



MISC 2013120166



DEC 05 2013 12:00 P 6

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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/5/2013 12:00:44.59



2013120166

PERMANENT NOISE ATTENUATION EASEMENT

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, FRK Development, LLC, a Nebraska limited liability company (the "Grantor"), hereby grants, transfers and conveys to the City of Omaha, Nebraska, a Municipal corporation and Sanitary and Improvement District No. 559 of Douglas County, Nebraska, and their successors and assigns (together the "Grantee"), a permanent noise attenuation easement in, through, over and under the parcel of real property described as follows:

See Exhibits "A" and "B" attached hereto and by reference made a part hereof for the legal descriptions of the easement area hereinafter referred to as the "Easement Area".

The Easement Area shall be utilized as a noise buffer between 192nd Street to the west and the residential dwellings to the east so as to provide spacing to dissipate the vehicular noise occurring within 192nd Street to the west as to the residential dwellings to the east of the Easement Area.

The Grantor and its successors and assigns reserve the right to construct and install grass, shrubbery, landscaping, trees, utilities and fences within the Easement Area. The Noise Attenuation Easement is hereby granted as indicated along 192nd Street. The purpose of the easement is to keep structures, patios, decks, swing sets, playgrounds, pools, or any other facilities that could be occupied by or serve as a gathering place of person(s), as far away from traffic noise of 192nd Street as the plat will allow pursuant to the Plat. Construction of such facilities within the Easement Area is prohibited.

The Grantor hereby warrants and confirms to the Grantee that it is the owner of the Easement Area, and that it has the right to grant and convey this easement in the manner set forth herein. This easement runs with the land and shall run in favor of and be binding upon the parties hereto and to their respective grantees, assigns, successors and agents.

Dated as of the 25th day of November, 2013.

Record and Return to: James E. Lang, Laughlin, Peterson & Lang, 11718 Nicholas Street, Suite 101, Omaha, NE 68154

GRANTOR:

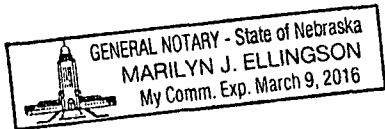
FRK Development, LLC, a Nebraska
limited liability company

