



BK 1354 PG 521-525



MISC 2000 13782

Nebr Doc
Stamp Tax

Date

\$

By

RICHARD M. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE.

2000 OCT 10 PM 1:47

RECEIVED

*affects
out lots*

FEE	2750	FB	
BKP	5	C/O	COMP
DEL	5	SCAN	OK FV

EASEMENT AND RIGHT-OF-WAY

THIS INDENTURE, made this 6th day of March, 2000, between BENCHMARK HOMES, INC., a Nebraska Corporation, ("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, an easement and right-of-way to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of gas and water and all appurtenances thereto, including but not limited to hydrants, water valve boxes, and gas valve boxes located within the easements, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Tracts of land in Saddlebrook, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, and being described as follows:

Commencing at the southwest corner of the Southeast Quarter of the Southeast Quarter of Section 35, Township 16 North, Range 11 East; thence N00°23'16"W, 33.00 feet to the Point of Beginning; thence continuing N00°23'16"W, 20.00 feet; thence N89°83'46"E, 400.00 feet; thence S00°20'27"W, 20.00 feet; thence S89°46'53"W, 400.00 feet to the Point of Beginning.

This permanent easement contains 0.184 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

AND

Beginning at the southeast corner of Lot 150; thence N84°58'512"E, 40.17 feet; thence S09°42'45"E, 20.00 feet; thence S84°59'41"W, 39.97 feet; thence N10°17'49"W, 20.00 feet to the Point of Beginning, the entire easement being contained within Outlot 10.

This permanent easement contains 0.018 of an acre, more or less, and is shown on the drawing attached hereto and made a part hereof by this reference.

AND

The entirety of Outlots 2, 3, and 4.

*Return To: TJ Sewart
MUD Law Dept
1723 Harney St
Omaha, NE 68102-1960*

✓ 005118

These three permanent easements contain a total of 0.200 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 said 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.

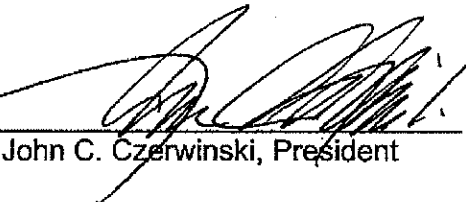
3. Nothing herein shall be construed to waive any right of Grantor or duty and power of Grantee respecting the ownership, use, operations, extensions and connections to any pipeline constructed and maintained hereunder.

4. The Grantor is a lawful possessor of this real estate; has good right and lawful authority to make such conveyance; and 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 that he has authority to execute it on behalf of the corporation.

