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## E A S E M E N T

THIS AGREEMENT was entered into on the 18th day of July, 1944, by and between CHARLES FRANCIS ADAMS, of Concord, Massachusetts, JOHN S. AMES of Easton, Massachusetts, and EDWARD CUNNINGHAM of Dedham, Massachusetts, Trustees under an agreement and declaration of trust entitled EAST OMAHA LAND TRUST, dated June 30, 1903, which was recorded in the office of the Register of Deeds of Douglas County, Nebraska, at Page 160, in Book 21 of Miscellaneous Records, hereinafter referred to as the "Grantors", and EAST OMAHA DRAINAGE DISTRICT, a corporation organized under the laws of the State of Nebraska, hereinafter referred to as the "Grantee".

In consideration of Twenty-two Hundred Thirty-seven and 40/100 Dollars (\$2,237.40), receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, assign, convey and deliver unto the Grantee, an easement in perpetuity to occupy the property hereinafter described, for the purpose of constructing and maintaining a levee, with the right to remove earth from any portion of the property covered by the easement, for borrow purposes, on, over and across the following described property located in Douglas County, Nebraska, to-wit:

Tract No. 1

An irregular tract of land in Lots 46 and 47, East Omaha Land Company's Land, a subdivision in Township 15 North, Ranges 13 and 14 East, Douglas County, Nebraska, also designated as the Northwest One-quarter (NW $\frac{1}{4}$ ) Northeast One-quarter (NE $\frac{1}{4}$ ) and the Northeast One-quarter (NE $\frac{1}{4}$ ) Northeast One-quarter (NE $\frac{1}{4}$ ) Section 22, Township 75 North, Range 44 West, Iowa Sections, the said irregular tract being adjacent to and on the Southeasterly Side of the Southeasterly right-of-way Line for Woodland Road as now located and shown by the subdivision plat for Airport Acres, the irregular tract herein acquired for the Missouri River Levee and Borrow Pit right-of-way is more particularly described as follows:

Beginning at the point where the Southeasterly Line of Woodland Road intersects the North Line of Section 22, Township 75 North, Range 44 West, Iowa Sections 1373.81 feet East of the One-quarter Corner on the North Side of said Section 22.

Thence following the Southeasterly Line of Woodland Road South 36° 29' West, 1224.6 feet to an angle in said Road Line.

Thence South 27° 38 $\frac{1}{2}$ ' West, 375.9 feet to a point where the Southeasterly Line of Woodland Road intersects with the East and West Center Line of the Northeast One-quarter (NE $\frac{1}{4}$ ) said Section 22, Township 75 North, Range 44 West, Iowa Sections, also designated as the South Line of Lot 46 East Omaha Land Company's Land, a sub-

division in Township 15 North, Ranges 13 and 14 East in Douglas County, Nebraska.

Thence South  $89^{\circ} 45'$  East along the said South Line Lot 46, a distance of 111.64 feet to the Southeasterly Line of right-of-way herein acquired for levee purposes.

Thence along the Southeasterly Line of right-of-way herein acquired for levee purposes North  $27^{\circ} 38\frac{1}{2}'$  East a distance of 331.81 feet to a point of angle.

Thence North  $36^{\circ} 00' 36''$  East a distance 1265.69 feet to a point on the North Line of Lot 47 East Omaha Land Company's Land, a subdivision in Township 15 North, Ranges 13 and 14 East, Douglas County, Nebraska, also designated as the North Line of the Northeast One-quarter ( $NE\frac{1}{4}$ ) Northeast One-quarter ( $NE\frac{1}{4}$ ) Section 22, Township 75 North, Range 44 West, Iowa Sections.

Thence North  $89^{\circ} 49'$  West 107.19 feet measured along the North Line of said Northeast One-quarter ( $NE\frac{1}{4}$ ) Northeast One-quarter ( $NE\frac{1}{4}$ ) Section 22, to the point of beginning containing 3.492 acres more or less,

the boundaries of which tract are set forth on Exhibit A, attached to and by reference made a part of this instrument.

