

**TEMPORARY CONSTRUCTION EASEMENT
(CORPORATION)**

City of Omaha, Nebraska
Public Works Department

Design Division
R-O-W Section

FOR OFFICE USE ONLY	
Project:	Missouri River Flood Protection Project Phase 1
City Proj. No.:	OPW 52534
Tract No.:	4
Address:	401 Ida Street Omaha, Nebraska

KNOW ALL MEN BY THESE PRESENTS:

THAT Aaron Ferer and Sons Co., a Nebraska Corporation, hereinafter referred to as "GRANTOR," (whether one or more) for and in consideration of the sum of *Nine thousand six hundred ninty and 00/100 dollars (\$9,690.00)* and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto the **City of Omaha, Nebraska**, a Municipal Corporation, hereinafter referred to as "CITY," and to its successors and assigns, an easement for the right to enter upon and use for working space for the construction of the Missouri River Flood Protection Project Phase 1, and appurtenances thereto, the parcel of land described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"--TEMPORARY EASEMENT LEGAL DESCRIPTION

It is further agreed as follows:

- 1) That this easement runs with the land and terminates thirty (30) days after the improvement is completed, with the total duration of actual use of this temporary construction easement not to exceed 9 months or 274 calendar days from the date construction begins.
- 2) That said easement is granted upon the condition that the CITY will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, gardens and lawns within the easement area as necessary for construction with the following exceptions:
- 3) That the CITY shall cause any trench made on said easement strip to be properly refilled and shall cause the area disturbed under this easement to be restored upon completion of construction. This temporary easement is also for the benefit of any contractor, agent, employee, public utility company and representative of the CITY in any of said construction work.
- 4) That the GRANTOR for themselves and any successor in interest does confirm to the CITY and its assigns, including public utility companies and their assigns, that the GRANTOR is well seized in fee of the above described property and that they have the right to grant this easement, and that they and their successors in interest, shall warrant and defend this temporary easement to said CITY and its assigns including public utility companies and their assigns against claims and demands that might be brought by others.

IN WITNESS WHEREOF, the said GRANTOR has hereunto (called its Corporate Seal to be affixed) (Said Corporation has no Corporate Seal and these presents to be signed by its respective officers this _____ day of _____, 2018.

Aaron Ferer and Sons Co.
(Name of Corporation)

PRESIDENT or AUTHORIZED OFFICER

ATTEST:

(Name and Title)

(Name and Title)

STATE OF Nebraska
COUNTY OF Douglas

On this ____ day of _____, 2018, before me, a Notary Public in and for said County, personally came

_____, as _____, and _____,
(Name) (Title) (Name)

as _____ of Aaron Ferer and Sons Co., a _____ Corporation,
(Title)

to me personally known to be the respective officers of said corporation and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said Corporation, and the Corporate Seal of said Corporation to be thereto affixed by its authority.

