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GEORGE J. EDWARDS, JR.
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

UM 15840 1078 R 20-15-11¹⁴⁸ FB 01-60000
CASH BK PG C/O COMP SCAN
TYPE MISC PG 81-84
FEE 20.50 OF MISC LEGL PG 81 MC FV

2054

PAPPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
PERMANENT EASEMENT
SITE D-15-B PAPILLION CREEK WATERSHED PROJECT

Tract 4

TRINITY CHURCH, INTERDENOMINATIONAL, a Nebraska corporation, (hereinafter referred to as "the GRANTOR"), for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT (hereinafter referred to as "the GRANTEE") to the GRANTOR, the receipt of which by the GRANTOR is hereby acknowledged, does hereby grant, convey and release unto the GRANTEE, its successors and assigns, permanent, full and free right, liberty and authority to enter upon and use

NENW
NWNW
SE NW
SWNW

A tract of land in the Northwest Quarter of Section 20, Township 15 North, Range 11 East of the 6th P.M., in Douglas County, Nebraska, consisting of 0.3 acres, more or less, more specifically identified as the emergency spillway on Tract 4 of the tract map attached hereto as Exhibit "A" and incorporated herein by reference

(hereinafter referred to as "the Easement Area") for the purpose of and in connection with the construction, operation, maintenance, repair, and inspection of a grade stabilization structure designated as Site D-15-B, in the plans for the Papillion Creek Watershed; for the flowage of waters in, over, upon or through such structure; for the permanent storage and temporary detention, either or both, of any waters and sediment impounded, stored or detained by such structure; and, for the borrow and spoil of earthen materials. This easement also includes the right of the GRANTEE to have ingress and egress over the Easement Area for the purpose of construction, inspection, maintenance, upkeep or repair of the grade stabilization structure, the right of the GRANTEE to control vegetation and insects in the Easement Area, the right of the GRANTEE to utilize the air space above the grade stabilization structure to such height as will permit the unimpeded passage and operation of the GRANTEE's construction, maintenance, and repair machinery, and the right of the GRANTEE to have lateral and subjacent support for the grade stabilization structure.

The rights and privileges herein granted shall be subject to the following terms and conditions:

(1) The consideration recited herein shall constitute payment in full for all damages, except for the destruction of growing crops during construction, sustained by the GRANTOR or its successors and assigns by reason of the GRANTEE's exercise of any of the rights or privileges herein described or granted. The GRANTOR states its awareness that the GRANTEE may have a planned project involving acquisition of this easement and that the GRANTEE may be authorized to use eminent domain for its acquisition, but the GRANTOR further states that it also is aware that the GRANTEE

Return: Papio-Missouri River NRD
8901 S. 154th St.
Omaha, Ne 68138
Attn: R. Puls

is not required by law or by this easement to undertake or perform the project, and the GRANTOR voluntarily waives compliance by the GRANTEE with the notice and other provisions of the Uniform Procedure for Acquiring Private Property for Public Use (Sec. 25-2501 R.R.S. 1943, et seq. as amended), and with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, PL 91-646, as amended.

(2) There is reserved to the GRANTOR, its successors and assigns, the right and privilege to use the Easement Area at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the GRANTEE, its successors and assigns, of the rights and privileges herein granted.

(3) The GRANTOR shall not be responsible for operation or maintenance of the improvements contemplated by this easement.

(4) This easement is subject to the rights and interest of the Omaha Public Power District in an easement covering all or a part of the Easement Area, recorded at Book 488, Page 375, Douglas County Register of Deeds.

(5) With the exception of the GRANTEE'S improvements, no excavation, filling or boring shall be done in the Easement Area without the prior consent of the GRANTEE.

(6) If GRANTEE does not commence construction of the proposed grade stabilization structure within two (2) years of the date of this easement, the easement shall by its own terms expire and any and all interests of GRANTEE in the Easement Area shall revert to the GRANTOR.

(7) This easement shall not pass, nor shall the same be construed to pass, to the GRANTEE any fee simple interest or title to any land of the GRANTOR.

IN WITNESS WHEREOF the GRANTOR has executed this instrument on the 10th day of June, 1993.

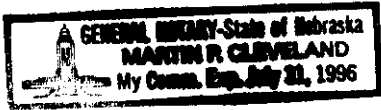
TRINITY CHURCH INTERDENOMINATIONAL,
a Nebraska Corporation

By: *William Bldg. Com. Chairman*

STATE OF NEBRASKA)
COUNTY OF Sarpy) SS.

On this 10th day of June, 1993, before me, a Notary Public, personally came Delbert Dale President of TRINITY CHURCH, INTERDENOMINATIONAL, a Nebraska Corporation, to me personally known to be the identical person whose name is affixed to the above and foregoing instrument, and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal the date last aforesaid.



