

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2007-15502

2007 MAY 29 P 2:09 PM

Steve G. Harding
REGISTER OF DEEDS

COUNTER PM C.E. John
VERIFIED John
FEE \$ 23.00
CHECK # 007535
CASH
CREDIT
REFUND
SHORT

PERMANENT EASEMENT

THIS AGREEMENT, made this 5 day of April, 2007 between JOE McDERMOTT ASSOCIATES, INC., a Nebraska Corporation, and JOHN L. HOICH, an individual, ("Grantors"), and METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision, ("Grantee"),

WITNESS:

Grantors, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants to Metropolitan Utilities District of Omaha, its successors and assigns, a permanent easement to lay, maintain, operate, repair, relay and remove, at any time, pipelines for the transportation of water and all appurtenances thereto, including, but not limited to, round iron covers, roadway boxes, hydrants, and pipeline markers, together with the right of ingress and egress on, over, under and through lands described as follows:

PERMANENT EASEMENT

Tracts of land in Southport East Replat Six, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska and described as follows:

Lot 3

The southwesterly 22 feet of Lot 3 as it abuts Lot 4.

Lot 4

The southerly 20 feet of the northerly 40 feet parallel to the northerly property line of Lot 4.

Lot 5

Commencing at the northeast corner of Lot 5; thence proceeding S05°50'34"E (assumed bearing) along the east property line of Lot 5, a distance of 20 feet to the Point of Beginning; thence continuing south along the east property line of Lot 5, a distance of 20 feet; thence S88°42'01"W parallel to the north property line of Lot 5, a distance of 79.1 feet; thence northwesterly on a curve to the right with a radius of 140 feet, a distance of 43.4 feet, said curve having a long chord which bears N85°37'40"W, a distance of 43.4 feet; thence N17°36'52"W, a distance of 24.1 feet; thence northwesterly on a curve to the right with a radius of 120 feet, a distance of 39.1 feet, said curve having a long chord which bears N61°23'15"W, a distance of 39.3 feet; thence N51°58'17"W, parallel to the north property line of Lot 5, a distance of 20.5 feet to a point on the west property line of Lot 5; thence N39°49'30"E, along the west property line of Lot 5, a distance of 20 feet; thence S51°58'17"E, on the north property line of Lot 5, a distance of 20.5 feet; thence southeasterly, on the north property line of Lot 5, along a curve to the left with a radius of 100 feet, a distance of 42.5

Please file & return to: *PCP*

A. Justin Cooper, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

A

feet, said curve having a long chord which bears S64°09'36"E, a distance of 42.2 feet; thence S17°36'52"E, a distance of 22.7 feet; thence southeasterly, parallel to the north property line of Lot 5, on a curve to the left with a radius of 120 feet, a distance of 26.3 feet; said curve having a long chord which bears S88°15'56"E, a distance of 26.2 feet; thence N85°27'24"E, parallel to the north property line of Lot 5, a distance of 79.2 feet to the Point of Beginning.

Lot 8

The northerly 27 feet of Lot 8 as it abuts Lot 5.

Lot 9

The northerly 27 feet of Lot 9 as it abuts Lot 5.

Lot 10

The northerly and northeasterly 31 feet of Lot 10 as it abuts Lot 4 and Lot 5 and the southerly 19 feet of the northerly 50 feet of the easterly 30 feet of Lot 10.

This permanent easement contains 1.248 acres, more or less, and is shown on the drawing attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD said Permanent Easement to Grantee, Metropolitan Utilities District of Omaha, its successors and assigns.

1. The Grantors and their successors and assigns shall not at any time erect, construct or place on or below the surface of the permanent easement any building or structure, except pavement or a similar covering, and shall not permit anyone else to do so.

2. The Grantee shall restore the 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. The Grantors are the lawful possessor of this real estate; has good, right and lawful authority to make such conveyance; and Grantors and their 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.

4. The person executing this instrument has authority to execute it on behalf of the limited liability partnership.

IN WITNESS WHEREOF, Grantors execute this Permanent Easement on the above date.

JOE McDERMOTT ASSOCIATES, INC.,
a Nebraska Corporation,
Grantor

By: Joe McDermott Assoc Inc
Signature

Joe McDermott Assoc
Printed Name

President
Title

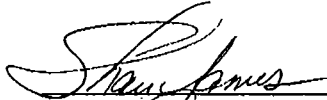
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ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF SARPY)

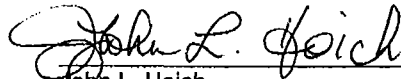
This instrument was acknowledged before me on APRIL 5, 2007,
by JOE McDERMOTT, PRESIDENT, of Joe
McDermott Associates, Inc., on behalf of the corporation.





Notary Public

JOHN L. HOICH, an individual,
Grantor




John L. Hoich

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF SARPY)

This instrument was acknowledged before me on APRIL 5, 2007,
by John L. Hoich.





