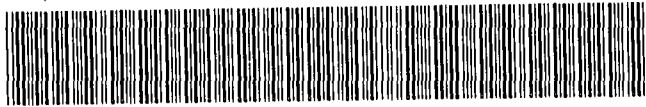


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SEP 05 2014 12:03 P 5

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 S FEB 34 00 FB 01-60000  
 T BRP 10-15-11K C/O COMP AL  
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Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 9/5/2014 12:03:12.39



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### STORM SEWER AND DRAINAGEWAY EASEMENT

Tribedo, LLC, a Nebraska limited liability company, and its successors and assigns (“Grantor”), for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, does hereby donate, grant and convey unto the City of Omaha, a Municipal Corporation of the State of Nebraska and its successors and assigns, and Sanitary and Improvement District No. 538 of Douglas County, Nebraska (hereinafter collectively referred to as the “Grantee”), a permanent, perpetual Storm Sewer and Drainageway Easement for the right to construct, maintain, operate and replace underground storm sewers, underground drainage structures, facilities, drainage ways, and appurtenances thereto over, under, and through the portions of the parcels of land respectively described on Exhibit “A”, attached hereto and by this reference incorporated herein (the “Easement Area”).

TO HAVE AND TO HOLD, the Grantor agrees as follows:

- 1) The Grantor shall convey a permanent, perpetual Storm Sewer and Drainage Easement over, under and through the Easement Areas to Grantee, together with the right of access for the purpose of constructing, inspecting, maintaining, operating, repairing, and/or replacing such underground storm sewers, underground drainage structures, facilities, drainage ways, and appurtenances thereto.
- 2) No buildings or other structures, nor grading, fill, fill materials or embankment work shall be placed in, on, over, or across the Easement Areas by Grantor without the express approval of the Grantee, which shall be determined at the sole discretion of the Grantee.
- 3) The Grantor may, following construction of such underground storm sewers, underground drainage structures, facilities, drainage ways, and appurtenances thereto continue to use the Easement Areas for all other purposes, subject to the right of the Grantee to use the same for the purposes herein expressed and except as provided herein. Landscaping, road surfaces, street surfaces, parking area surfaces, sidewalks, and trails are expressly permitted on the Easement Areas, subject to approval by the Grantee. Any

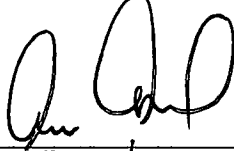
such permitted items or materials placed on or within the Easement Areas shall be maintained by Grantor.

- 4) The Grantor warrants that it has the lawful authority and right to grant and convey this Easement in the manner and form aforesaid, and that it will warrant and defend this Easement against the lawful claims and demands made by all persons.

IN WITNESS WHEREOF the Grantor has executed this Easement as of this 15<sup>th</sup> day of August, 2014.

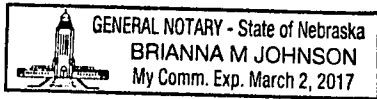
**GRANTOR:**

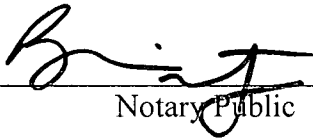
**TRIBEDO, LLC**, a Nebraska limited liability company,

By:   
Its: Member

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF SARPY    )

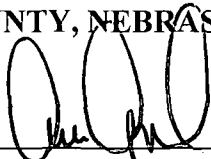
Now on this 15<sup>th</sup> day of August, 2014, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Arun Agarwal, the Member of Tribedo, LLC a Nebraska limited liability company, who is personally known to me to be the same person who executed the above instrument in such capacity, on behalf of said entity and who duly acknowledged the execution of the same to be the act and deed of said entity.

