

2012-04659

02/15/2012 2:18:30 PM

*Floyd J. Dowling*

REGISTER OF DEEDS

COUNTER a C.E. a  
VERIFY a D.E. a  
PROOF P  
FEES \$ 10.50  
CHECK# \_\_\_\_\_  
CHG \_\_\_\_\_ CASH 20.00  
REFUND 9.50 CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_



**CORRECTIVE AFFIDAVIT**

FRANK CITTA, TRUSTEE UNDER THE FRANK CITTA REVOCABLE TRUST DATED OCTOBER 15, 1991 (hereinafter "AFFIANT"), based on his personal knowledge of all relevant facts and being first duly sworn on his oath, deposes and states as follows:

1. On or about October 27, 2006, AFFIANT executed and delivered to the Papio-Missouri River Natural Resources District (hereinafter "GRANTEE") an easement document (entitled "EASEMENTS") that on or about December 19, 2006, was recorded as Document No. 200642331 in the office of the Register of Deeds of Sarpy County, Nebraska.

2. In the document containing legal descriptions marked as Exhibit "A," affixed to said EASEMENTS document and incorporated therein by reference, there was included, among other things, the legal description for an easement intended to be granted to the GRANTEE over and across a parcel of land, more particularly described therein, in Section 17, Township 12 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, such parcel therein being denominated as "CI-H" (hereinafter "TRACT CI-H");

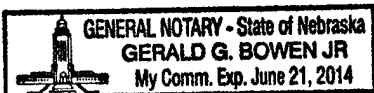
3. However, Exhibit "A" to said "EASEMENTS" document erroneously referred to the easement being granted over TRACT CI-H as a "Temporary Construction and Grading Easement," when it was the true intent of AFFIANT to have thereby granted to the GRANTEE a Permanent Construction and Grading Easement over TRACT CI-H, as the body of the EASEMENTS document so provided.

Therefore, AFFIANT desires to resolve the aforesaid ambiguity, and does hereby ratify and confirm that the easement intended to be granted to the GRANTEE over the parcel of land denominated as TRACT CI-H in Exhibit "A" to the EASEMENTS is and was intended to be a permanent easement and governed as such by said "EASEMENTS" document.

*Frank Citta*

FRANK CITTA, TRUSTEE UNDER THE FRANK  
CITTA REVOCABLE TRUST DATED OCTOBER 15,  
1991

Subscribed and sworn to before me, a Notary Public, on this 14<sup>th</sup> day of February, 2012.



*Gerald G. Bowen Jr*  
NOTARY PUBLIC

Project No. EGA031340

**DESCRIPTION & SKETCH****LEGAL DESCRIPTION: "CI-B" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 18, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 02°45'04" EAST ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 366.65 FEET; THENCE SOUTH 87°14'56" WEST, A DISTANCE OF 925.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 58°58'18" EAST, A DISTANCE OF 90.04 FEET; THENCE SOUTH 32°39'37" WEST, A DISTANCE OF 50.02 FEET; THENCE NORTH 58°58'18" WEST, A DISTANCE OF 93.84 FEET; THENCE NORTH 39°26'07" EAST, A DISTANCE OF 32.23 FEET; THENCE NORTH 32°39'37" EAST, A DISTANCE OF 18.12 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 4563 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-C" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 18, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 02°45'04" EAST ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 87.15 FEET; THENCE SOUTH 87°14'56" WEST, A DISTANCE OF 731.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 55°29'10" EAST, A DISTANCE OF 54.25 FEET; THENCE SOUTH 32°39'37" WEST, A DISTANCE OF 50.03 FEET; THENCE NORTH 55°29'10" WEST, A DISTANCE OF 50.03 FEET; THENCE NORTH 32°39'37" EAST, A DISTANCE OF 20.31 FEET; THENCE NORTH 24°37'01" EAST, A DISTANCE OF 30.15 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 2564 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-D" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 18, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE NORTH 02°45'04" WEST ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 53.94 FEET; THENCE SOUTH 87°14'56" WEST, A DISTANCE OF 840.72 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49°02'08" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 40°57'52" WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 49°02'08" WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 40°57'52" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 900 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-E" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 18, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE NORTH 02°45'04" WEST ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 477.31 FEET; THENCE SOUTH 87°14'56" WEST, A DISTANCE OF 270.58 FEET TO THE POINT OF BEGINNING LYING ON A CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 980.00 FEET AND A CENTRAL ANGLE OF 03°31'44", AN ARC DISTANCE OF 80.36 FEET (CHORD=60.35', CHORD BEARING=N50°35'22"E); THENCE SOUTH 33°14'57" EAST, A DISTANCE OF 90.52 FEET; THENCE SOUTH 50°35'22" WEST, A DISTANCE OF 60.35 FEET; THENCE NORTH 33°14'57" WEST, A DISTANCE OF 90.52 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 5450 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-F" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 18, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE NORTH 02°45'04" WEST ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 556.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°04'56" WEST, A DISTANCE OF 28.23 FEET; THENCE NORTH 02°45'04" WEST, A DISTANCE OF 61.01 FEET; THENCE NORTH 74°42'41" EAST, A DISTANCE OF 29.10 FEET TO A POINT ON THE AFORESAID EAST LINE OF SECTION 18; THENCE SOUTH 02°45'04" EAST, A DISTANCE OF 67.24 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 1816 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-G" PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LYING IN SECTION 17, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 17; THENCE NORTH 02°45'04" WEST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 624.23 FEET TO A POINT ON THE WESTERLY PROJECTION OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE NORTH 74°42'41" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND PROJECTION THEREOF, A DISTANCE OF 700.95 FEET; THENCE SOUTH 14°36'22" EAST, A DISTANCE OF 15.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 83°07'47" EAST, A DISTANCE OF 40.37 FEET; THENCE SOUTH 14°36'22" EAST, A DISTANCE OF 58.78 FEET; THENCE SOUTH 74°42'11" WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 14°36'22" WEST, A DISTANCE OF 64.70 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 2470 SQUARE FEET, MORE OR LESS.

**LEGAL DESCRIPTION: "CI-H" TEMPORARY CONSTRUCTION AND GRADING EASEMENT**

A TRACT OF LAND LYING IN SECTION 17, TOWNSHIP 12 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 17; THENCE NORTH 02°45'04" WEST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 624.23 FEET TO A POINT ON THE WESTERLY PROJECTION OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE NORTH 74°42'41" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND PROJECTION THEREOF, A DISTANCE OF 1286.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 74°42'41" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 16.24 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE 188TH STREET; THENCE SOUTH 02°49'58" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 32.25 FEET; THENCE NORTH 31°43'11" WEST, A DISTANCE OF 32.83 FEET TO THE POINT OF BEGINNING. THE ABOVE TRACT OF LAND CONTAINS 256 SQUARE FEET, MORE OR LESS.

Date: 10/25/05