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

BENCHMARK HOMES, INC., a
Nebraska Corporation, Grantor

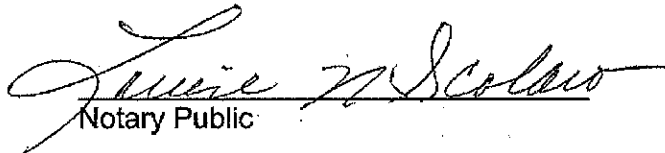
By: 
John C. Czerwinski, President


ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

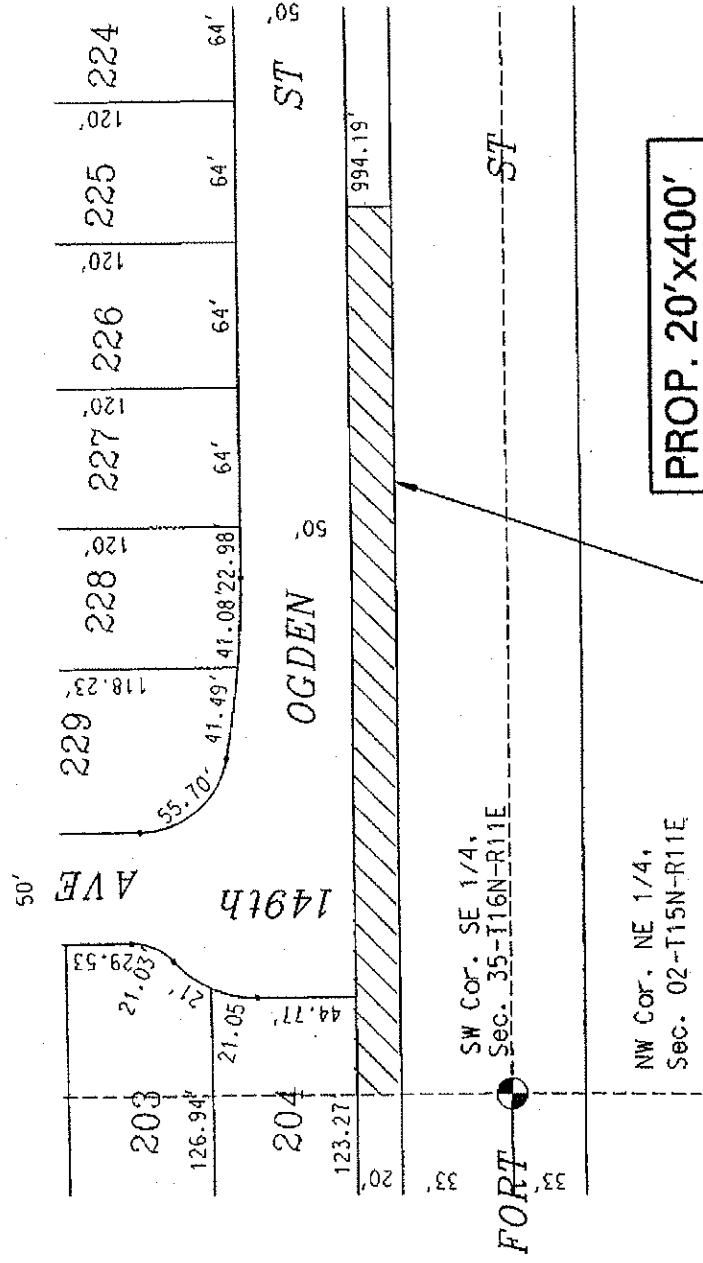
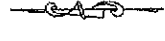
This instrument was acknowledged before me on March 6th, 2000, by John Czerwinski, President of Benchmark Homes, Inc., a Nebraska Corporation, on behalf of the corporation.




Notary Public

METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA	
EASEMENT ACQUISITION	
FOR	W.C.C. 8897
LAND OWNER	BENCHMARK HOMES
	JACK CZERWINSKI
	11011 "O" ST SUITE 101A
	OMAHA, NE, 68137
	402-592-9500
TOTAL ACRE	0.184 ±
PERMANENT	
LEGEND  PERMANENT EASEMENT	
PAGE	1 OF 1
DRAWN BY	R. RILEY
DATE	02-03-2000
CHECKED BY	
DATE	
APPROVED BY	
DATE	
REVISED BY	J.E.V.
DATE	02-10-2000
REV. CHK'D. BY	
DATE	
REV. APPROV. BY	
DATE	

NO SCALE
 SADDLEBROOK SUB.
 148th ST & FORT ST.