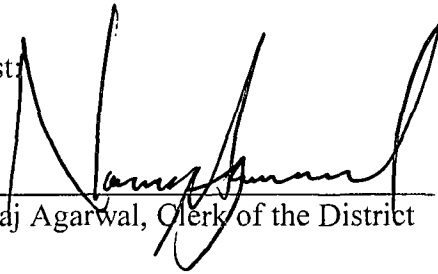


  
Notary Public

**GRANTEE:**


**SANITARY AND IMPROVEMENT  
DISTRICT NO. 538 OF DOUGLAS  
COUNTY, NEBRASKA**

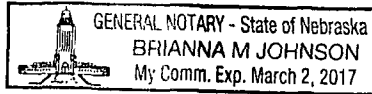
By:   
Arun Agarwal, Chairman of the  
District

Attest:   
Neeraj Agarwal, Clerk of the District

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

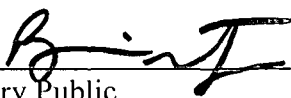
The above and foregoing instrument was acknowledged before me this 15<sup>th</sup> day of August, 2014, by Arun Agarwal, known to me to be the Chairman of Sanitary and Improvement District No. 538 of Douglas County, Nebraska, on behalf of said district.

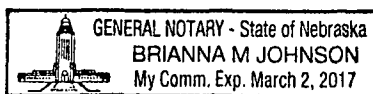
  
Notary Public  
Commission Expires: 3/2/17



STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

The above and foregoing instrument was acknowledged before me this 15<sup>th</sup> day of August, 2014, by Neeraj Agarwal, known to me to be the Clerk of Sanitary and Improvement District No. 405 of Douglas County, Nebraska, on behalf of said district.

  
Notary Public  
Commission Expires: 3/2/17



**GRANTEE:**

**CITY OF OMAHA, NEBRASKA**

Jean Stothert 8-28-14  
Mayor Date

ATTEST:

APPROVED AS TO FORM:

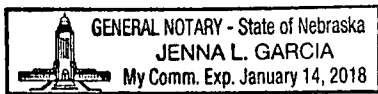
IMPRINTED SEAL

*Deputy* Sandra L. Mass 8-28-14  
City Clerk Date

[Signature] 25 Aug 14  
Assistant City Attorney Date

STATE OF NEBRASKA )  
) ss.  
COUNTY OF DOUGLAS )

On this 28<sup>th</sup> day of August, 2014, before me, a Notary Public in and for said County and State, personally appeared Jean Stothert, Mayor of the City of Omaha, Nebraska, who executed the above and acknowledged the execution thereof to be her voluntary act and deed on behalf of said City.

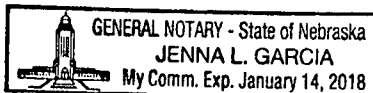


Jenna L. Garcia  
NOTARY PUBLIC

My Commission expires 1/14/2018.

STATE OF NEBRASKA )  
) ss.  
COUNTY OF DOUGLAS )

