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AGREEMENT FOR PERMANENT EASEMENT

THIS AGREEMENT FOR PERMANENT EASEMENT is made this 9th day of March, 2018, between WESTBURY FARM, LLC, a Nebraska limited liability company (hereinafter, the "Grantor") and the METROPOLITAN UTILITIES DISTRICT OF OMAHA, a Municipal Corporation and Political Subdivision (hereinafter, the "Grantee").

RECITALS

1. Grantor is the fee simple owner of Lots 1-15, 213-216, 278-279, and Outlot "I" adjacent to "F" Street in Westbury Farm, a platted subdivision in Douglas County, Nebraska (hereinafter, the "Property");
2. Grantor desires to grant to Grantee, and Grantee desires to obtain, a permanent easement over a certain tract of land located within the Property, as more particularly described below.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants described herein, Grantor and Grantee agree as follows:

AGREEMENT

1. **Permanent Easement.** Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants to Grantee and to Grantee's successors and assigns, a permanent easement to lay, maintain, operate, repair, relay, and remove, at any time, underground pipelines for the transportation of water and all underground and above-ground appurtenances thereto, including, but not limited to, hydrants, valve boxes, stop boxes, manhole rings, manhole covers, concrete vault boxes, and pipeline markers, together with the rights of ingress and egress on, over, under, and through the following described tract of land which is located within the Property:

THE NORTH 15.00 FEET OF LOTS 1-15, 213-216, 278-279, AND OUTLOT "I" ADJACENT TO "F" STREET IN WESTBURY FARM, A PLATTED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, SAID TRACT CONTAINING 0.8464 ACRE, MORE OR LESS.

The foregoing Permanent Easement is generally shown on the drawings attached hereto and made a part hereof by this reference.

2. **No Structures.** The Grantor and its 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.
3. **Agreement to Restore Soil.** The Grantee shall restore any soil excavated within the Permanent Easement for any purpose hereunder, as nearly as is reasonably possible to its original contour within a reasonable time after the work is performed.
4. **Warranty of Title.** The Grantor is the lawful owner and possessor of the Property; has good, right, and lawful title and 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

Please file & return to:

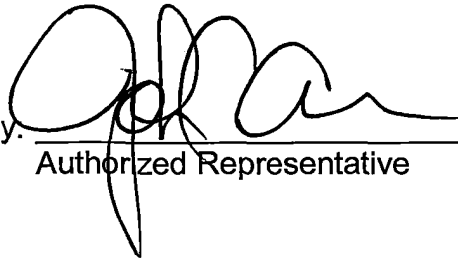
Joseph Kehm, Attorney
Metropolitan Utilities District
1723 Harney Street
Omaha, Nebraska 68102-1960

against claims of all persons asserting any right, title, or interest prior to or contrary to this conveyance.

- 5. **Authority to Execute.** The person executing this instrument has authority to execute it on behalf of the Grantor WESTBURY FARM, LLC.

IN WITNESS WHEREOF, Grantor executes this AGREEMENT FOR PERMANENT EASEMENT on the date set forth above.

WESTBURY FARM, LLC, Grantor

By: 
 Authorized Representative

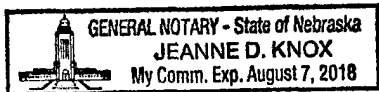
John C. Allen
 Printed Name

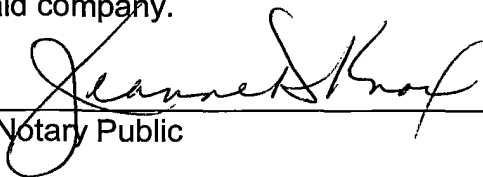
Manager
 Title

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
 COUNTY OF DOUGLAS)

This instrument was acknowledged before me on March 9, 2018,
 by John C. Allen, Manager of
 WESTBURY FARM, LLC, on behalf of said company.




 Notary Public





EASEMENT ACQUISITION

FOR
WP1514
100057000437

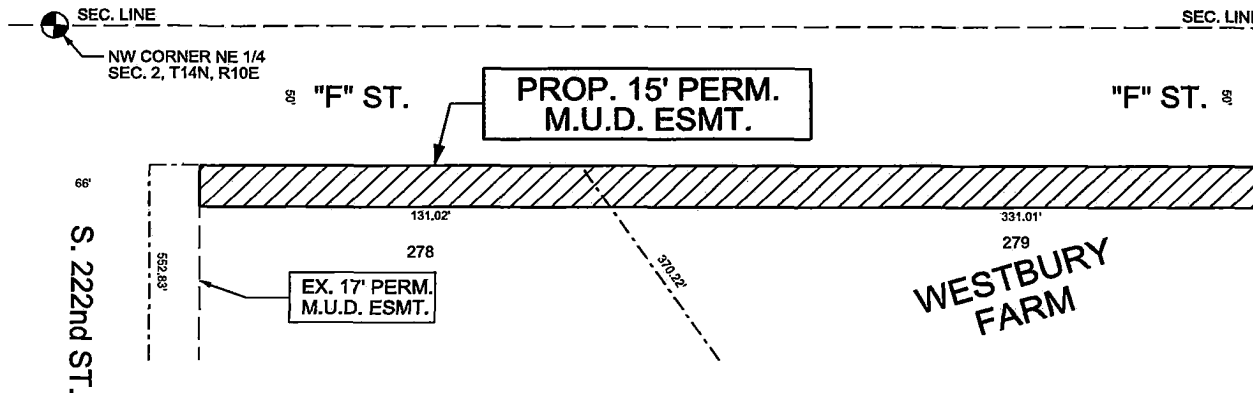
LAND OWNER
WESTBURY FARM, LLC
 15950 W. DODGE RD., SUITE 300
 OMAHA, NE 68118
 (402) 964-4675

