

Check

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 4th day of November, 1988, between JACOBS LIMITED PARTNERSHIP, a Nebraska Limited Partnership, hereinafter referred to as "Grantor", and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation, hereinafter referred to as "Grantee",

WITNESSETH:

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 water and all appurtenances thereto, two fire hydrants and one or two iron vault covers, together with the right of ingress and egress to and from the same, on, over, under and through lands described as follows:

PERMANENT EASEMENT TRACTS

The tracts subject to this easement conveyance are described on and shown in drawings on Exhibits A (one page) and B (two pages) attached hereto and made a part hereof by this reference.

1988 NOV - 9 PM 3:43  
RECORDED  
GEORGE J. ...  
DISTRICT OF OMAHA

TO HAVE AND TO HOLD said Easement and Right-of-Way unto the said Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantor agrees that neither it nor its successors or assigns will at any time erect, construct or place on or below the surface of said easement tract any building or structure, except pavement, and they will not give anyone else permission to do so.

2. The Grantee shall restore the surface of the soil excavated for any purpose hereunder, as near as may be reasonably possible, to the original contour thereof and as soon after such work is performed as may be reasonably possible to do so.

3. Nothing herein contained shall be construed as a waiver of any rights of the Grantor, or duties and powers of the Grantee, respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. It is further agreed the Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and it and its executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

5. The person executing this instrument represents he has the requisite authority to execute same and make this conveyance on behalf of said Partnership.

11/30 7:30 D

868 11-15-11 RW 25.72  
38-42 11-15-11 11-15-11  
Misc COMP PW FIB 01-65003

IN WITNESS WHEREOF, the Grantor has caused this Easement and Right-of-way to be signed and executed on the day and year first above written.

JACOBS LIMITED PARTNERSHIP,  
a Nebraska Limited Partnership,  
Grantor

ATTEST:

Jackie Oddy

By Warren L. Jacobs  
Warren L. Jacobs, General Partner

ACKNOWLEDGMENT

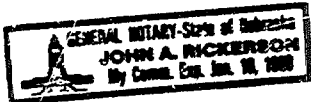
STATE OF NEBRASKA )  
                          ) SS  
COUNTY OF DOUGLAS )

On this 4th day of November, 1988, before me, the undersigned, a Notary Public in and for said State of Nebraska, personally came Warren L. Jacobs, general partner in Jacobs Limited Partnership, a Nebraska Limited Partnership, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution of this instrument to be his voluntary act and deed as said partner and the voluntary act and deed of said Partnership.

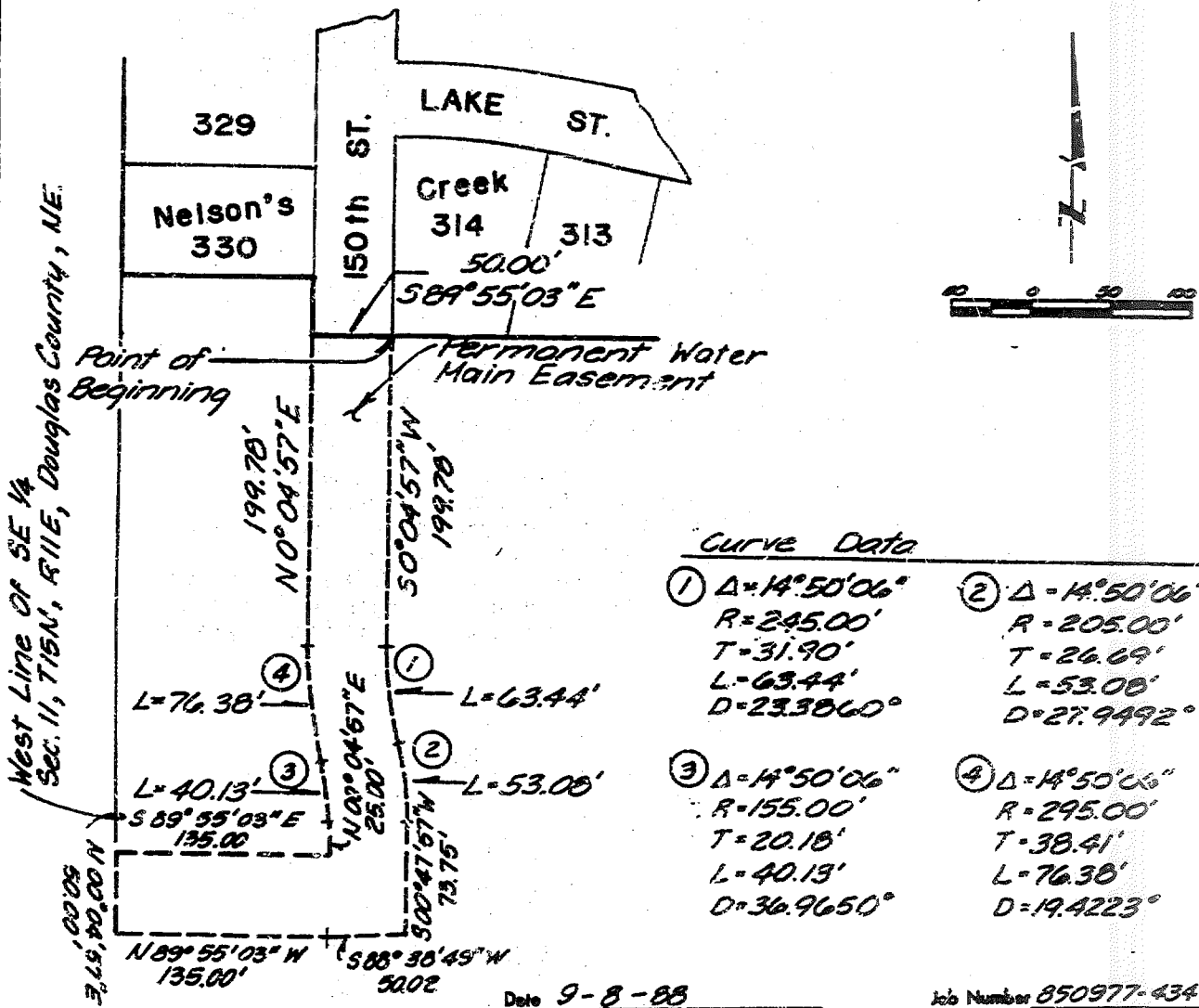
WITNESS my hand and Notarial Seal the day and year last above written.