Notary Public

**METROPOLITAN
UTILITIES
DISTRICT**
OMAHA, NEBRASKA

**EASEMENT
ACQUISITION**
FOR
WCC 10295

LAND OWNER

Joe McDermott Associates, Inc.
c/o John Hoich
4428 S. 180th Street
Omaha, NE 68136

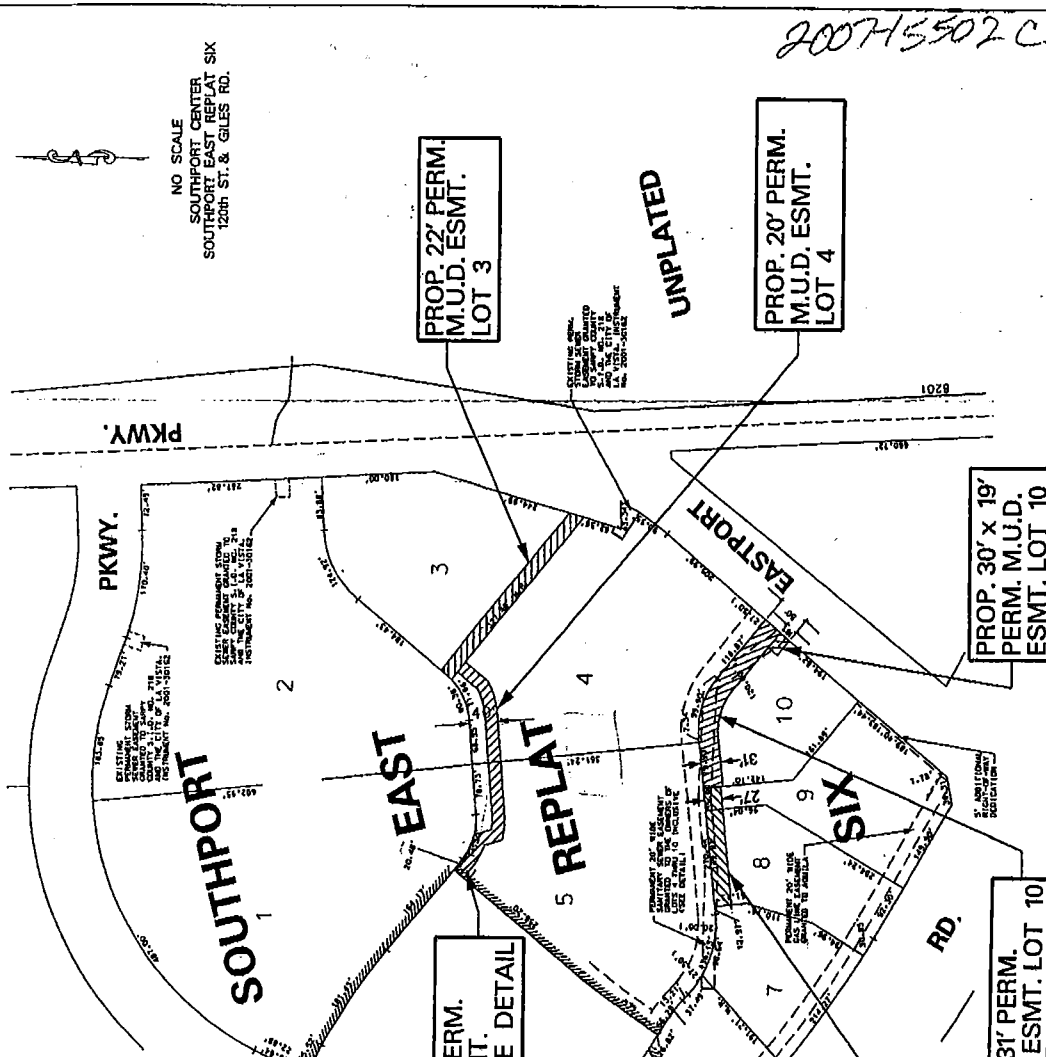
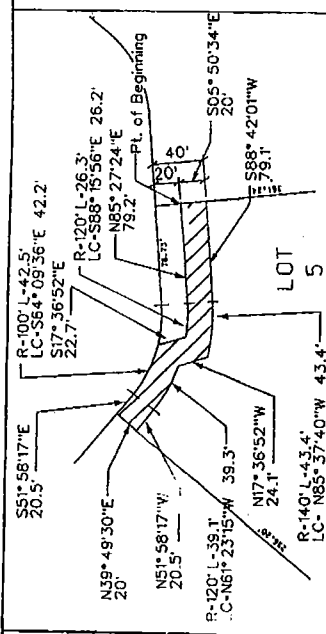
TOTAL ACRE 1.248 ±
PERMANENT
TOTAL ACRE N/A ±
TEMPORARY

LEGEND

PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 1 OF 1

DRAWN BY JUS
DATE 1-22-07
CHECKED BY MKM
DATE 1-25-07
APPROVED BY MKM
DATE 1-25-07
REVISED BY
DATE
REV. CHKD. BY
DATE
REV. APPROV. BY
DATE



PROP. 22' PERM.
M.U.D. ESMT.
LOT 3

PROP. 20' PERM.
M.U.D. ESMT.
LOT 4

PROP. 30' x 19'
PERM. M.U.D.
ESMT. LOT 10

PROP. 20' PERM.
M.U.D. ESMT.
LOT 5 SEE DETAIL

PROP. 27' PERM.
M.U.D. ESMT. ON
LOTS 8 & 9

PROP. 31' PERM.
M.U.D. ESMT. LOT 10

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