By: Frank R Krejci
Its: Manager

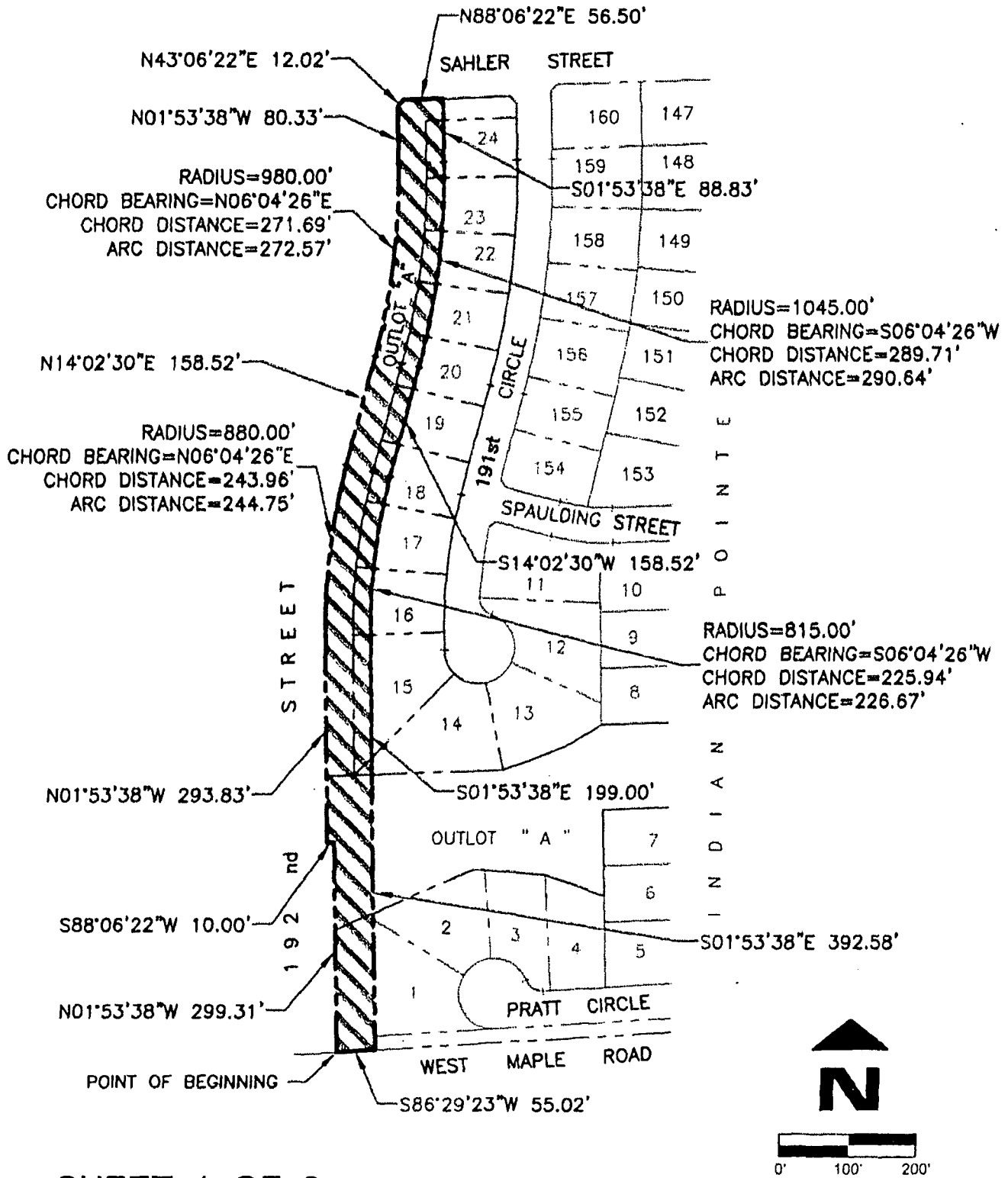
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 25 day of November, 2013, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Frank R. Krejci the Manager of FRK Development, LLC, a Nebraska limited liability company, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed on behalf of the company.

WITNESS my hand and notarial seal the day and year last above written.



Marilyn J Ellingson
Notary Public



SHEET 1 OF 2



Job Number: 169-202-EX12
 thompson, dreessen & dorner, inc.
 10836 Old Mill Rd
 Omaha, NE 68154
 p.402.330.8860 f.402.330.5886
 td2co.com

Date: NOV. 13, 2013
 Drawn By: RJR
 Reviewed By: JDW
 Revision Date:

EXHIBIT "A"

CENTURY DEVELOPMENT

Book
Page

LEGAL DESCRIPTION

PART OF LOTS 14 THRU 24, INCLUSIVE, AND OUTLOT "A", INDIAN POINTE, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE SW CORNER OF SAID OUTLOT "A";

THENCE NORTHERLY ON THE WEST LINE OF SAID OUTLOT "A" OF THE FOLLOWING DESCRIBED EIGHT COURSES;

THENCE N01°53'38"W (ASSUMED BEARING) 299.31 FEET;

THENCE S88°06'22"W 10.00 FEET;

THENCE N01°53'38"W 293.83 FEET;

THENCE NORTHEASTERLY ON AN 880.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N06°04'26"E, CHORD DISTANCE 243.96 FEET, AN ARC DISTANCE OF 244.75 FEET;

THENCE N14°02'30"E 158.52 FEET;

THENCE NORTHEASTERLY ON A 980.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N06°04'26"E, CHORD DISTANCE 271.69 FEET, AND ARC DISTANCE OF 272.57 FEET;

THENCE N01°53'38"W 80.33 FEET;

THENCE N43°06'22"E 12.02 FEET TO THE NORTH LINE OF SAID OUTLOT "A";

THENCE N88°06'22"E 56.50 FEET ON THE NORTH LINE OF SAID OUTLOT "A";