John A. Rickerson  
Notary Public

My Commission expires: Jan 10 1989.



A permanent easement for construction and maintenance of a water main over that part of the Southeast Quarter of Section 11, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska described as follows: Beginning at the southwest corner of Lot 314, NELSON'S CREEK, a Subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska; thence South 00°04'57" West (bearings referenced to the NELSON'S CREEK Final Plat) for 199.78 feet along the extended West line of said Lot 314, NELSON'S CREEK which is parallel with and 170.00 feet east of the West line of the said Southeast 1/4 of Section 11; thence along a curve to the left (having a radius of 245.00 feet and a long chord bearing South 07°20'06" East for 63.26 feet) for an arc length of 63.44 feet; thence along a curve to the right (having a radius of 205.00 feet and a long chord bearing South 07°20'06" East for 52.93 feet) for an arc length of 53.08 feet; thence South 00°04'57" West for 73.75 feet parallel with and 185.00 feet East of the said West line of the Southeast 1/4 of Section 11; thence South 89°38'49" West for 50.02 feet; thence North 89°55'03" West for 135.00 feet to the said West line of the Southeast 1/4 Section 11; thence North 00°04'57" East for 50.00 feet along the said West line of the Southeast 1/4 of Section 11; thence South 89°55'03" East for 135.00 feet; thence North 00°04'57" East for 25.00 feet parallel with and 135.00 feet East of the said West line of the Southeast 1/4 of Section 11; thence along a curve to the left (having a radius of 155.00 feet and a long chord bearing North 07°20'06" West for 40.02 feet) for an arc length of 40.13 feet; thence along a curve to the right (having a radius of 295.00 feet and a long chord bearing North 07°20'06" West for 76.17 feet) for an arc length of 76.38 feet; thence North 00°04'57" East for 199.78 feet parallel with and 120.00 feet East of the said West line of the Southeast 1/4 of Section 11; to the Southwest corner of 150th Street as platted in NELSON'S CREEK Phase Two; thence South 89°55'03" East for 50.00 feet to the Point of Beginning. Contains 0.60 acres.



