



MISC 2010013000



FEB 11 2010 15:22 P 4

misc
FEE 22.00 FB 61-28686
DKP _____ C/O _____ CCMP SB
DEL _____ SCAN _____ FV _____

Please return to:

Stalnaker, Becker &
Buresh, P.C.
P.O. Box 24268
Omaha, NE 68124
(402) 393-5421

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/11/2010 15:22:36.01



2010013000

Space above line for recording purposes

PERMANENT EASEMENT

FLEETWOOD-101, LLC, as Grantor, being the owner of the real property which is hereinafter described and which is located and recorded in Douglas County, Nebraska, for valuable consideration received, does hereby grant to FIRST NATIONAL BANK OF OMAHA, TRUSTEE OF THE MPSB TRUST, dated July 2, 2008, as Grantee, and its agents and successors, a permanent easement for the purpose of access to constructing, installing, operating, maintaining, repairing, and removal of a below ground natural gas line through, under, and across the real property which is described and shown on the attached Exhibits "A" and "B".

This permanent easement shall also be for the benefit of any contractor, agent, employee or representative of Grantee, its successors or assigns, for the purposes of access and performing work, maintenance, and repairs on such improvements within the permanent easement area, provided however that Grantor has and intends to have pavement and parking lot on the surface above the easement area and in the event Grantee or its successors or assigns enter the easement area and perform any maintenance, construction, repair, laying or relaying, removal, installation, or

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any other activity which causes or results in any damage or destruction of the pavement and/or parking lot or other surface uses by the Grantor or its successors or assigns, Grantee, its successors or assigns, shall repair and restore such damaged area or operation to its condition immediately prior to such activity.

Grantee shall cause the construction, installation, operation, relaying, maintenance, repair, and removal of the aforescribed work and improvements to be done in a good, timely and workmanlike manner, and in accordance with all applicable plans and specifications and all applicable governmental laws, ordinances, regulations and building codes.

Except as herein provided, the Grantor shall not, without the prior written approval of Grantee, or its successors or assigns, which approval shall not be unreasonably withheld, construct or install any buildings or other permanent structures in the permanent easement area.

DATED this 23 day of Dec., 2009.

FLEETWOOD-101, LLC

BY: _____

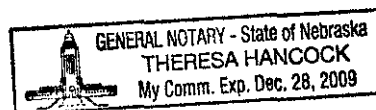
Its Manager

Ray Trimble

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 23 day of Dec., 2009, by Ray Trimble, as Manager and on behalf of FLEETWOOD-101, LLC.

Theresa Hancock
Notary Public



Omaha Industrial Foundation District No. 3 Replat 11 Condominium, Units 1 thru 4 inclusive, and common areas, being a condominium addition to the City of Omaha consisting of units 1 thru 4 inclusive and common areas being a subdivision of Lot 1, Omaha Industrial Foundation District No. 3 Replat 11, a subdivision located in the NE 1/4 of Section 1, and also the NW 1/4 of said Section 1, all located in Township 14 North, Range 11, East of the 6th P.M., Douglas County, Nebraska