THENCE SOUTHERLY ON A LINE 25.00 FEET EAST OF AND PARALLEL AND CONCENTRIC WITH THE WEST LINES OF SAID 15 THRU 24, INCLUSIVE, AND THEIR NORTHERLY AND SOUTHERLY EXTENSIONS ON THE FOLLOWING DESCRIBED FIVE COURSES;

THENCE S01°53'38"E 88.83 FEET;

THENCE SOUTHWESTERLY ON A 1045.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S06°04'26"W, CHORD DISTANCE 289.71 FEET, AN ARC DISTANCE OF 290.64 FEET;

THENCE S14°02'30"W 158.52 FEET;

THENCE SOUTHWESTERLY ON AN 815.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S06°04'26"W, CHORD DISTANCE 225.94 FEET, AN ARC DISTANCE OF 226.67 FEET;

THENCE S01°53'38"E 199.00 FEET TO THE SOUTH LINE OF SAID LOT 14;

THENCE CONTAINING S01°53'38"E 392.58 FEET ON THE WEST LINES OF LOTS 1 AND 2, SAID INDIAN POINTE, AND THEIR NORTHERLY AND SOUTHERLY EXTENSIONS TO THE SOUTH LINE OF SAID OUTLOT "A";

THENCE S86°29'23"W 55.02 FEET ON THE SOUTH LINE OF SAID OUTLOT "A" TO THE POINT OF BEGINNING.

SHEET 2 OF 2



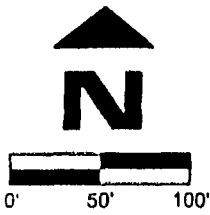
Job Number: 169-202-EX12
thompson, dreessen & dorner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com

Date: NOV. 13, 2013
Drawn By: RJR
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EXHIBIT " A "

CENTURY DEVELOPMENT

Book
Page



RADIUS=880.00'
 CHORD BEARING=N13°38'27"E
 CHORD DISTANCE=471.37'
 ARC DISTANCE=477.19'

RADIUS=815.00'
 CHORD BEARING=S13°38'27"W
 CHORD DISTANCE=436.55'
 ARC DISTANCE=441.95'

N01°53'38"W 178.50'

S01°53'38"E 187.00'

N46°53'38"W 12.02'

S88°06'22"W 56.50'

S60°49'28"E 65.00'