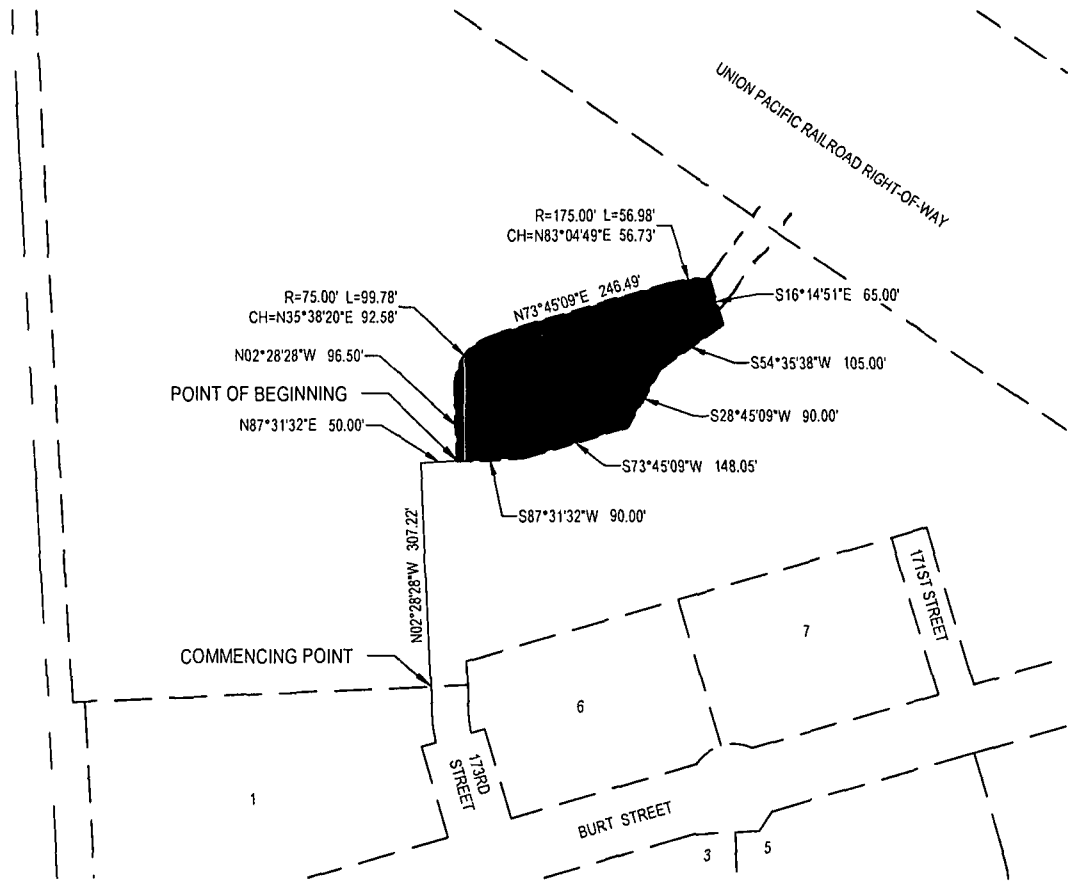
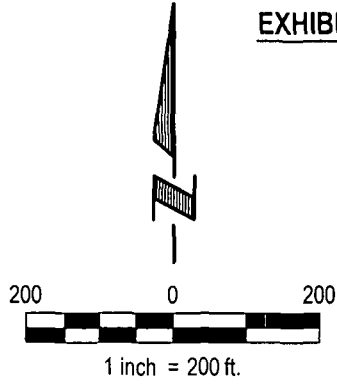
On this 28<sup>th</sup> day of August, 2014, before me, a Notary Public in and for said County and State, personally appeared Sandra L. Mass, *Deputy* City Clerk of the City of Omaha, Nebraska, who executed the above and acknowledged the execution thereof to be his voluntary act and deed on behalf of said City.



Jenna L. Garcia  
NOTARY PUBLIC

My Commission expires 1/14/2018.

**EXHIBIT "A"**



**LEGAL DESCRIPTION**

A STORM SEWER AND DRAINAGEWAY EASEMENT LOCATED IN THE SW1/4 OF THE SE1/4 AND ALSO THE NW1/4 OF THE SE1/4; BOTH LOCATED IN SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, WEST DODGE POINTE, A SUBDIVISION LOCATED IN SAID SE1/4 OF SECTION 16, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE RIGHT-OF-WAY LINE OF 173RD STREET; THENCE N02°28'28"W (ASSUMED BEARING), A DISTANCE OF 307.22 FEET; THENCE N87°31'32"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE N02°28'28"W, A DISTANCE OF 96.50 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DISTANCE OF 99.78 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N35°38'20"E, A DISTANCE OF 92.58 FEET; THENCE N73°45'09"E, A DISTANCE OF 246.49 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, A DISTANCE OF 56.98 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N83°04'49"E, A DISTANCE OF 56.73 FEET; THENCE S16°14'51"E, A DISTANCE OF 65.00 FEET; THENCE S54°35'38"W, A DISTANCE OF 105.00 FEET; THENCE S28°45'09"W, A DISTANCE OF 90.00 FEET; THENCE S73°45'09"W, A DISTANCE OF 148.05 FEET; THENCE S87°31'32"W, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 54,010 SQUARE FEET OR 1.240 ACRES, MORE OR LESS.

	<b>E &amp; A CONSULTING GROUP, INC.</b> Engineering • Planning • Environmental & Field Services 330 North 117th Street Omaha, NE 68154 Phone: 402.895.4700		<b>STORM SEWER &amp; DRAINAGEWAY EASEMENT</b>  SE1/4 OF SEC 16-115N-R11E DOUGLAS COUNTY, NEBRASKA
	Drawn by: CJV   Chkd by:	Date: 03/04/2014	
Job No.: P2005.222.008			