



MISC 2003137363



JUL 17 2003 14:10 P 3

PERMANENT EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 11th day of July, 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

A permanent easement for the construction and maintenance of gas mains over that part of Pacific Ridge Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

The Easterly five feet (5') adjoining 180th Street of Lots 11, 12 and 15 through 19.

The Southerly and Easterly five feet (5') adjoining Mayberry Street and 180th Street of Lot 20.

The Southerly five feet (5') adjoining Mayberry Street of Lots 21 and 22.

This permanent easement contains 0.1264 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

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

616688 ✓

FEE 20.00 FB OC-29170
 BKP _____ C/O _____ COMP _____
 DEL _____ SCAN _____ PV _____

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 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.

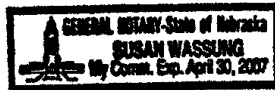
PAC 180, L.L.C., a Nebraska Limited
Liability Company, Grantor

By: *Tom Fallon*
Title: *Mgr Member*

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on the 11th day of July, 2003, by Tom Fallon, 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
GRM 12464

LAND OWNER

Pac 180 L.L.C.
7936 South 171st Street
Omaha, NE 68137

TOTAL ACRE

PERMANENT .1264 ±

TOTAL ACRE

TEMPORARY N/A ±

LEGEND

PERMANENT EASEMENT



TEMPORARY EASEMENT



PAGE 1 OF 1

DRAWN BY DAS

DATE 6-24-2003

CHECKED BY KCS

DATE 6-30-03

APPROVED BY

DATE

REVISED BY

DATE

REV. CHK'D. BY

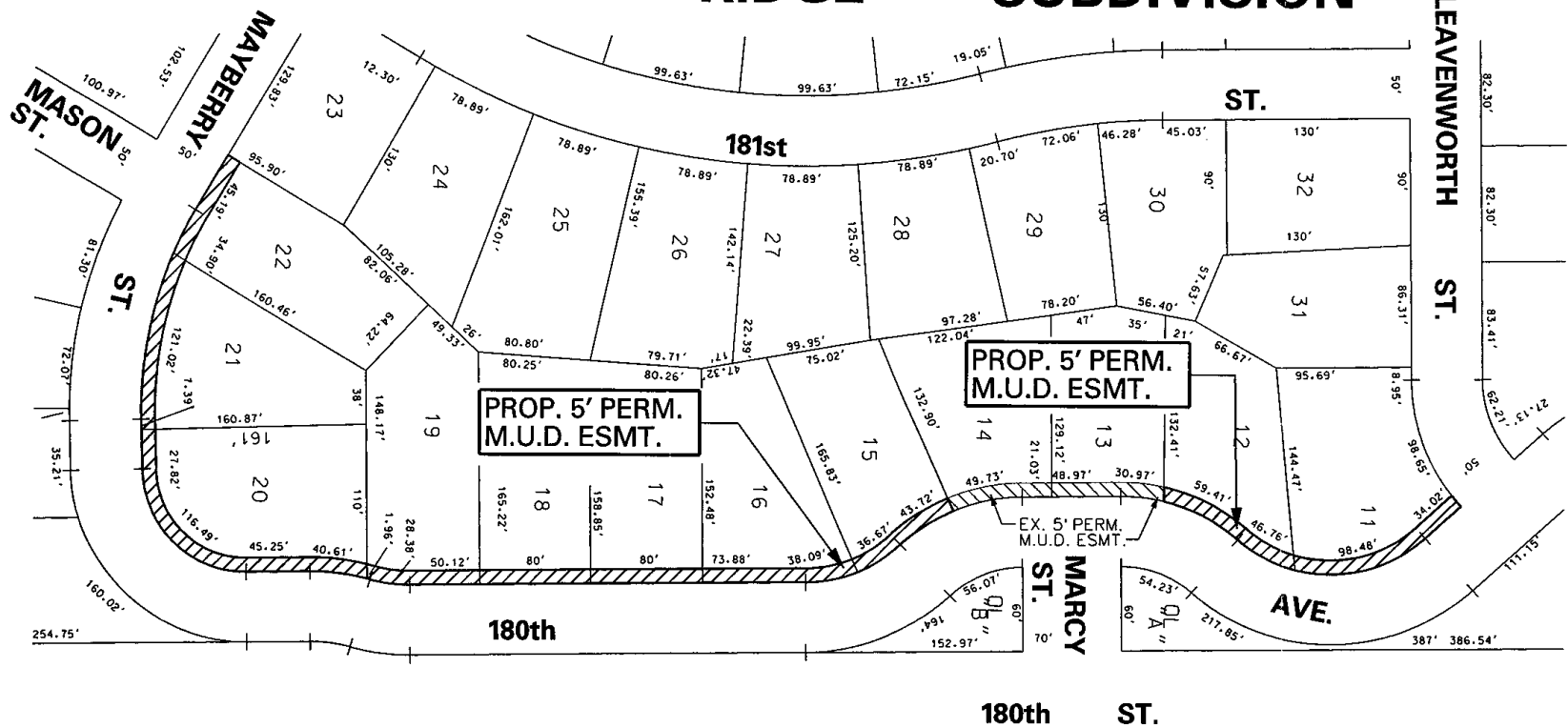
DATE

REV. APPROV. BY

DATE

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

PACIFIC RIDGE SUBDIVISION



180th ST.