



MISC 2006036012



APR 03 2006 07:47 P 4

Received - DIANE L. BATTIAT  
Register of Deeds, Douglas County, NE  
4/3/2006 07:47:04.06



2006036012

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*J8662*

PERMANENT EASEMENT

THIS INDENTURE, made this 23<sup>rd</sup> day of March, 2006 between ELK RIDGE VILLAS, LLC, a Nebraska Limited Liability Company, ("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, underground pipelines for the transportation of gas and water and all appurtenances thereto, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

A permanent easement for the construction and maintenance of water and gas lines and related facilities over Lots 6, 7 and 8, Elk Ridge Replat 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the northwest corner of Lot 8;

Thence along a curve to the left (having a radius of 50.00 feet and a long chord bearing South 22°45'28" East (bearings referenced to the final plat of Elk Ridge Replat 1) for 17.59 feet) for an arc length of 17.69 feet along the north line of said Lot 8 to the true point of beginning.

Thence along a curve to the left (having a radius of 50.00 feet and a long chord bearing North 31°57'27" East for 90.52 feet) for an arc length of 200.98 feet along the north line of said Lot 8, the west line of said Lot 7 and the southwest line of said Lot 6;

Thence along a curve to the right (having a radius of 55.00 feet and a long chord bearing South 31°57'27" West for 90.52 feet) for an arc length of 239.26 feet to the Point of Beginning.

This permanent easement contains 2008 square feet and is shown on the drawing attached hereto and made a part hereof by this reference.

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

*Please file & return to:*

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

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 excavated for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.

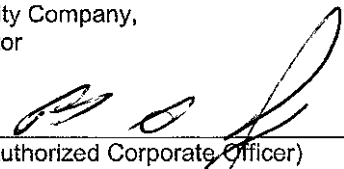
3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

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 limited liability company.

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

ELK RIDGE VILLAS, LLC, a Nebraska Limited Liability Company,  
Grantor

By:   
(Authorized Corporate Officer)

Title: Member

Printed Name: Patrick G Day

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
                                  ) ss  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me on March 23, 2006, by Patrick G Day, Member of ELK RIDGE VILLAS, LLC, a limited liability company, on behalf of the limited liability company.

  
Notary Public



# EASEMENT EXHIBIT

## LEGAL DESCRIPTION

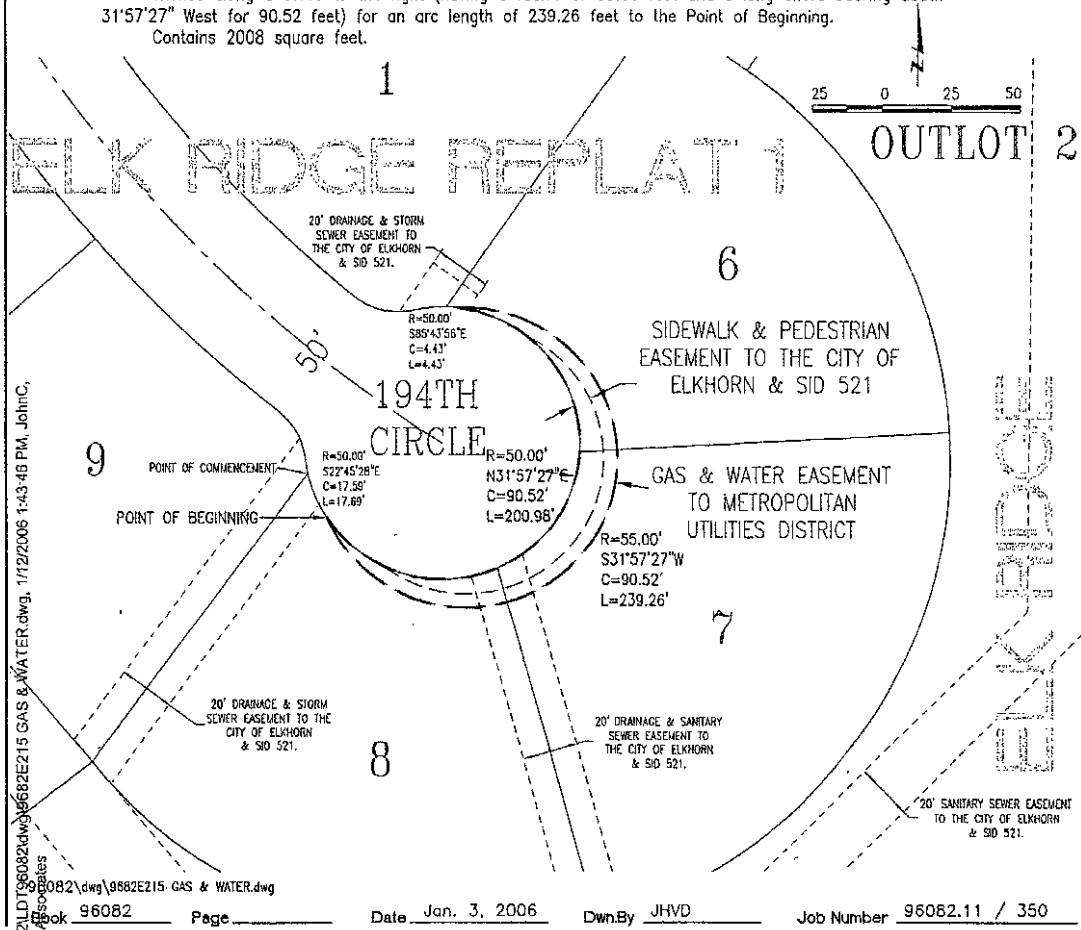
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Contains 2008 square feet.



Engineering 96082  
 Lamp, Rynearson & Associates, Inc.  
 96082.dwg 9882E215 GAS & WATER.dwg  
 Date Jan. 3, 2006 Dwn By JHVD Job Number 96082.11 / 350


**Lamp, Rynearson & Associates, Inc.**
WWW.LRA-INC.COM

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