

MISC 2015010552



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> Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 2/12/2015 13:44:06.45

> > 2015010552

PERMANENT EASEMENT

THIS AGREEMENT, made this <u>20</u> day of <u>NOUE-1850</u>, 2014, between BSR-FW, LLC, a Nebraska Limited Liability Company ("Grantor"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision ("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 Metropolitan Utilities District of Omaha, 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 all appurtenances thereto, including, but not limited to, 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

Tracts of land in Falling Waters, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and described as follows:

The easterly 5' of Lots 221-228; the northerly 5' of Lots 239-249 and Outlot "F"; the northerly 5' of Lot 220; and the northerly 5' of Lot 181.

This permanent easement contains 2.2295 acres, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

- 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. 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 limited liability company.

A. Justin Cooper, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

~ 794795

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

BSR-FW, LLC, a Nebraska limited liability company, Grantor DENNIS VAN MOORLECHEM **Printed Name** MANAGING MEMBER Title **ACKNOWLEDGMENT** STATE OF NEBRASKA COUNTY OF DOUGLAS) This instrument was acknowledged before me on by Wennis Van Moorleghen. Managing Mon on behalf of the limited liability company. GENERAL NOTARY - State of Nebraska JOYCE E PERDUE My Comm. Exp. November 23, 2016