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

Notary Seal

NOTARY PUBLIC

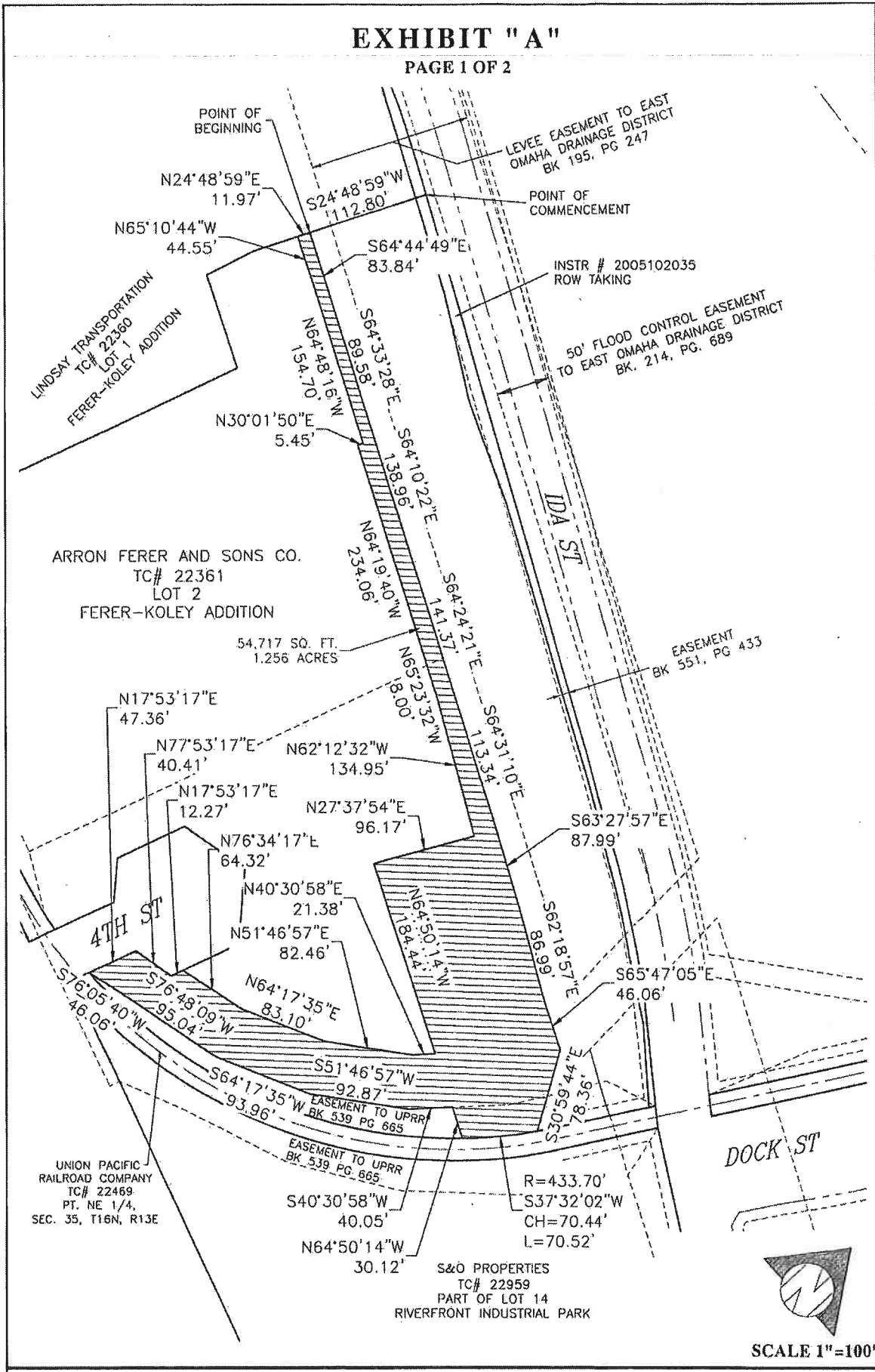
**CITY OF OMAHA
PUBLIC WORKS DEPARTMENT**

(Name/Title)

Date

EXHIBIT "A"

PAGE 1 OF 2



SCALE 1"=100'

CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

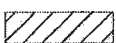
	TEMPORARY EASEMENT: 54,717 S.F.	TRACT NO.: 4	PROJECT NO.: OPW52534
		PREPARE DATE: 6/9/2017	REVISION DATE: 8/10/2017

EXHIBIT "A"

PAGE 2 OF 2

LEGAL DESCRIPTION

A TEMPORARY EASEMENT OVER PART OF LOT 2, FERER-KOLEY ADDITION, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, FERER-KOLEY ADDITION;
THENCE SOUTH 24°48'59" WEST (BEARINGS REFERENCED TO THE NEBRASKA STATE PLANE COORDINATE SYSTEM, NAD83) FOR 112.80 FEET ALONG THE WEST LINE OF SAID LOT 2 TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 64°44'49" EAST FOR 83.84 FEET;
THENCE SOUTH 64°33'28" EAST FOR 89.58 FEET;
THENCE SOUTH 64°10'22" EAST FOR 138.96 FEET;
THENCE SOUTH 64°24'21" EAST FOR 141.37 FEET;
THENCE SOUTH 64°31'10" EAST FOR 113.34 FEET;
THENCE SOUTH 63°27'57" EAST FOR 87.99 FEET;
THENCE SOUTH 62°18'57" EAST FOR 86.99 FEET;
THENCE SOUTH 65°47'05" EAST FOR 46.06 FEET;

