



BK 1351 PG 349-352



MISC 2000 12282

Nebr Doc Stamp Tax
Date
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By

RICHARD H. JAKEDIP
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

00 SEP 13 PM 2:41

RECEIVED

PERMANENT AND TEMPORARY

EASEMENTS AND RIGHTS-OF-WAY

FEE 20.50 FB 01-60000
 BKP 26-16-11 C/O _____ COMP _____
 DEL _____ SCAN ds FV _____

*Affects OLA, OLC
11-13, 31-33, 44-46, 52,
lots 267-272, 289*

B MISC 4

THIS INDENTURE, made this 11th day of September, 2000, between PAUL M. BROWN, TRUSTEE OF THE FRANCES LYNNE UDES SCOTT IRREVOCABLE TRUST NO. 3 FOR THE BENEFIT OF THE FRANCES LYNNE UDES SCOTT FAMILY, AND PAUL M. BROWN, TRUSTEE OF THE BARBARA UDES SHAW IRREVOCABLE TRUST NO. 3 FOR THE BENEFIT OF THE BARBARA UDES SHAW FAMILY and BENNINGTON COMPANY, a Nebraska Corporation ("Grantors") and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, ("Grantee").

WITNESS:

That Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to Metropolitan Utilities District of Omaha, its successors and assigns, a permanent easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, including but not limited to, valve boxes and fire hydrants, and a temporary easement for construction purposes, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Tracts of land in the NW ¼ of Section 26, Township 16 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska and described as follows:

The easterly 10 feet of the westerly 50 feet of the SW ¼ of the NW ¼ of Section 26, Township 16, Range 11.

The easterly 10 feet of the westerly 50 feet of the southerly 1287 feet of the NW ¼ of the NW ¼ of Section 26, Township 16, Range 11.

This permanent easement contains 0.60 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

TEMPORARY EASEMENT

Tracts of land in the NW ¼ of Section 26, Township 16 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska and described as follows:

The easterly 50 feet of the westerly 100 feet of the SW ¼ of the NW ¼ of Section 26, Township 16, Range 11.

*Return to: Susan Prazan
M.U.D.
1723 Harney Street
Omaha, NE 68102*

004815

The easterly 50 feet of the westerly 100 feet of the southerly 1287 feet of the NW ¼ of the NW ¼ of Section 26, Township 16, Range 11.

This temporary easement contains 2.99 acres, 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 Permanent and Temporary Easements and Rights-of-Way to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantors and their successors and assigns shall not at any time erect, construct or place on or below the surface of the permanent easement tract any building or structure, except pavement and similar covering, and shall not permit anyone else to do so, and, with respect to the temporary easement tract, the same prohibitions apply during the effective period of that temporary conveyance, which effective period shall commence upon the date of execution hereof and extend for twelve months.

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.

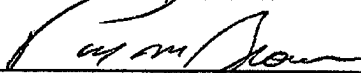
3. Nothing herein shall be construed to waive any right of Grantors or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantors are lawful possessors of this real estate and have good, right and lawful authority to make such conveyance. Grantors and their 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.

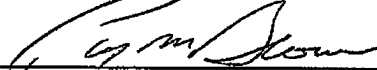
5. The person executing this instrument represents that he has authority to execute it on behalf of the trust and the corporation.

IN WITNESS WHEREOF, Grantors execute these Permanent and Temporary Easements and Rights-of-Way to be signed on the above date.

PAUL M. BROWN, TRUSTEE OF THE
FRANCES LYNNE UDES SCOTT
IRREVOCABLE TRUST NO. 3 FOR THE
BENEFIT OF THE FRANCES LYNNE UDES
SCOTT FAMILY, Grantor

By: 
Paul M. Brown
Trustee

PAUL M. BROWN, TRUSTEE OF THE
BARBARA UDES SHAW IRREVOCABLE
TRUST NO. 3 FOR THE BENEFIT OF THE
BARBARA UDES SHAW FAMILY, Grantor

By: 
Paul M. Brown
Trustee

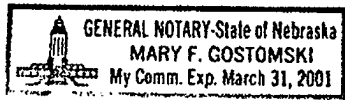
BENNINGTON COMPANY, a Nebraska Corporation, Grantor

By: Maurice M. Udes
Maurice M. Udes
President

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on September 11, 2000 by Paul M. Brown, on behalf of the trust and by Maurice M. Udes on behalf of the corporation.



Mary F. Gostomski
Notary Public



**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA

**EASEMENT
ACQUISITION**
FOR
W.C.P. 8684-2

LAND OWNER
PAUL BROWN, Trustee
1925 N. 120TH ST.
OMAHA, NE 68154

Bennington Company

TOTAL ACRE
PERMANENT 0.60 ±
TOTAL ACRE
TEMPORARY 2.99 ±

LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 1 OF 1

DRAWN BY J. STANEK
DATE 08-23-2000
CHECKED BY _____
DATE _____
APPROVED BY JBC
DATE 6-28-00
REVISED BY _____
DATE _____
REV. CHK'D. BY _____
DATE _____
REV. APPROV. BY _____
DATE _____

NO SCALE
156TH & MILITARY RD.