TOTAL ACRE PERMANENT 0.8464±
 TOTAL ACRE TEMPORARY N/A

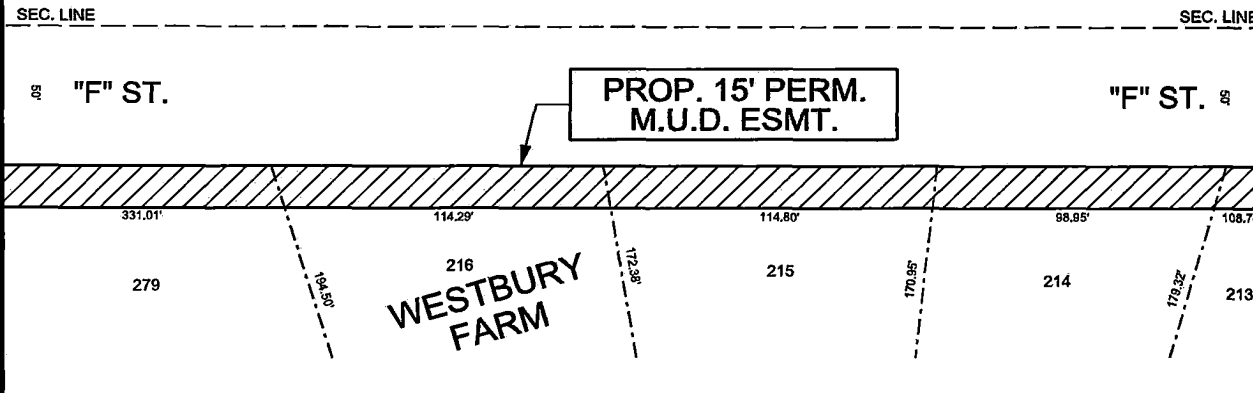
LEGEND
 PERMANENT EASEMENT 
 TEMPORARY EASEMENT 

PAGE 1 OF 3

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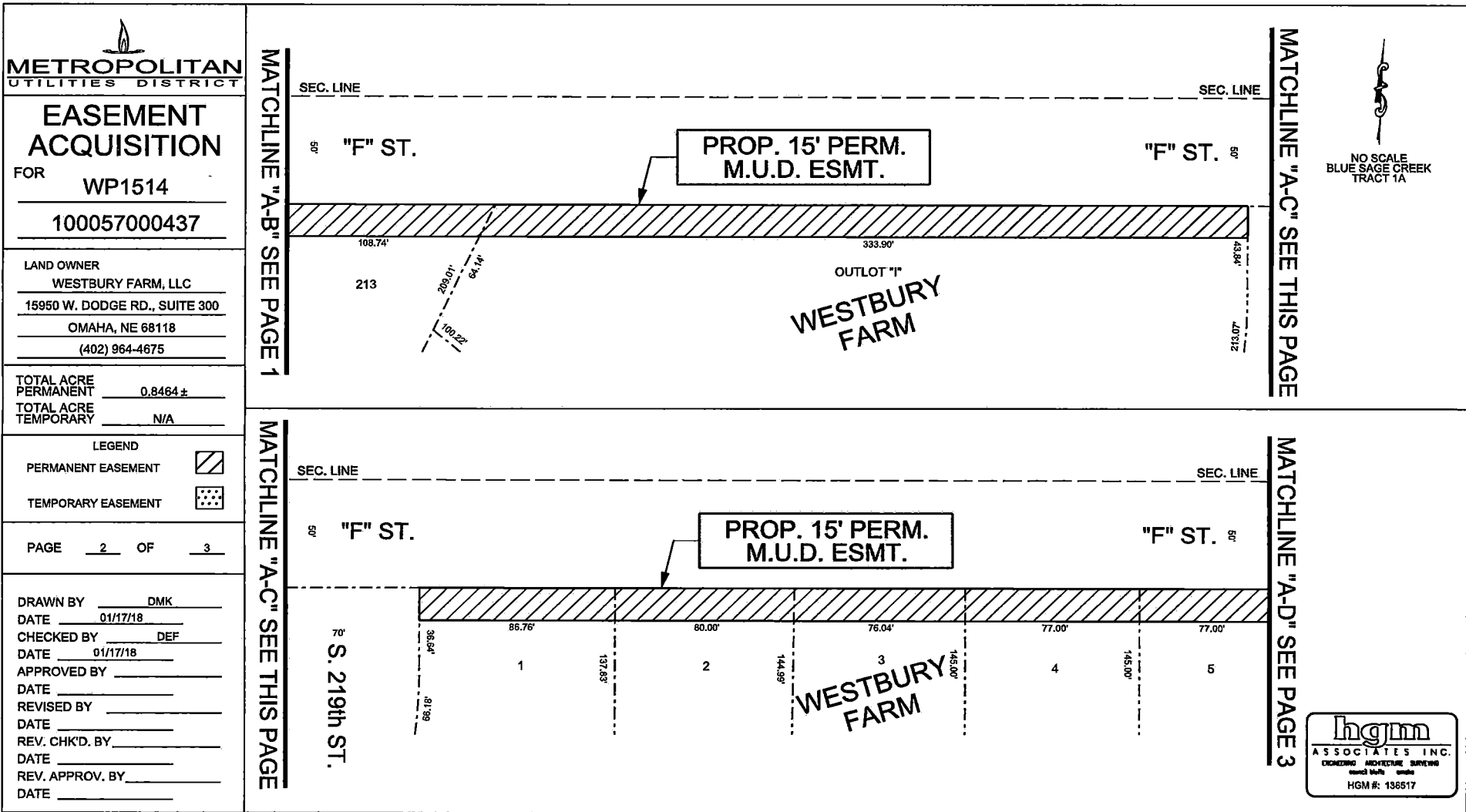
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METROPOLITAN
UTILITIES DISTRICT