THENCE SOUTH 30°59'44" EAST FOR 78.36 FEET TO THE EAST LINE OF SAID LOT 2;
THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 433.70 FEET AND A LONG CHORD BEARING SOUTH 37°32'02" WEST FOR 70.44 FEET) FOR AN ARC LENGTH OF 70.52 FEET ALONG THE EAST LINE OF SAID LOT 2;

THENCE NORTH 64°50'14" WEST FOR 30.12 FEET TO THE WEST LINE OF EASEMENT RECORDED IN BOOK 539, PAGE 665, DOUGLAS COUNTY, NEBRASKA;

THENCE ALONG SAID EASEMENT LINE FOR THE FOLLOWING FIVE (5) COURSES:

1. THENCE SOUTH 40°30'58" WEST FOR 40.05 FEET;
2. THENCE SOUTH 51°46'57" WEST FOR 92.87 FEET;
3. THENCE SOUTH 64°17'35" WEST FOR 93.96 FEET;
4. THENCE SOUTH 76°48'09" WEST FOR 95.04 FEET;
5. THENCE SOUTH 76°05'40" WEST FOR 46.06 FEET;

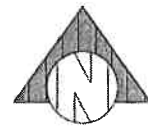
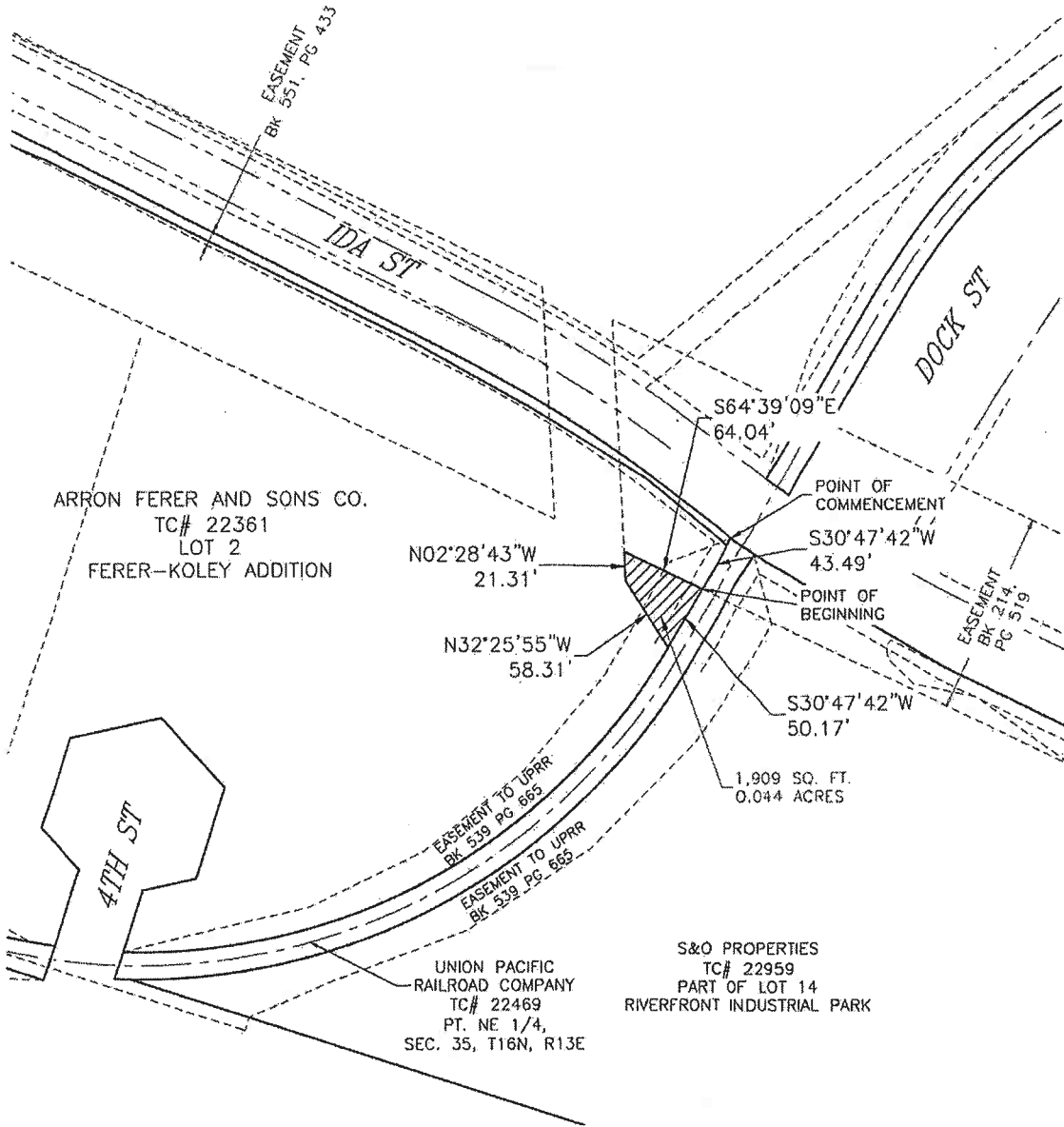
THENCE NORTH 17°53'17" EAST FOR 47.36 FEET;
THENCE NORTH 77°53'17" EAST FOR 40.41 FEET;
THENCE NORTH 17°53'17" EAST FOR 12.27 FEET;
THENCE NORTH 76°34'17" EAST FOR 64.32 FEET;
THENCE NORTH 64°17'35" EAST FOR 83.10 FEET;
THENCE NORTH 51°46'57" EAST FOR 82.46 FEET;
THENCE NORTH 40°30'58" EAST FOR 21.38 FEET;
THENCE NORTH 64°50'14" WEST FOR 184.44 FEET;
THENCE NORTH 27°37'54" EAST FOR 96.17 FEET;
THENCE NORTH 62°12'32" WEST FOR 134.95 FEET;
THENCE NORTH 65°23'32" WEST FOR 8.00 FEET;
THENCE NORTH 64°19'40" WEST FOR 234.06 FEET;
THENCE NORTH 30°01'50" EAST FOR 5.45 FEET;
THENCE NORTH 64°48'16" WEST 154.70 FEET;
THENCE NORTH 65°10'44" WEST FOR 44.55 FEET TO SAID WEST LINE OF SAID LOT 2;
THENCE NORTH 24°48'59" EAST FOR 11.97 FEET TO THE POINT OF BEGINNING.
CONTAINS 54,717 SQUARE FEET OR 1.256 ACRES.

CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

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PREPARE DATE: <u>6/9/2017</u>	REVISION DATE: <u>8/10/2017</u>

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PAGE 1 OF 2



SCALE 1"=100'

CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

	TEMPORARY EASEMENT: 1,909 S.F.	TRACT NO.: 4	PROJECT NO.: OPW52534
		PREPARE DATE: 6/9/2017	REVISION DATE: 8/10/2017

EXHIBIT "A"

PAGE 2 OF 2

LEGAL DESCRIPTION

A TEMPORARY EASEMENT OVER PART OF LOT 2, FERER-KOLEY ADDITION, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2, FERER-KOLEY ADDITION;

THENCE SOUTH 30°47'42" WEST (BEARINGS REFERENCED TO THE NEBRASKA STATE PLANE COORDINATE SYSTEM, NAD83) FOR 43.49 FEET ALONG THE EAST LINE OF SAID LOT 2 TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 30°47'42" WEST FOR 50.17 FEET CONTINUING ALONG SAID EAST LINE;

THENCE NORTH 32°25'55" WEST FOR 58.31 FEET;

THENCE NORTH 02°28'43" WEST FOR 21.31 FEET TO THE SOUTH LINE OF EASEMENT

RECORDED IN BOOK 214, PAGE 519, DOUGLAS COUNTY, NEBRASKA;

THENCE SOUTH 64°39'09" EAST FOR 64.04 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,909 SQUARE FEET OR 0.044 ACRES.

CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

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