Tract No. 2

An irregular tract of land along the Southeasterly side of and adjacent to the Omaha Bridge and Terminal Railway Company right-of-way across part Lots 8, 9 and 13, East Omaha Land Company's Land, a subdivision in Township 15 North, Ranges 13 and 14 East, Douglas County, Nebraska and also designated as across part Section 22, Township 75 North, Range 44 West, Iowa Sections, said irregular tract being more particularly described as follows:

Beginning at a point where the Southeasterly right-of-way line of the Omaha Bridge and Terminal Railway Company property intersects the North and South Center Line of Section 22, Township 75 North, Range 44 West, Iowa Sections said point being the same point as described in the deed of the Searle Oil Company as being 960 feet south of the north line of the South One-half ( $S\frac{1}{2}$ ) Northeast One-quarter ( $NE\frac{1}{4}$ ) said Section 22.

Thence following the Southeasterly right-of-way line of the Omaha Bridge and Terminal Railway Company South  $35^{\circ} 00'$  West, 1115.96 feet more or less to the point of curve.

Thence continuing along the said Southeasterly right-of-way line of the Omaha Bridge and Terminal Railway Company along a curve to the right having a

radius of 1005.37 feet through a central angle of  $35^{\circ} 59' 15''$  a distance of 596.31 feet to a point where the North right-of-way line of the Missouri River Levee leaves the Southerly right-of-way line of the Omaha Bridge and Terminal Railway Company.

Thence South  $45^{\circ} 54'$  West to a point 65 feet southeasterly from the southerly right-of-way line of the Omaha Bridge and Terminal Railway Company's property and being a point on the Northeasterly right-of-way line of the Omaha Bridge and Terminal Railway Company for the Missouri River Bridge and Approach, said line being 100 feet Northeasterly from the Center Line of the permanent structure of the Missouri River Bridge of the said Omaha Bridge and Terminal Railway Company as the same is now located across the Missouri River.

Thence Southeasterly following the Northeasterly right-of-way line which is 100 feet northeasterly from the permanent structure of the Omaha Bridge and Terminal Railway Company's bridge over the Missouri River a distance of 150 feet.

Thence North  $45^{\circ} 54'$  East to a point which bears South  $34^{\circ} 11'$  West 1225 feet distant from a point 61 feet east and 960 feet south of the Northwest Corner of the Southwest One-quarter ( $SW\frac{1}{4}$ ) Northeast One-quarter ( $NE\frac{1}{4}$ ) Section 22, Township 75 North, Range 44 West, Iowa Sections.

Thence North  $34^{\circ} 11'$  East 1225 feet more or less to a point on the South Line of the Searle Oil Company's property.

Thence West 61 feet to the point of beginning containing 2.071 acres more or less,

The boundaries of which tract are set forth on Exhibit B attached to and by reference made a part of this instrument.

Tract No. 3

A strip of land 76 feet wide to be used for the Missouri River Levee and Borrow Pit purposes adjacent to and parallel with and Southeasterly from the 100 foot right-of-way of the Omaha Bridge and Terminal Railway Company partly abandoned for railroad purposes across the Southwest One-quarter ( $SW\frac{1}{4}$ ) Section 22, the South One-half ( $S\frac{1}{2}$ ) of the Southeast One-quarter ( $SE\frac{1}{4}$ ) Section 21, all in Township 75 North, Range 44 West, Iowa Sections, also designated as Lots 27, 26 and 25, respectively, East Omaha Land Company's Land, a subdivision in Township 15 North, Range 13 East, of the Sixth Principal Meridian, Nebraska Sections, the said 76 foot strip being more particularly described as follows:

Beginning at a point where the Southeasterly line of the Omaha Bridge and Terminal Railway Company right-of-way intersects the North Line of the Southwest One-quarter (SW $\frac{1}{4}$ ) Southwest One-quarter (SW $\frac{1}{4}$ ) Section 22, Township 75 North, Range 44 West, Iowa Sections, said point being 230 feet east of the Northwest Corner of the said Southwest One-quarter (SW $\frac{1}{4}$ ) Southwest One-quarter (SW $\frac{1}{4}$ ) Section 22.