**lamp, rynearson & associates, inc.**

architects engineers surveyors planners

14747 california street

omaha, nebraska 68134

402-496-8488

EXHIBIT A

P 1 of 1

LEGAL DESCRIPTION:

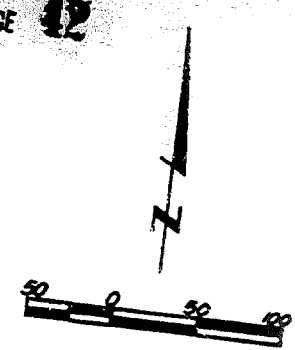
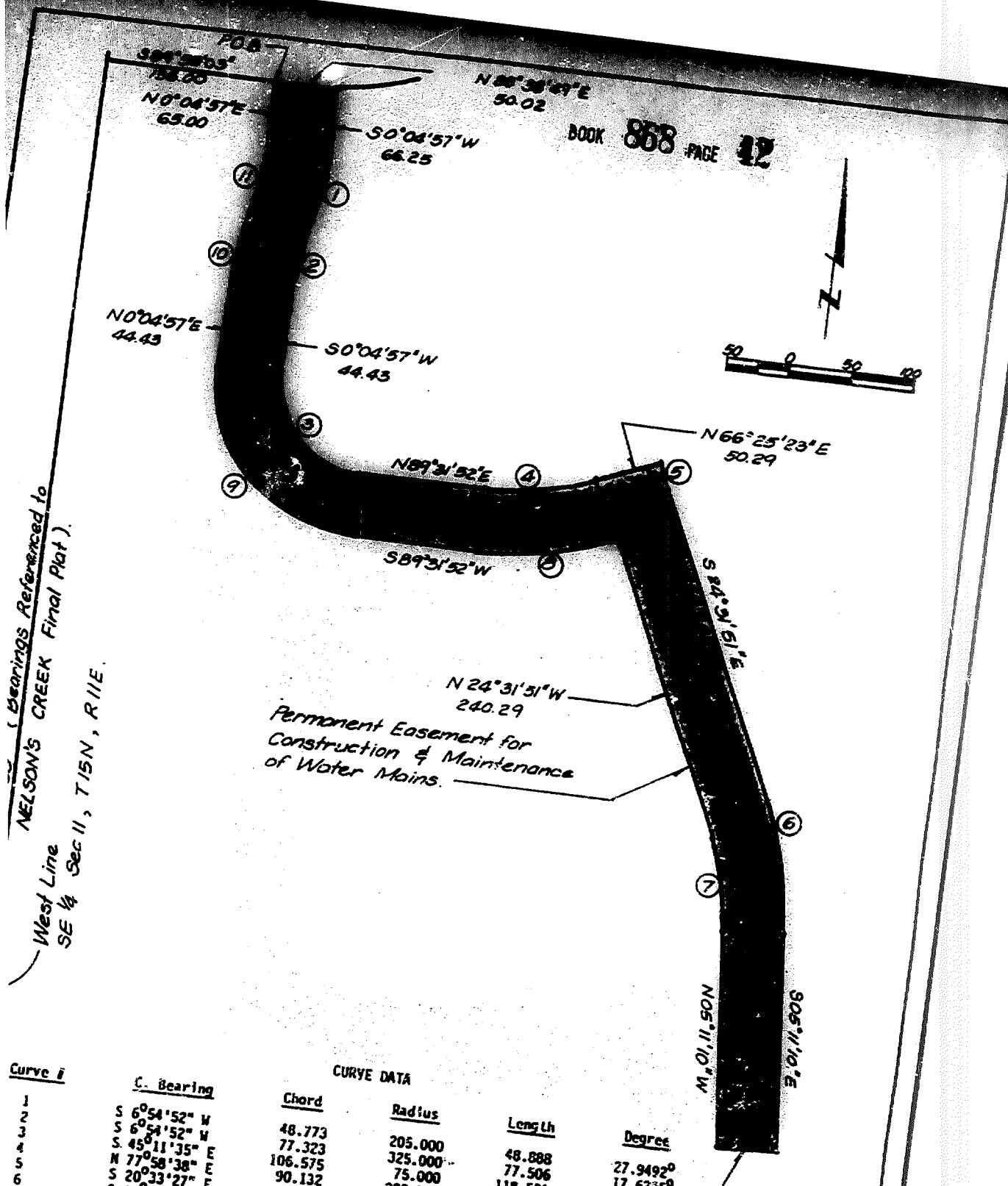
A permanent easement for construction and maintenance of water mains over that part of the Southeast Quarter of Section 11, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska described as follows: Commencing at the Southwest corner of the said Southeast  $\frac{1}{4}$  of Section 11; thence North  $00^{\circ}04'57''$  East (bearings referenced to the NELSON'S CREEK Final Plat) for 1115.00 feet along the West line of the said Southeast  $\frac{1}{4}$  of Section 11; thence South  $89^{\circ}55'03''$  East for 135.00 feet to the TRUE POINT OF BEGINNING; thence North  $88^{\circ}38'49''$  East for 50.02 feet; thence South  $00^{\circ}04'57''$  West for 66.25 feet; thence along a curve to the right (having a radius of 205.00 feet and a long chord bearing South  $06^{\circ}54'52''$  West for 48.77 feet) for an arc length of 48.89 feet; thence along a curve to the left (having a radius of 325.00 feet and a long chord bearing South  $06^{\circ}54'52''$  West for 77.32 feet) for an arc length of 77.51 feet; thence South  $00^{\circ}04'57''$  West for 44.43 feet; thence along a curve to the left (having a radius of 75.00 feet and a long chord bearing South  $45^{\circ}11'35''$  East for 106.58 feet) for an arc length of 118.53 feet; thence North  $89^{\circ}31'52''$  East for 97.44 feet; thence along a curve to the left (having a radius of 225.00 feet and a long chord bearing North  $77^{\circ}58'38''$  East for 90.13 feet) for an arc length of 90.75 feet; thence North  $66^{\circ}25'23''$  East for 50.20 feet; thence along a curve to the left (having a radius of 175.00 feet and a long chord bearing South  $20^{\circ}33'27''$  East for 24.25 feet) for an arc length of 24.27 feet; thence South  $24^{\circ}31'51''$  East for 265.24 feet; thence along a curve to the right (having a radius of 325.00 feet and a long chord bearing South  $14^{\circ}51'30''$  East for 109.21 feet) for an arc length of 109.73 feet; thence South  $05^{\circ}11'10''$  East for 176.78 feet; thence South  $84^{\circ}48'50''$  West for 50.00 feet; thence North  $05^{\circ}11'10''$  West for 176.78 feet; thence along a curve to the left (having a radius of 275.00 feet and a long chord bearing North  $14^{\circ}51'30''$  West for 92.41 feet) for an arc length of 92.85 feet; thence North  $24^{\circ}31'51''$  West for 240.29 feet; thence along a curve to the right (having a radius of 275.00 feet and a long chord bearing South  $78^{\circ}02'09''$  West for 109.61 feet) for an arc length of 110.35 feet; thence South  $89^{\circ}31'52''$  West for 97.44 feet; thence along a curve to the right (having a radius of 125.00 feet and a long chord bearing North  $45^{\circ}11'35''$  West for 177.62 feet) for an arc length of 197.55 feet; thence North  $00^{\circ}04'57''$  East for 44.43 feet; thence along a curve to the right (having a radius of 375.00 feet and a long chord bearing North  $06^{\circ}54'52''$  East for 89.22 feet) for an arc length of 89.43 feet; thence along a curve to the left (having a radius of 155.00 feet and a long chord bearing North  $06^{\circ}54'52''$  East for 36.88 feet) for an arc length of 36.96 feet; thence North  $00^{\circ}04'57''$  East for 65.00 feet to the POINT OF BEGINNING. Contains 1.33 acres.