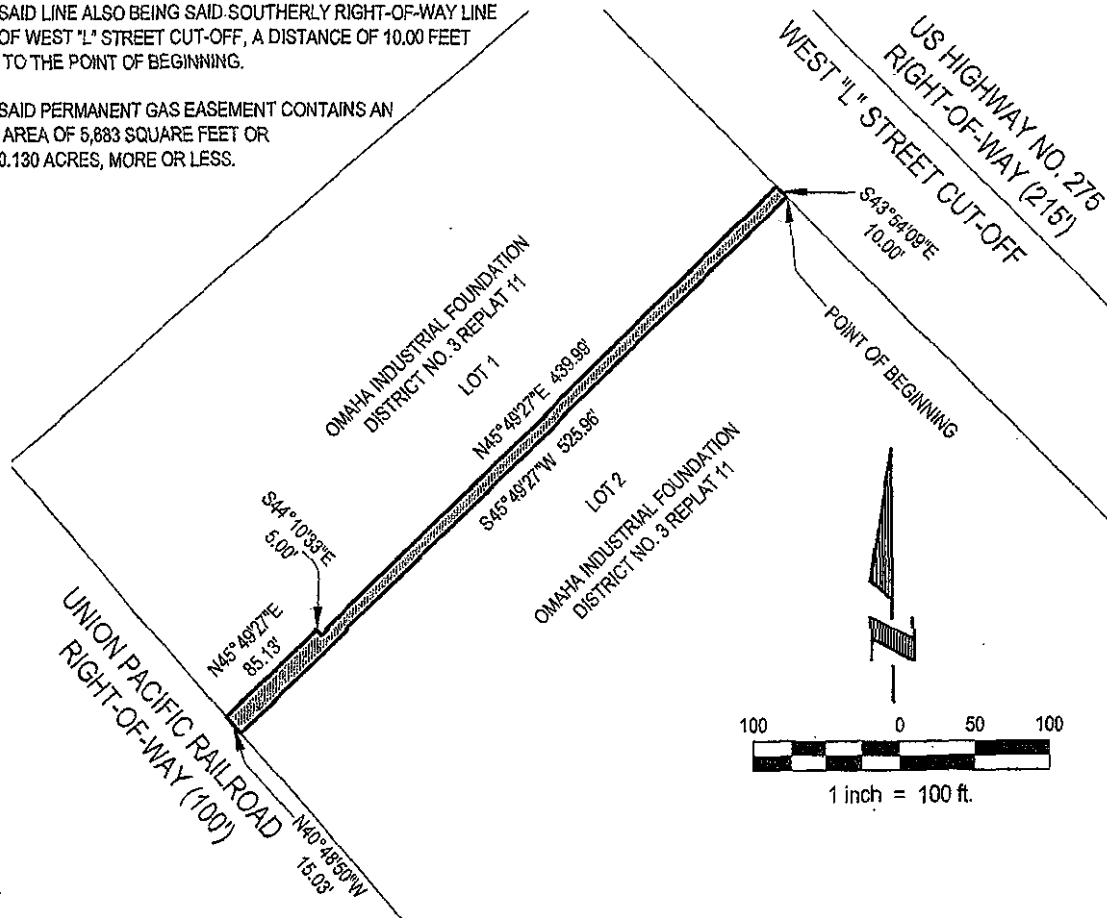
LEGAL DESCRIPTION

EXHIBIT "A"

A PERMANENT GAS EASEMENT LOCATED IN LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 2, SAID OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST "L" STREET CUT-OFF; THENCE S45°49'27"W (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 2, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, A DISTANCE OF 525.96 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 2, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF SAID LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11; THENCE N40°48'50"W ALONG THE SOUTHERLY LINE OF SAID LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID LINE ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, A DISTANCE OF 15.03 FEET; THENCE N45°49'27"E, A DISTANCE OF 85.13 FEET; THENCE S44°10'33"E, A DISTANCE OF 5.00 FEET; THENCE N45°49'27"E, A DISTANCE OF 439.99 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST "L" STREET CUT-OFF; THENCE S43°54'09"E ALONG SAID NORTHERLY LINE OF LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST "L" STREET CUT-OFF, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT GAS EASEMENT CONTAINS AN AREA OF 5,883 SQUARE FEET OR 0.130 ACRES, MORE OR LESS.



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 865-4700

PERMANENT GAS EASEMENT
LOT 2, OMAHA INDUSTRIAL FOUNDATION - DISTRICT
NO. 3 REPLAT 11
DOUGLAS COUNTY, NEBRASKA

Drawn by: WAC Chkd by: WAC 8-24-09 Chkd by:

Job No.: P2004.455.003 Date: 8/21/2009 Book No.: XXXXX