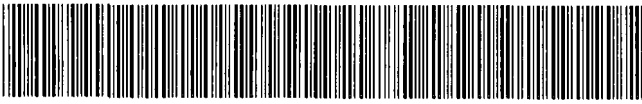


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2017006832

PERMANENT EASEMENT

THIS EASEMENT, made this 9<sup>th</sup> day of December, 2016, between ROYCE CANDLEWOOD, LLC, a Nebraska limited liability company, ("Grantor"), and the METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision of the State of Nebraska ("Grantee"),

WITNESS:

Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants to Grantee, 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 water and all appurtenances thereto, including, but not limited to, valve boxes, round iron covers, roadway boxes, above-ground regulator pipes, and pipeline markers, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Two tracts of land in Candlewood Hills Replat 2, a subdivision surveyed, platted and recorded in Douglas County, Nebraska, being more fully described as follows and depicted on the attached Exhibit A:

Tract 1:

**LOT 2, CANDLEWOOD HILLS REPLAT 2**

A TRACT OF LAND BEING A PORTION OF LOT 2, CANDLEWOOD HILLS REPLAT 2, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHEASTERLY CORNER OF SAID LOT 2;

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THENCE SOUTH 87°26' 08" WEST (AN ASSUMED BEARING), ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET;  
THENCE NORTH 02°38' 43" WEST, A DISTANCE OF 242.69 FEET;  
THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 122.50 FEET, A DISTANCE OF 169.74 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS NORTH 45°36'09" WEST A DISTANCE OF 156.49 FEET;  
THENCE NORTH 87°26' 08" EAST, A DISTANCE OF 79.85 FEET; THENCE SOUTH 47°38' 05" EAST, A DISTANCE OF 59.11 FEET; THENCE SOUTH 02°38' 43" EAST, A DISTANCE OF 315.32 FEET

TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS AN AREA OF 0.3123 ACRE, MORE OR LESS.

Tract 2:

**LOT 5, CANDLEWOOD HILLS**

A TRACT OF LAND BEING A PORTION OF LOT 5, CANDLEWOOD HILLS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT NORTHEASTERLY CORNER OF SAID LOT 5;

THENCE BEARING SOUTH 02°38' 43" EAST (AN ASSUMED BEARING), ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 33.59 FEET;

THENCE BEARING SOUTH 87°26' 08" WEST A DISTANCE OF 8.95 FEET; THENCE BEARING SOUTH 02°33' 52" EAST A DISTANCE OF

187.52 FEET; THENCE BEARING SOUTH 41°46' 59" WEST A

DISTANCE OF 21.46 FEET; THENCE BEARING NORTH 02°33' 52"

WEST A DISTANCE OF 236.46 FEET; THENCE BEARING NORTH

87°26' 08" EAST A DISTANCE OF 23.90 FEET;

TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS AN AREA OF 0.0857 ACRE, MORE OR LESS.

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.

2. The Grantee shall restore the soil and/or the walkway 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. 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.

4. The person executing this instrument has authority to execute it on behalf of the Grantor.

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IN WITNESS WHEREOF, Grantor executes this Permanent Easement to be effective on the above date.

ROYCE CANDLEWOOD, LLC

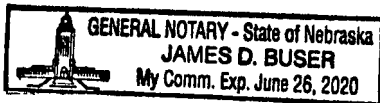
LZ \_\_\_\_\_  
Manager

Its:

ACKNOWLEDGMENT

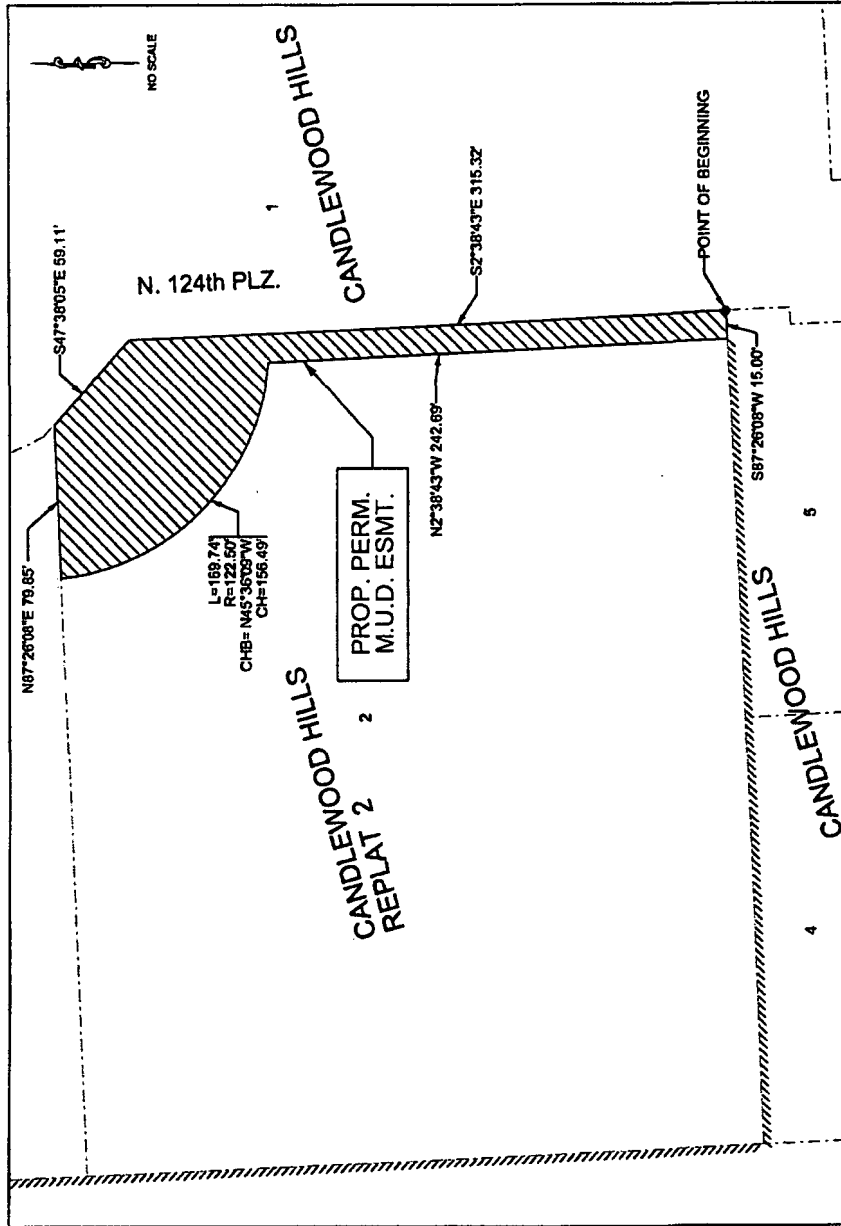
STATE OF NEBRASKA )  
 ) ss  
 COUNTY OF DOUGLAS )

This instrument was acknowledged before me on this 9<sup>th</sup> day of December, 2016, by Lawrence R. James II the Manager of ROYCE CANDLEWOOD, LLC, a Nebraska limited liability company, on behalf of the company.



[Signature]  
 Notary Public

EXHIBIT A



<b>EASEMENT ACQUISITION</b> FOR WP1478 100055001184	
LAND OWNER ROYCE CANDLEWOOD, LLC 1925 CALIFORNIA ST., SUITE 110 OMAHA, NE 68154	TOTAL ACRES PERMANENT 0.3123 TOTAL ACRES TEMPORARY N/A
<b>LEGEND</b> PERMANENT EASEMENT TEMPORARY EASEMENT	PAGE 1 OF 1 DRAWN BY KVV DATE 5-28-16 CHECKED BY RMT DATE 10-6-2016 APPROVED BY [Signature] DATE 10-18-16 REVISED BY DATE REV. CHKD. BY DATE REV. APPROV. BY DATE

WP1478.dwg ESMT 3 10/6/2016 7:26:11 AM