Thence following the Southeasterly Line of the Omaha Bridge and Terminal Railway Company right-of-way South 71° 24' West 3037.22 feet more or less to a point where said Southeasterly Line of Omaha Bridge and Terminal Railway Company right-of-way intersects the interstate boundary line in the States of Iowa and Nebraska.

Thence South 53° 13' East following the said interstate boundary line a distance of 92.35 feet to the Southeasterly Line of right-of-way herein acquired for Missouri River Levee and Borrow Pit purposes.

Thence North 71° 24' East along the said Southeasterly Line of right-of-way for Missouri River Levee and Borrow Pit purposes a distance of 3210.61 feet more or less across Lots 25, 26 and 27 East Omaha Land Company's Land to a point on the North Line of said Lot 27, also being designated as the North Line of the Southwest One-quarter (SW $\frac{1}{4}$ ) Southwest One-quarter (SW $\frac{1}{4}$ ) Section 22, Township 75 North, Range 44 West, Iowa Sections.

Thence West along the said North Line of the Southwest One-quarter (SW $\frac{1}{4}$ ) Southwest One-quarter (SW $\frac{1}{4}$ ) Section 22, 238.3 feet more or less to the point of beginning containing 5.624 acres more or less,

the boundaries of which tract are set forth on Exhibit C attached to and by reference made a part of this instrument.

TO HAVE AND TO HOLD said property unto the Grantee, its heirs, successors and assigns, for the purposes herein specified, forever.

The Grantors warrant that said property is free and clear of taxes, liens and encumbrances, and that they are the owners thereof and have good and lawful right to convey the same, and will forever warrant and defend the title against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

In Presence of:

EAST OMAHA LAND TRUST

Gertrude L. White

By Charles Francis Adams

Bernice Julin

John J. Pines

Bernice Julin

Ernest Cunningham

Trustees as aforesaid, but not individually.

EAST OMAHA DRAINAGE DISTRICT

By Red Knapp  
President

Attest:

\_\_\_\_\_  
Secretary

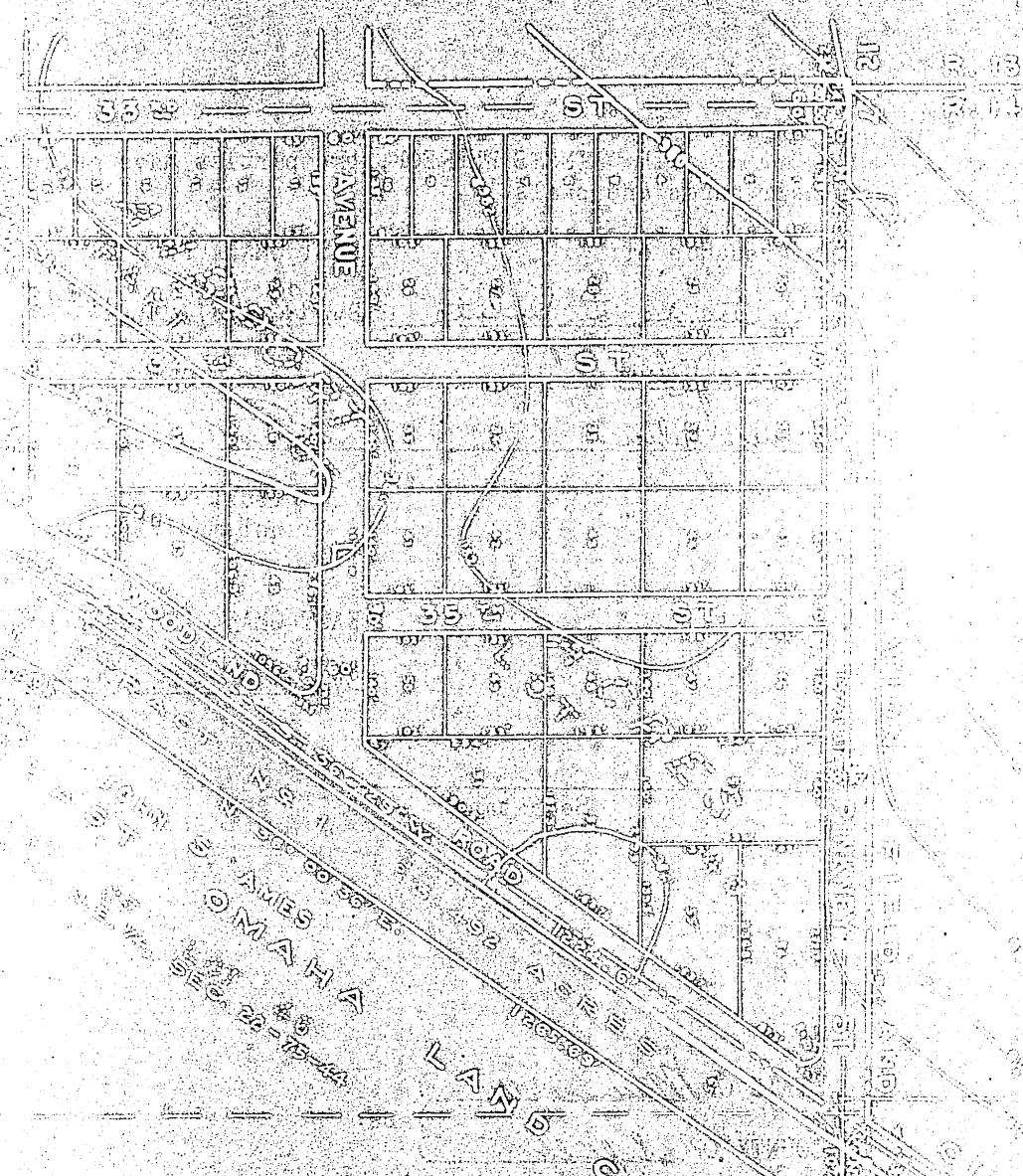
STATE OF Massachusetts )  
COUNTY OF Suffolk ) ss:

John S. Ames, personally known to me, appeared before me, a Notary Public, on the 18<sup>th</sup> day of July, 1944, and being first duly sworn, stated that he is one of the Trustees of the East Omaha Land Trust dated June 30, 1903; that he executed the foregoing Easement as Trustee, and that it was his free and voluntary act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my Notarial seal the day and year last above written.



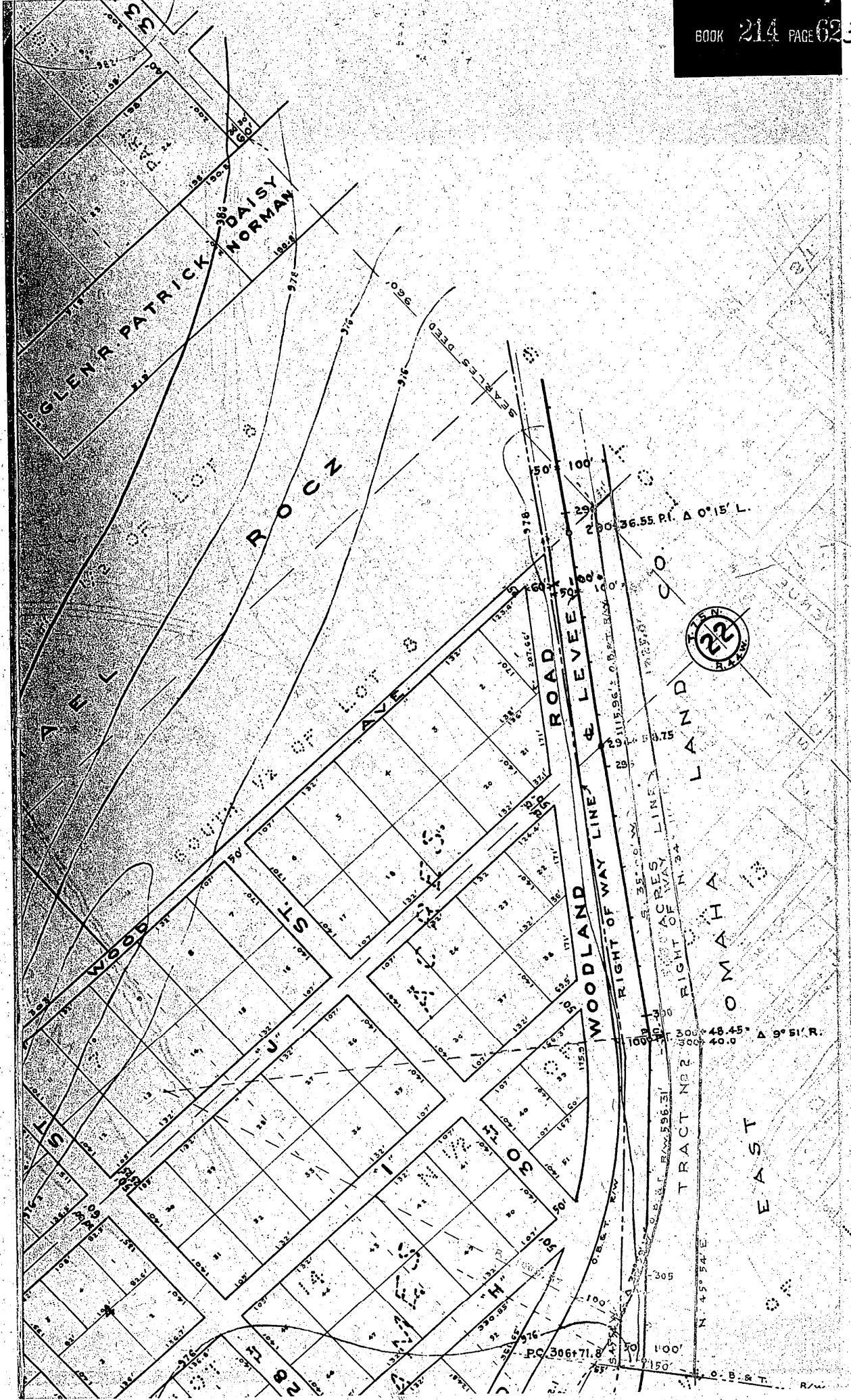
Roy E. Davis  
Notary Public



JOHN E. AMES  
 OMAHA  
 SEC. 22-73-44

JOHN E. AMES  
 OMAHA  
 SEC. 22-73-44

Exhibit A

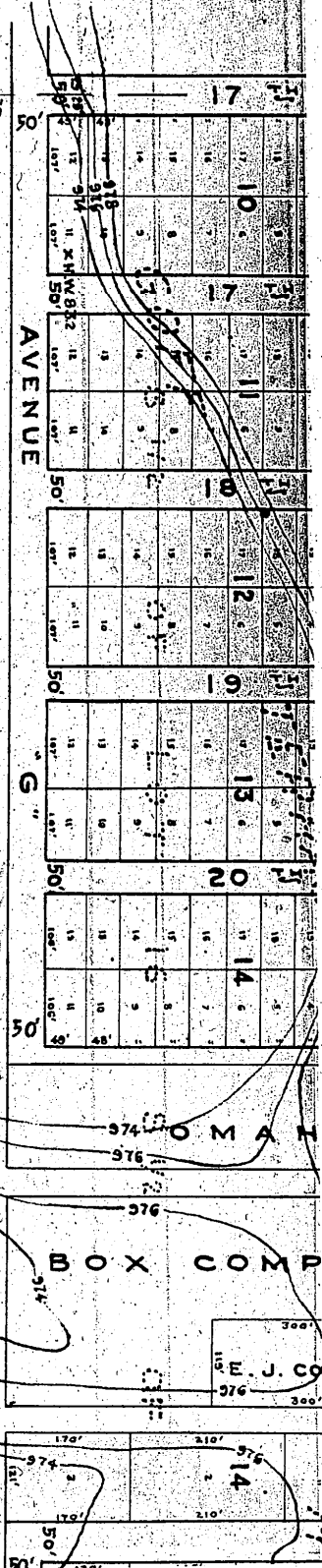






DOUGLAS COUNTY NEBRASKA  
POTTAWATOMIE COUNTY, IOWA

SPAN ROAD O. B. RYAN



EAST JOHN A. S. LAND CO.

