



BK 1404 PG 688-690



MISC 2001 17270

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10% FEE 18.00 FB DL-22888  
 EASEMENT AND RIGHT-OF-WAY 3 BKP C/O COMP 3  
 DEL 6 SCAN CR FV

THIS INDENTURE, made this 14<sup>th</sup> day of September, 2001,  
 between M.L. CONCRETE CONSTRUCTION, INC., a Nebraska Corporation,  
 ("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 gas and all appurtenances thereto,  
 together with the right of ingress and egress on, over, under and through lands  
 described as follows:

PERMANENT EASEMENT

Tracts of land in Lonergan Woods, a subdivision, as  
 surveyed, platted, and recorded in Douglas County,  
 Nebraska and being described as follows:

A five foot (5') strip on Lots 1 through 5 abutting 73<sup>rd</sup>  
 Plaza and Outlot B in its entirety.

This permanent easement contains 0.424 of an acre,  
 more or less, and is shown on the drawing 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 its 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 shall not permit anyone  
 else to do so.
2. The Grantee shall restore the surface of any 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 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.

Return to: Susan Dargatzis  
 M.U.D. Harney Street  
 1723  
 Omaha, NE 68102  
 v8692

5. The person executing this instrument represents that he has authority to execute it on behalf of the corporation.

IN WITNESS WHEREOF, Grantor executes this Easement and Right-of-Way to be signed on the above date.

M.L. Concrete Construction, Inc.,  
a Nebraska Corporation, Grantor

By: *Michael J. Clark*

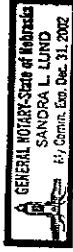
Title: *President*

ACKNOWLEDGMENT

STATE OF NEBRASKA )  
                                  ) ss  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me on *September 14*,  
2001, by *Michael J. Clark, President* of M.L. Concrete  
Construction, Inc.

*Sandra L. Lund*  
Notary Public



**METROPOLITAN UTILITIES DISTRICT**  
 OMAHA, NEBRASKA

**EASEMENT ACQUISITION**  
 FOR GRM 12156

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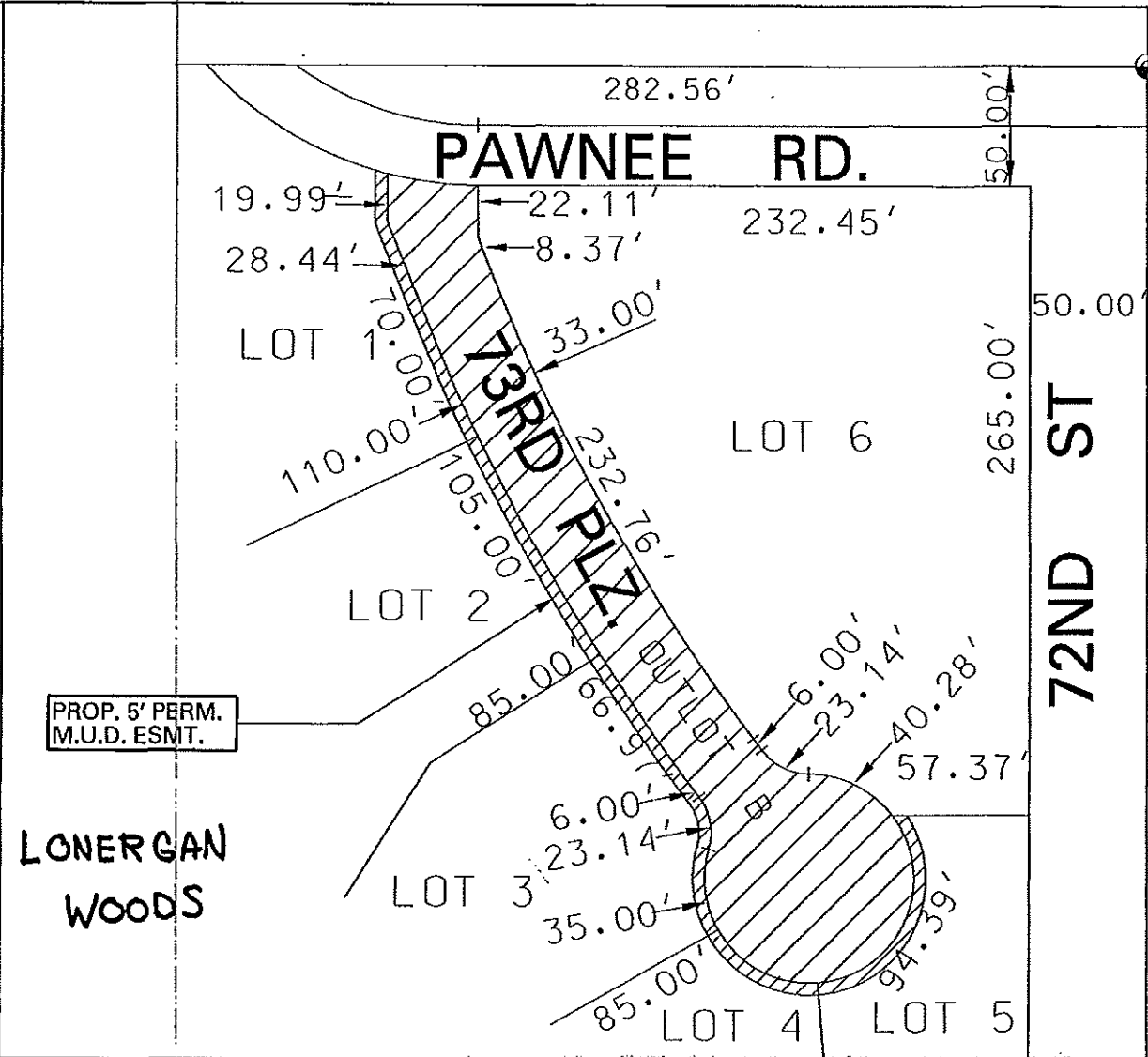
LAND OWNER  
 M.L. Concrete & Construction, Inc.  
 c/o Michael Lesch  
 12404 N. 108th St.  
 Omaha, NE 68142  
 (402) 672-5300

TOTAL ACRE PERMANENT 0.424 ±  
 TOTAL ACRE TEMPORARY X ±

LEGEND  
 PERMANENT EASEMENT [diagonal lines]  
 TEMPORARY EASEMENT [dotted]

PAGE 1 OF 1

DRAWN BY SJS  
 DATE 08-31-01  
 CHECKED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REVISED BY \_\_\_\_\_  
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 REV. CHK'D. BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REM. APPROV. BY \_\_\_\_\_  
 DATE \_\_\_\_\_



NO SCALE  
 72ND ST. & PAWNEE RD.

NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 11, T16N, R12E OF THE 6th P.M., DOUGLAS COUNTY, NEBRASKA.