**PROP. 20'x400'
 PERM. M.U.D.
 EASEMENT**

UNPLATTED

METROPOLITAN UTILITIES DISTRICT
OMAHA, NEBRASKA

EASEMENT ACQUISITION

FOR **W.C.C. 8897**

LAND OWNER
BENCHMARK HOMES
JACK CZERWINSKI
11011 "G" ST SUITE 103A
OMAHA, NE., 68137
402-592-9500

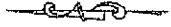
TOTAL ACRE
PERMANENT 0.018 ±

LEGEND
PERMANENT EASEMENT

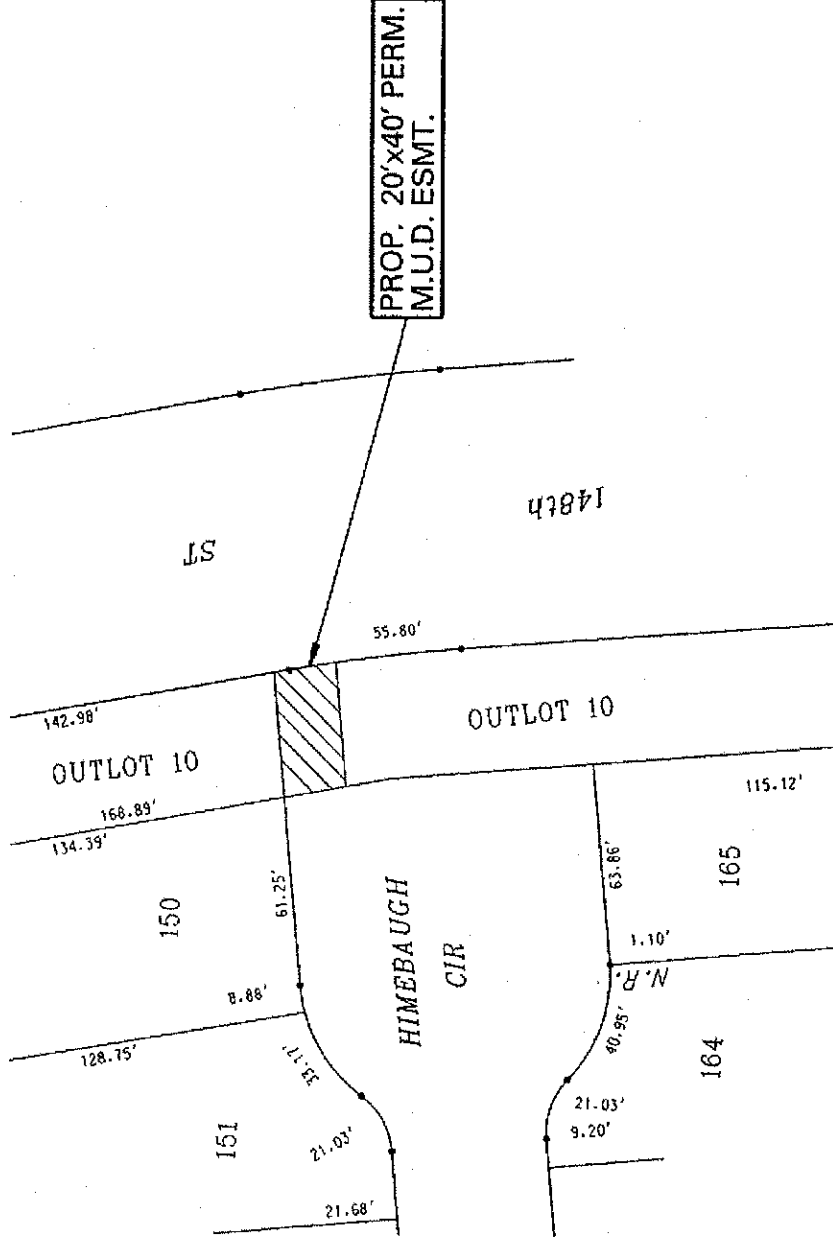



PAGE 1 OF 1

DRAWN BY R RILEY
DATE 02-07-2000
CHECKED BY L J
DATE 2-7-00
APPROVED BY
DATE
REVISED BY
DATE
REV. CHK'D. BY
DATE
REV. APPROV. BY
DATE



NO SCALE
SADDLEBROOK SUB
148th ST & HIMEBAUGH



METROPOLITAN UTILITIES DISTRICT OMAHA, NEBRASKA	
EASEMENT ACQUISITION	
FOR W.C.C. 8897	
LAND OWNER BENCHMARK HOMES JACK CZERWINSKI 11011 "O" ST SUITE 101A OMAHA, NE, 68137 402-592-9500	
TOTAL ACRE _____ TEMPORARY 0.200 ±	
LEGEND 	
TEMPORARY EASEMENT	
PAGE 1 OF 1	
DRAWN BY <u>R. RILEY</u> DATE <u>02-10-2000</u> CHECKED BY _____ DATE _____ APPROVED BY _____ DATE _____ REVISED BY <u>J.E.V.</u> DATE <u>02-10-2000</u> REV. CHK'D. BY _____ DATE _____ REV. APPROV. BY _____ DATE _____	