LOT 25

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ST. R. 24 E.

ST. R. 24 E.

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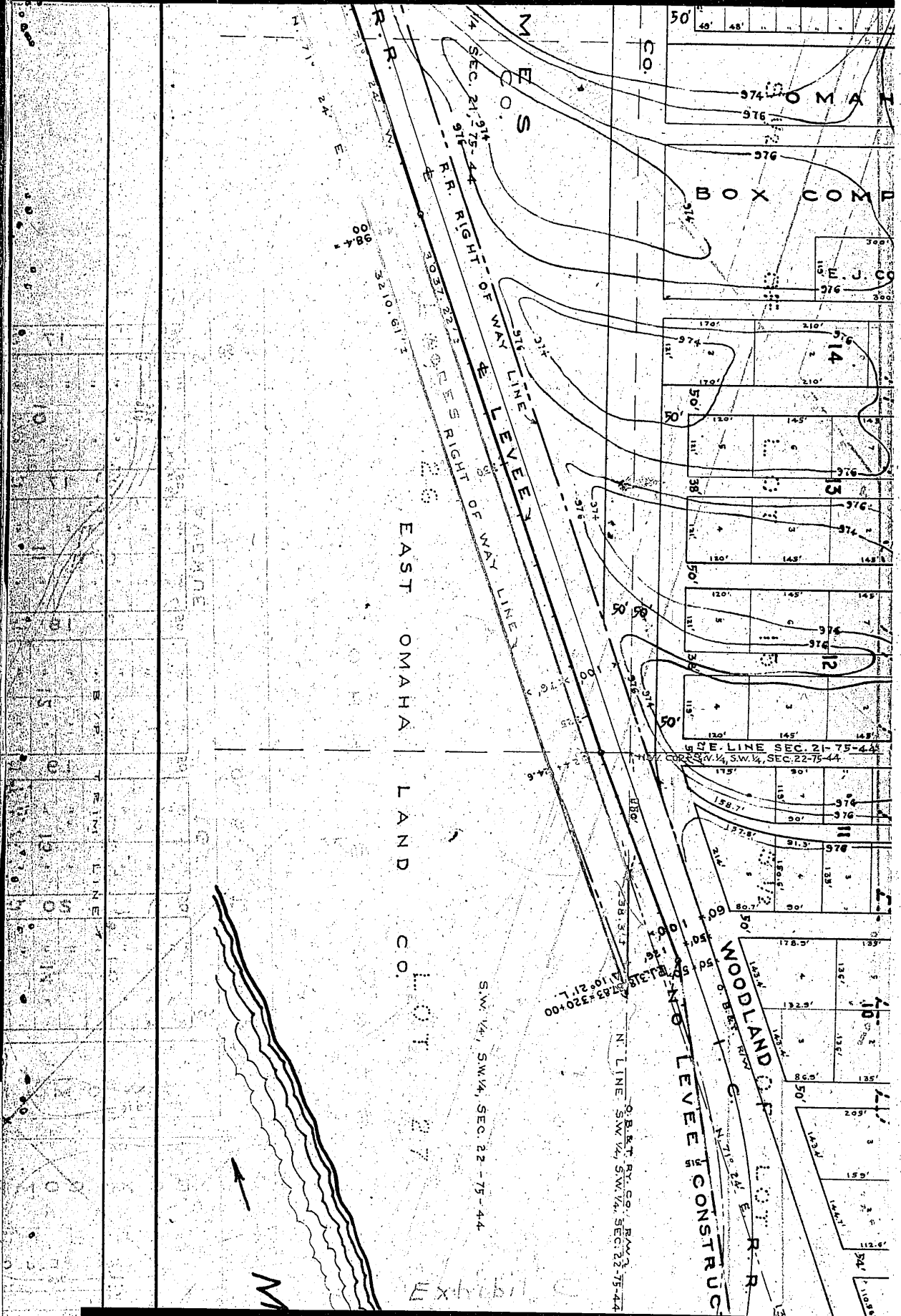
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23. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
 15 DAY July 1946 AT 4:28 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS 6.05