POINT OF BEGINNING

STREET

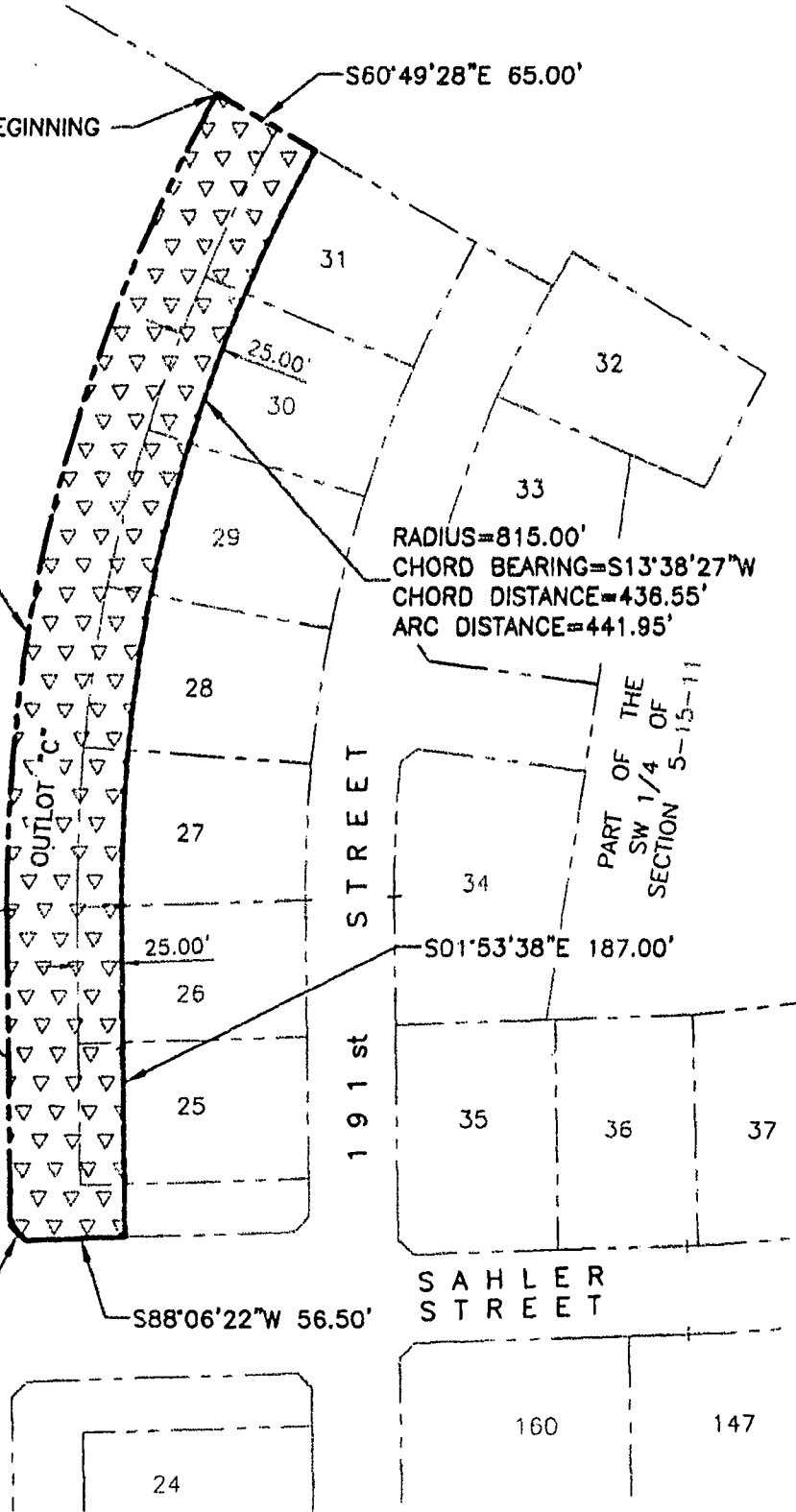
STREET

192nd

191st

SAHLER STREET

PART OF THE SW 1/4 OF SECTION 5-15-11



SHEET 1 OF 2



Job Number: 169-202-EX13
 thompson, dressen & dorner, inc.
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Date: NOV. 13, 2013
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EXHIBIT " B "

CENTURY DEVELOPMENT

Book
 Page

LEGAL DESCRIPTION

PART OF LOTS 25 THRU 31, INCLUSIVE, AND OUTLOT "C", INDIAN POINT, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID OUTLOT "C";

THENCE S60°49'28"E (ASSUMED BEARING) 65.00 FEET ON THE NORTH LINES OF SAID OUTLOT "C" AND SAID LOT 31;

THENCE SOUTHWESTERLY ON A LINE 25.00 FEET EAST OF AND CONCENTRIC WITH THE WEST LINES OF SAID LOTS 27 THRU 31, INCLUSIVE, ON AN 815.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S13°38'27"W, CHORD DISTANCE 436.55 FEET, AN ARC DISTANCE OF 441.95 FEET TO THE SOUTH LINE OF SAID LOT 27;

THENCE S01°53'38"E 187.00 FEET ON A LINE 25.00 FEET EAST OF AND PARALLEL WITH THE WEST LINES OF SAID LOTS 25 AND 26 AND ITS SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID OUTLOT "C";

THENCE S88°06'22"W 56.50 FEET ON THE SOUTH LINE OF SAID OUTLOT "C";

THENCE N46°53'38"W 12.02 FEET ON THE WEST LINE OF SAID OUTLOT "C";

THENCE N01°53'38"W 178.50 FEET ON THE WEST LINE OF SAID OUTLOT "C";

THENCE NORTHEASTERLY ON THE WEST LINE OF SAID OUTLOT "C" ON AN 880.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N13°38'27"E, CHORD DISTANCE 471.37 FEET, AN ARC DISTANCE OF 477.19 FEET TO THE POINT OF BEGINNING.

SHEET 2 OF 2



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Book
Page