



MISC 2005006564



JAN 19 2005 08:01 P 2

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 FEE 10.50 FB 11-25759  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP Mr.  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FY \_\_\_\_\_

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 1/19/2005 08:01:55.97



2005006564

## JOINT UTILITY EASEMENT

We, Lanoha-Mission Development, Inc., a Nebraska Corporation, being the Owners of the real estate described as Lot 4, Mission Pines Plaza, a Subdivision in Douglas County, Nebraska, and hereafter referred to as "Grantor,"

in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the Omaha Public Power District, Qwest Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, through, under and across the following described real estate, to wit:

(See Exhibit "A" attached hereto by this reference incorporated herein.)

The Grantor hereby grants to said Utilities, their successors and assigns, the right, privilege and authority to install said utilities within said strip.

Grantor agrees that grade shall not be reduced more than one foot (1') in elevation without the prior approval of the District.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping, sidewalks, driveways and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

That Grantee will replace or rebuild any and all damage to improvements caused by Grantee exercising its rights of inspecting, maintaining or operating said utilities.

The Grantors covenant that they have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Owners have executed this instrument this \_\_\_\_\_ day of January, 2005.

### OWNERS SIGNATURE

LANOHA-MISSION DEVELOPMENT, INC.,  
 A NEBRASKA CORPORATION

BY: 

DAVID F. LANOHA, PRESIDENT

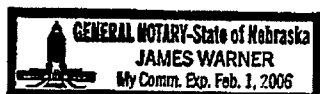
### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA )

) S.S.

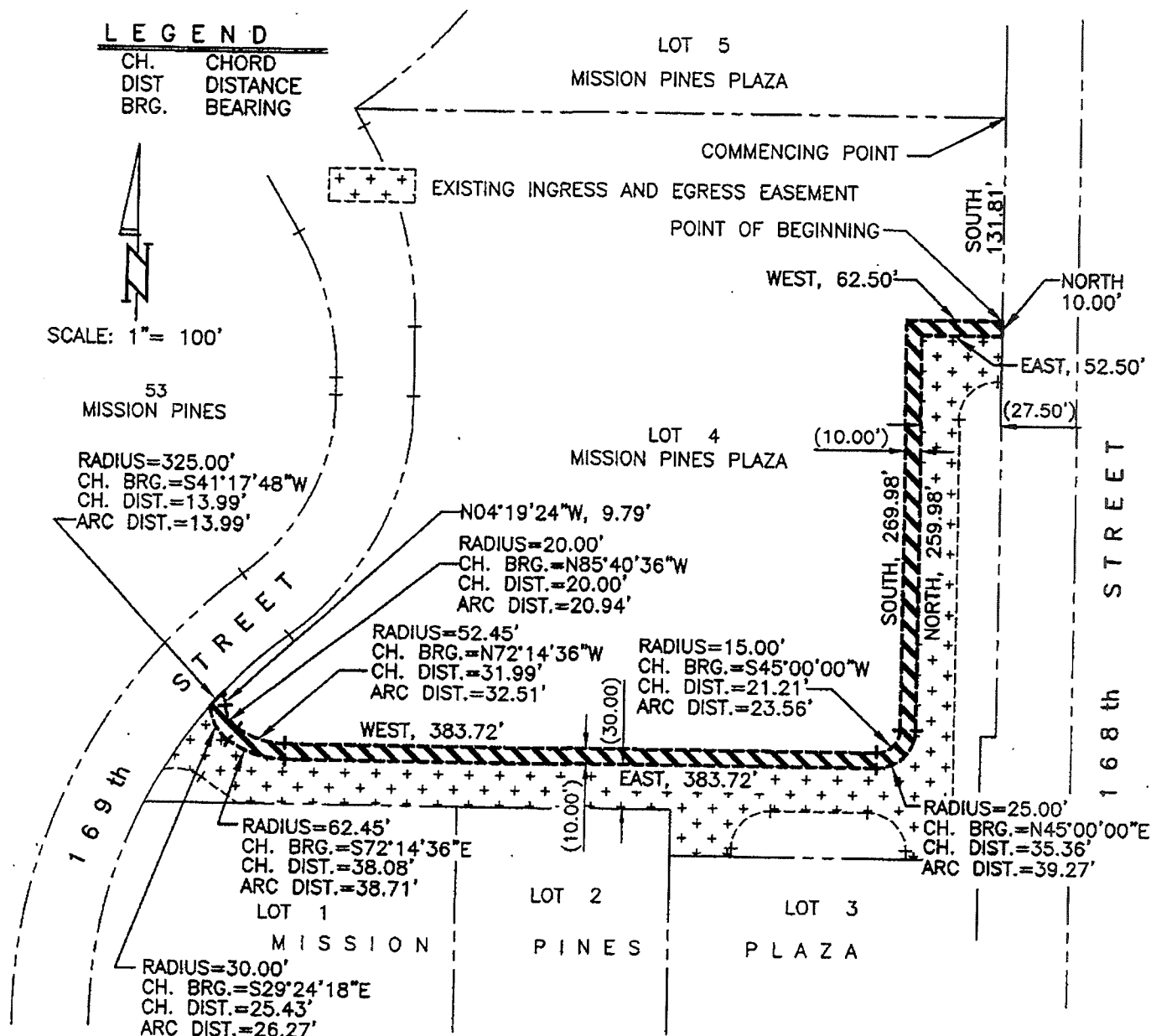
COUNTY OF DOUGLAS )

