



MISC 2003107593

RICHARD H. JAKSCH  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE



JUN 05 2003 15:27 P 3

RECEIVED

### PERMANENT EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 3<sup>rd</sup> day of April, 2003, between PAC 180, L.L.C., a Nebraska Limited Liability Company, ("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, a permanent 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 TRACT

The front five feet (5') of each of Lots Thirteen (13) and Fourteen (14) as the same abut 180<sup>th</sup> Avenue and Marcy Street, in Pacific Ridge, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Said tract contains a total of 0.0174 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 this 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 the lawful possessor of the easement tract and has

Please return to:

M.U.D.  
R. OWENS  
1723 HARVEY ST.  
OMAHA, NE 68107

F- misc 3/2

FEE 16.00	FB 00-29170
BNP	CO COMP
DEL	SCAN 12 FY

good, right and lawful authority to make such conveyance. 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.

5. The person executing this instrument represents he has the authority to execute it on behalf of the Grantor Limited Liability Company.

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

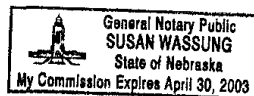
PAC 180, L.L.C., a Nebraska Limited  
Liability Company, Grantor

By Tom Falcone  
Title: Managing Member

ACKNOWLEDGMENT

STATE OF NEBRASKA                     )  
  ) ss  
COUNTY OF DOUGLAS                )

This instrument was acknowledged before me on the 3rd day of April, 2003, by Tom Falcone, as Managing Member of and on behalf of PAC 180, L.L.C., a Nebraska Limited Liability Company.



Susan Wassung  
Notary Public

METROPOLITAN  
UTILITIES  
DISTRICT  
OMAHA, NEBRASKA

EASEMENT  
ACQUISITION  
FOR  
GRAM 12464

LAND OWNER  
Pac 180 L.L.C.

TOTAL ACRE  
PERMANENT .0174 ±  
TOTAL ACRE  
TEMPORARY N/A ±

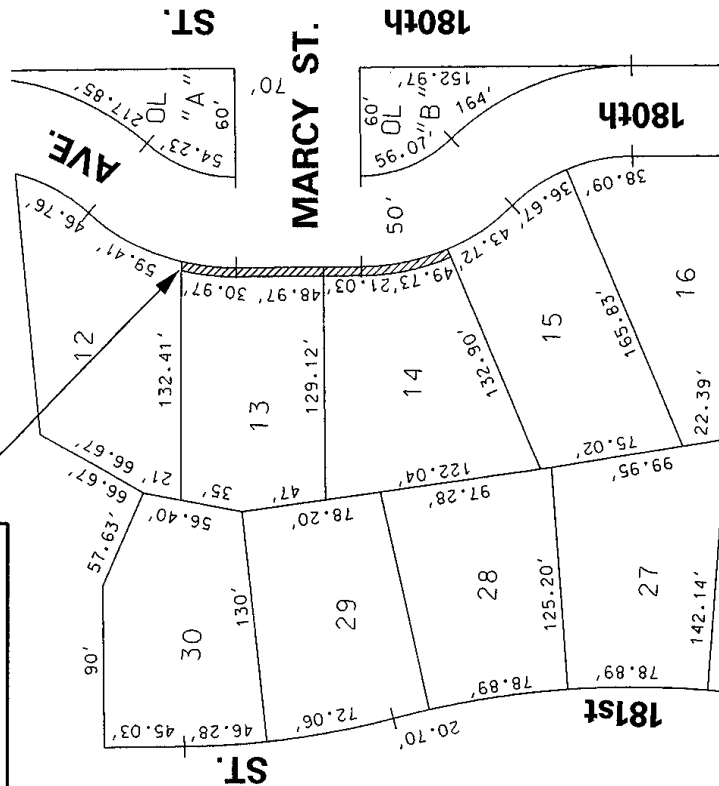
LEGEND  
PERMANENT EASEMENT  
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY TAA  
DATE 2-24-03  
CHECKED BY MN  
DATE  
APPROVED BY  
DATE  
REVISED BY  
DATE  
REV. CHK'D. BY  
DATE  
REV. APPROV. BY  
DATE

PACIFIC  
RIDGE

PROP. 5' PERM.  
M.U.D. ESMT.



NO. SCALE  
PACIFIC RIDGE SUBDIVISION  
180th ST. & MARCY ST.