Martin R. Cleveland
Notary Public

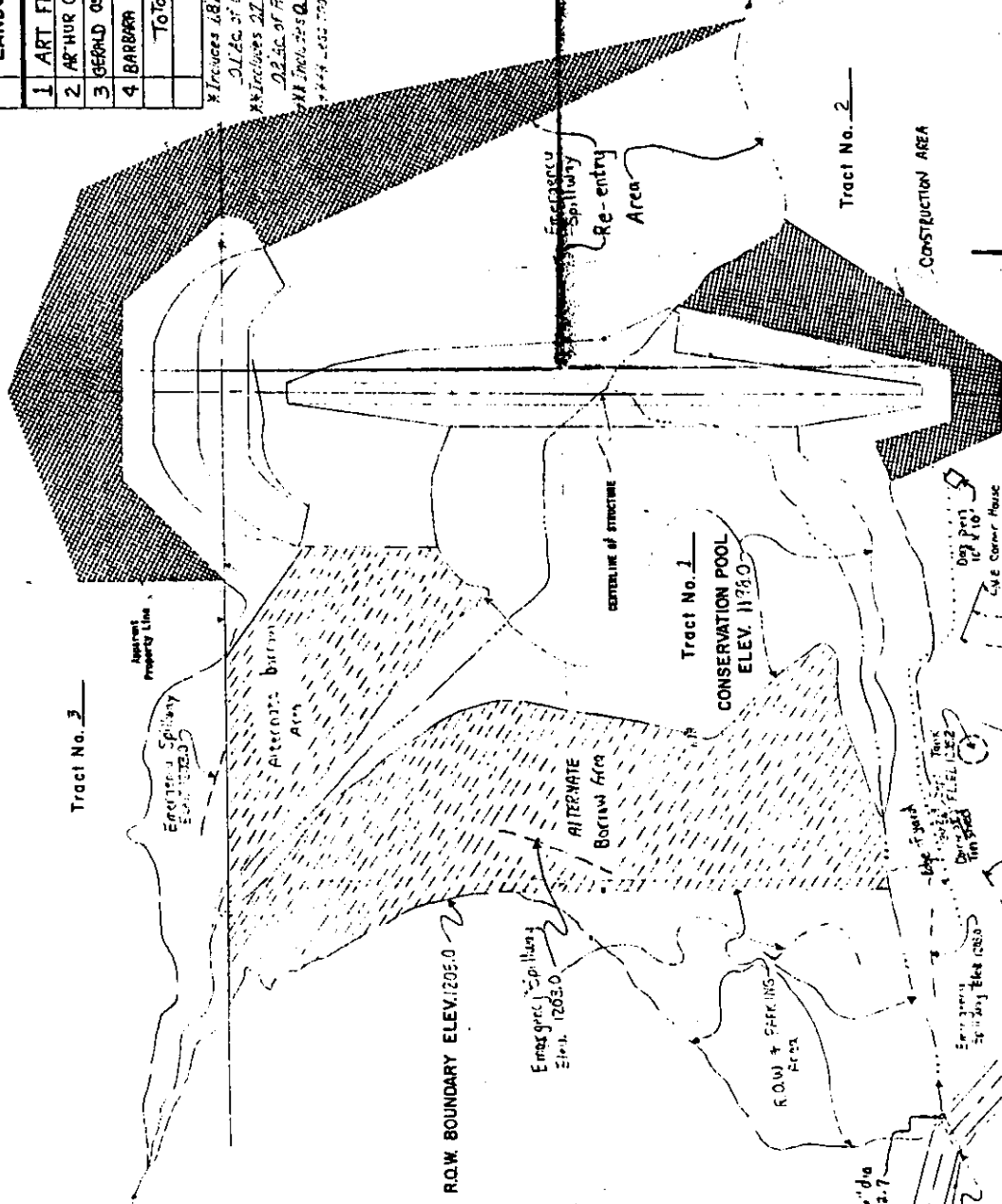
Sta 2+00? 1335' Center of Sec. 20, T15N, R11E

EXHIBIT "A"

Tract No. 3

0°30'

Tract No. 3



X Includes 18.66 ac. of Alternate Borrow and
 0.12 ac. of Construction Area
 XX Includes 22.56 ac. of Construction Area and
 0.2 ac. of Reentry Area
 XXX Includes 0.6 ac. of Construction Area
 XXXX 4.56 ac. from 01.22

INDEX

- 1. PARKING
- 2. INFILTRATION
- 3. CLEARING
- 4. BORROW
- 5. CONST. OPERATION
- 6. EROSION CONTROL
- 7. SAW DUST SPILLAGE
- 8. SPILLWAY FLOODING
- 9. PEAK FLOODING
- 10. TYP. FLOODING
- 11. WEATHER AND SOIL

NO.	LANDOWNER	ESTIMATED ACREAGE		TOTAL	ISSUED	RECEIVED	DATE
		CONSTRUCTION	POOL				
1	ART FLETCHER	0.3	1.5	1.8	11/11/83	11/11/83	Ease ment
2	ARTHUR GREENE	0.4	1.9	2.3	11/11/83	11/11/83	Ease ment
3	GERALD OSTRANSKY	---	---	0.3	11/11/83	11/11/83	Ease ment
4	BARBARA SWANSON	0.3	0.6	0.9	11/11/83	11/11/83	Ease ment
	Total	1.0	1.50	6.2			

UTILITIES ARE TO BE USED FOR
 NOVE

Based on available field information and project design criteria, this approximate work and represents the approximate land rights required for construction and to be used only as a tool in securing land rights.

The bearing measuring agency will determine precise of corners and other for each tract.

REAL PROPERTY WORK MAP
 STRUCTURE D-15-B
 PAPILLION CREEK WATERSHED
 DOUGLAS COUNTY, NEBRASKA
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Approved: *[Signature]*
 Date: 5/9/83
 Title: STATE COMMISSIONER
 No. 38,333

Checked: *[Signature]*
 Date: 5/9/83