The foregoing dedication was acknowledged before me this 18<sup>TH</sup> day of January, 2005, by David Lanoha, President of Lanoha-Mission Development, Inc., a Nebraska Corporation, on behalf of said Corporation.



  
 NOTARY PUBLIC

THOMPSON DRESSEN & DOBIE, INC.  
 10836 OLD MILL ROAD  
 OMAHA NE 68154  
 TD2



## LEGAL DESCRIPTION (10' WIDE UTILITIES EASEMENT)

THAT PART OF LOT 4, MISSION PINES PLAZA, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID LOT 4; THENCE SOUTH (ASSUMED BEARING) 131.81 FEET ON THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING; THENCE WEST 62.50 FEET; THENCE SOUTH 269.98 FEET; THENCE SOUTHWESTERLY ON A 15.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S45°00'00"W, CHORD DISTANCE 21.21 FEET, AN ARC DISTANCE OF 23.56 FEET; THENCE WEST 383.72 FEET; THENCE NORTHWESTERLY ON A 52.45 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N72°14'36"W, CHORD DISTANCE 31.99 FEET, AN ARC DISTANCE OF 32.51 FEET; THENCE NORTHWESTERLY ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N85°40'36"W, CHORD DISTANCE 20.00 FEET, AN ARC DISTANCE OF 20.94 FEET; THENCE N04°19'24"W 9.79 FEET TO THE WEST LINE OF SAID LOT 4; THENCE SOUTHWESTERLY ON THE WEST LINE OF SAID LOT 4 ON A 325.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S41°17'48"W, CHORD DISTANCE 13.99 FEET, AN ARC DISTANCE OF 13.99 FEET TO THE NORTH LINE OF AN EXISTING INGRESS AND EGRESS EASEMENT; THENCE EASTERLY ON THE NORTH AND WEST LINES OF SAID INGRESS AND EGRESS EASEMENT ON THE FOLLOWING DESCRIBED SIX COURSES: THENCE SOUTHEASTERLY ON A 30.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S29°24'18"E, CHORD DISTANCE 25.43 FEET, AN ARC DISTANCE OF 26.27 FEET; THENCE SOUTHEASTERLY ON A 62.45 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S72°14'36"E, CHORD DISTANCE 38.08 FEET, AN ARC DISTANCE OF 38.71 FEET; THENCE EAST 383.72 FEET; THENCE NORTHEASTERLY ON A 25.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N45°00'00"E, CHORD DISTANCE 35.36 FEET, AN ARC DISTANCE OF 39.27 FEET; THENCE NORTH 259.98 FEET; THENCE EAST 52.50 FEET TO THE EAST LINE OF SAID LOT 4; THENCE NORTH 10.00 FEET ON THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING.

## EXHIBIT "A"

LANOHA DEVELOPMENT COMPANY TD2 FILE NO.: 1096-116-2E DATE: JANUARY 5, 2005  
THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860