Lamp, Rynearson & Associates, Inc.  
 September 22, 1988  
 Job No. 85977-4349

EXHIBIT B  
 P 1 of 2

BOOK 858 PAGE 42

(Bearings Referenced to  
NELSON'S CREEK Final Plat).  
West Line  
SE 1/4 Sec II, T15N, R11E.



Permanent Easement for  
Construction & Maintenance  
of Water Mains.

18831 F Main

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Trustor acknc

Curve #	C. Bearing	Chord	Radius	Length	Degree
1	S 6°54'52" W	48.773	205.000	48.888	27.9492°
2	S 6°54'52" W	77.323	325.000	77.506	17.6235°
3	S 45°11'35" E	106.575	75.000	118.531	76.3944°
4	N 77°58'38" E	90.132	225.000	90.746	25.4646°
5	S 20°33'27" E	24.252	175.000	24.272	32.7405°
6	S 14°51'30" E	109.209	325.000	109.770	17.6295°
7	N 14°51'30" W	92.408	275.000	92.848	20.8348°
8	S 78°02'09" W	109.608	125.000	110.347	20.8348°
9	N 45°11'35" W	177.625	375.000	197.552	45.8366°
10	N 6°54'52" E	89.218	155.000	89.430	15.2789°
11	N 6°54'52" E	36.877	155.000	36.964	36.9650°

P.O.C.  
W Cor. SE 1/4  
Sec II, T15N, R11E

E Abondo Street  
South Line  
SE 1/4 Sec II, T15N, R11E.  
Date 9-22-88

Job Number 85977-4549

**Imp, rymearson & associates, inc.**  
engineers  
planners  
67 California Street  
Omaha, Nebraska 68104  
402-488-2498

**EXHIBIT B**  
P. 1 of 2

State of Nebraska  
County of  
The foregoing instru  
of November  
George A. Rust  
Witness my hand and  
in said County, the da  
My commission expires