EASEMENT ACQUISITION
FOR **WP1514**
100057000437

LAND OWNER
WESTBURY FARM, LLC
15950 W. DODGE RD., SUITE 300
OMAHA, NE 68118
(402) 964-4675

TOTAL ACRE PERMANENT 0.8464 ±
TOTAL ACRE TEMPORARY N/A

LEGEND
PERMANENT EASEMENT
TEMPORARY EASEMENT

PAGE 2 OF 3

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DATE _____

NO SCALE
BLUE SAGE CREEK
TRACT 1A


hgmm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
equal parts united
HGM #: 136517



EASEMENT ACQUISITION
FOR **WP1514**
100057000437

LAND OWNER
WESTBURY FARM, LLC
15950 W. DODGE RD., SUITE 300
OMAHA, NE 68118
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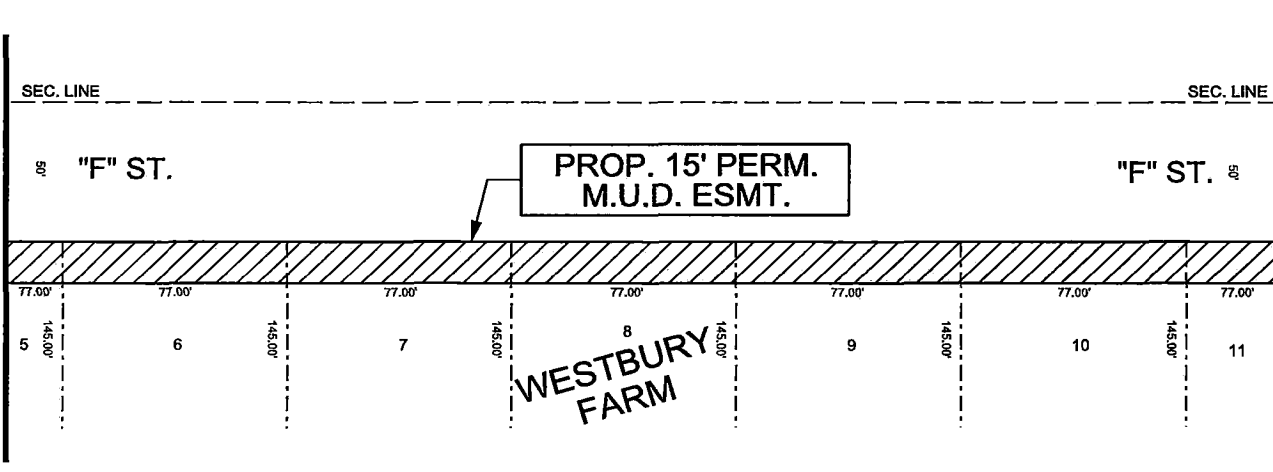
TOTAL ACRE PERMANENT 0.8464 ±
TOTAL ACRE TEMPORARY N/A

LEGEND
PERMANENT EASEMENT 
TEMPORARY EASEMENT 

PAGE 3 OF 3

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