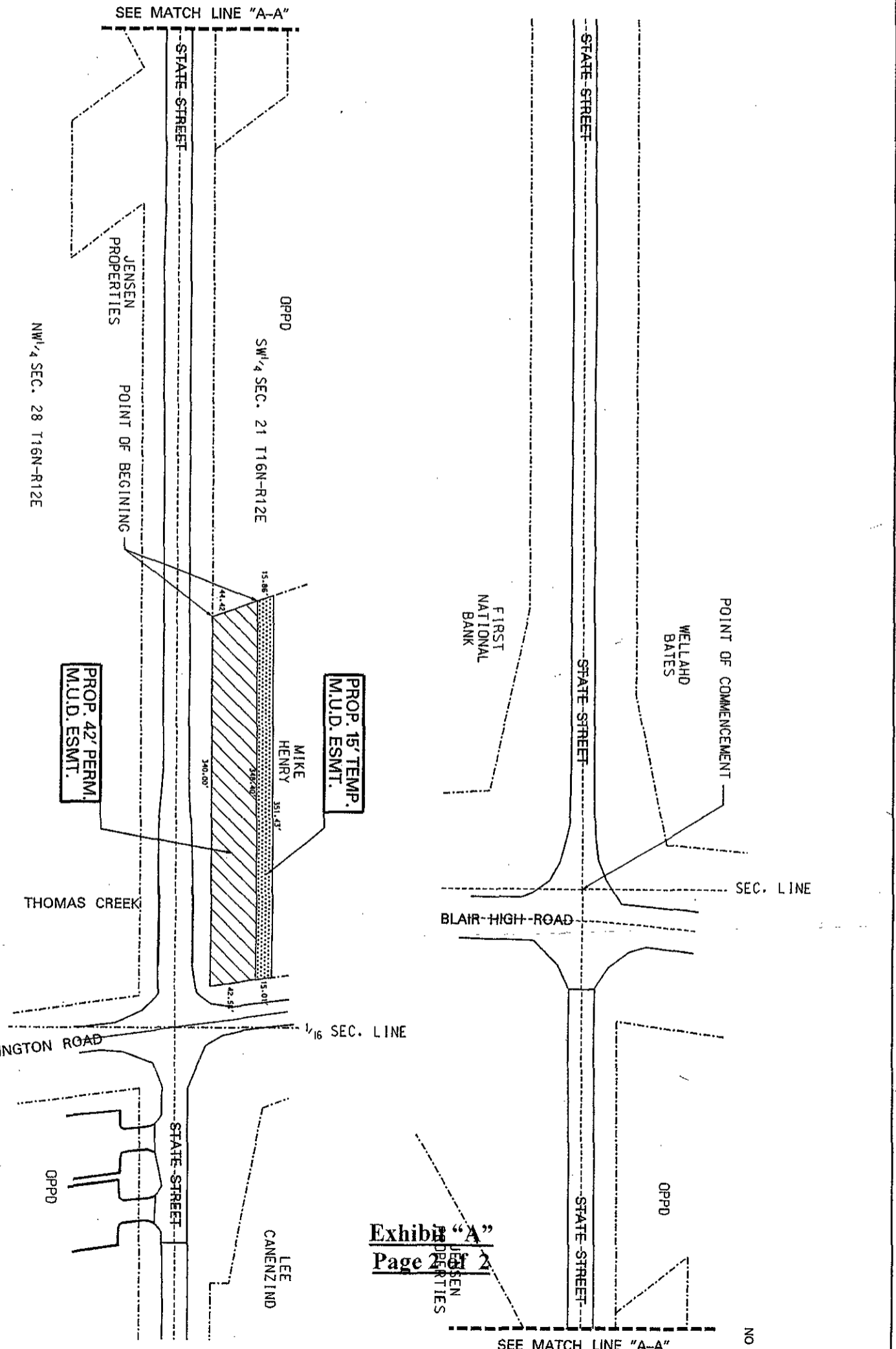


Exhibit "A" Page 2 of 2

NO SCALE