



MISC Inst. # 2017088143, Pg: 1 of 6 Rec Date: 11/01/2017 10:50:52.443

Fee Received: \$40.00 By: BW

Douglas County, NE Assessor/Register of Deeds DIANE L. BATTIATO

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

RETURN TO: EACGI

CHECK NUMBER

AFTER RECORDING RETURN TO:
Omaha Public Works Department
1819 Farnam Street, Ste 600
Omaha NE 68183

PUBLIC ACCESS EASEMENT

IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, Pacific 192 LLC, a Nebraska limited liability company, (herein the "Grantor") hereby creates, establishes, grants and conveys to the CITY OF OMAHA, NEBRASKA, a municipal corporation ("Grantee"), for the benefit of the public ("Third Party Beneficiary") a non-exclusive permanent Public Access Easement for vehicular ingress and egress traffic (but not parking) in, over, through and across the particular portion of property depicted and legally described on Exhibit "A" attached hereto.

Grantor shall have the duty of initially construct, and responsibility thereafter to maintain and repair, the Public Access Easement at its own cost and expense and no responsibility therefore shall accrue to the Grantee by reason of its benefit or any benefit to Third Party Beneficiary from the Public Access Easement.

Grantor may, and reserves the right to, use the surface and subsurface of the easement area for other purposes, subject to right of the Grantee of Third Party Beneficiary to use the same for the purposes described herein.

No party to this agreement shall restrict or impede the others reasonable use of the Public Access Easement at all time.

Grantor agrees to indemnify and hold harmless the Grantee, employees, invitees, visitors and agents, from and against any and all liability, cause of action, claims, and expenses for personal injury or property damage arising out of or occasioned by negligence in whole or in part, by Grantor, any of its contractors, successors or assigns.

This Public Access Easement shall run with the land and shall be binding upon and inure to the benefit and burden of the successors and assigns of Grantor and Grantee.

IN WITNESS WHEREOF, Grantor has executed and delivered this Public Access Easement this

4 day of ~~July~~, 2017.
August

PACIFIC 192 LLC, a Nebraska limited liability company.

By: *K. Irish*
Kevin Irish, Manager

SATTE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 4 day of ^{August} ~~July~~, 2017, by Kevin Irish personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity; and that by his signature on the instrument the entity upon behalf of which he acted, executed the instrument. He is the Manager of Pacific 192 LLC, a Nebraska limited liability company, and he acknowledged, signed, and delivered the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Toni A. Grzebielski
Notary Public



CITY OF OMAHA, a Municipal Corporation
ATTEST:

[Signature] 8-24-17
Elizabeth Butler
City Clerk, City of Omaha

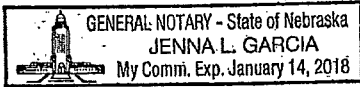
By *Jean Stothert* 8-24-17
Jean Stothert
Mayor, City of Omaha

APPROVED AS TO FORM:
Michelle Titus 8/14/17
ASSISTANT CITY ATTORNEY
Deputy

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 24th day of August, 2017, before me, a Notary Public in and for said County, personally came Elizabeth Butler, City Clerk of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as City Clerk and the voluntary act and deed of said Municipal Corporation. WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



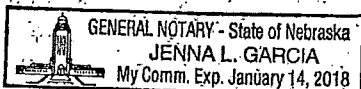
Jenna L. Garcia
NOTARY PUBLIC

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 24th day of August, 2017, before me, a Notary Public in and for said County, personally came Jean Stothert, Mayor of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



Jenna L. Garcia
NOTARY PUBLIC

EXHIBIT "A"

LEGAL DESCRIPTION

A 50.00 FOOT ACCESS EASEMENT LOCATED IN PART LOT 1, PACIFIC RENAISSANCE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 OF THE SE1/4, LOCATED IN SECTION 19, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, PACIFIC RENAISSANCE; THENCE N87°10'47"E (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT 1, PACIFIC RENAISSANCE, A DISTANCE OF 220.82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N87°10'47"E ALONG SAID NORTH LINE OF LOT 1, PACIFIC RENAISSANCE, A DISTANCE OF 50.00 FEET; THENCE S03°02'21"E, A DISTANCE OF 208.91 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 81.12 FEET, A DISTANCE OF 157.11 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S58°31'27"E, A DISTANCE OF 133.68 FEET; THENCE N65°59'26"E, A DISTANCE OF 87.15 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 186.83 FEET, A DISTANCE OF 68.81 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N76°32'27"E, A DISTANCE OF 68.42 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 1, PACIFIC RENAISSANCE, SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF 192ND STREET; THENCE S02°58'56"E ALONG THE SAID EAST LINE OF LOT 1, PACIFIC RENAISSANCE, SAID LINE ALSO BEING THE SAID WEST RIGHT-OF-WAY LINE OF 192ND STREET, A DISTANCE OF 50.00 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 136.83 FEET, A DISTANCE OF 50.46 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S76°33'16"W, A DISTANCE OF 50.17 FEET; THENCE S65°59'26"W, A DISTANCE OF 87.15 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 131.12 FEET, A DISTANCE OF 164.31 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N78°06'39"W, A DISTANCE OF 153.77 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 225.00 FEET, A DISTANCE OF 87.59 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S74°55'39"W, A DISTANCE OF 87.03 FEET; THENCE S86°04'46"W, A DISTANCE OF 165.50 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1, PACIFIC RENAISSANCE; THENCE N02°58'56"W ALONG SAID WEST LINE OF LOT 1, PACIFIC RENAISSANCE, A DISTANCE OF 50.01 FEET; THENCE N86°04'46"E, A DISTANCE OF 164.68 FEET, THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 175.00 FEET, A DISTANCE OF 63.79 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N75°38'10"E, A DISTANCE OF 63.44 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 131.12 FEET, A DISTANCE OF 39.09 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N11°34'50"W, A DISTANCE OF 38.95 FEET; THENCE N03°02'21"W, A DISTANCE OF 209.10 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 40,023 SQUARE FEET OR 0.919 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING

 <p>E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10909 MR Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.886.4700 • Fax: 402.888.2610</p>	<p>50.0 FOOT ACCESS EASEMENT LOT 1, PACIFIC RENAISSANCE DOUGLAS COUNTY, NEBRASKA</p>	
	<p>Drawn by: CJV Chkd by: _____ Date: 04/24/2017 Job No.: 2015.283.001</p>	<p>SHEET 2 OF 2</p>