



MISC 2014049590



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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2014049590

Release of Utility Easement

RELEASE OF UTILITY EASEMENT


WHEREAS, a utility easement was reserved in a Resolution of Board of County Commissioners in Douglas County, Nebraska, in County Road #129D in the South Half of the Southeast Quarter in Section 35, Township 16 North, Range 9 East, and the North Half of the Northeast Quarter in Section 2, Township 15 North, Range 9 East of the 6th P.M., Douglas County, Nebraska, except the east one hundred sixty-five feet (165') thereof. Resolution was recorded in the Douglas County Register of Deeds in Book 408 Page 115 on the 31st day of January, 1964.

WHEREAS, the property owner of the described property, Lyman-Richey Corporation, has requested a release of the utility easement because the road will have improvements constructed upon them; and

WHEREAS, MUD Engineers have investigated this request and have no objections to a release of the utility easement and the release will not adversely impact the present or future needs of the District.

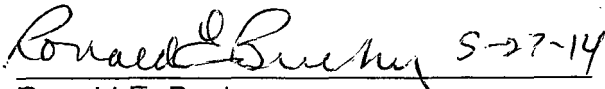
The release of the utility easement reserved in the County Board Resolution record in the Register of Deeds at Book 408 Page 115 described herein is approved and delivery of the release is authorized.

Metropolitan Utilities District of Omaha



Scott Keep, President

Approved:

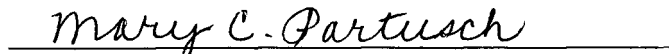


Ronald E. Bucher
Senior Vice President/General Counsel

ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on may 27 , 2014,
by Scott Keep.



Notary Public

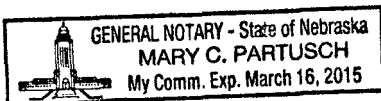


EXHIBIT "A"

PARCEL A: NENE NWNE

THE NORTH ONE-HALF (N 1/2) OF THE NORTHEAST (NE 1/4) OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE 6TH P. M., EXCEPT FOR THE WEST 165 FEET THEREOF, DOUGLAS COUNTY, NEBRASKA, EXCEPT A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE 6TH P.M. IN DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 17 FEET OF THE EAST 50 FEET OF THE NORTH ONE HALF OF THE NORTHEAST ONE QUARTER OF SAID SECTION 35, EXCEPT THE NORTH 65 FEET TAKEN FOR PUBLIC R.O.W.

PARCEL B: NENE/SENE/NWNE SWNE

PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 9, EAST OF THE 6TH P.M., PART OF THE OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 9, EAST OF THE 6TH P.M., TOGETHER WITH THE SOUTH OF THE NORTHEAST QUARTER, EXCEPT THE EAST 50 FEET THEREOF TAKEN FOR ROAD, SECTION 35, TOWNSHIP 16 NORTH, RANGE 9, EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 9, EAST; THENCE SOUTH 89°56'13" W (ASSUMED BEARINGS) ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35 FOR 33.0 FEET; THENCE NORTH 00°03'47" W PARALLEL WITH AND 33.0 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 35 FOR 200.0 FEET; THENCE SOUTH 89°56'13" W 17.0 FEET THENCE N 00°03'47" W PARALLEL WITH AND 50.0 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 35 FOR 2450.06 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE N 00°03'52" W PARALLEL WITH AND 50.0 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 35 FOR 1324.77 FEET TO THE NORTH LINE OF THE SOUTH OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 89°59'09" W ALONG SAID NORTH LINE FOR 2591.14 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°02'58" E ALONG SAID WEST LINE FOR 1324.47 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 89°59'29" W ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35 FOR 1320.81 FEET TO THE NORTHWEST CORNER OF THE EAST OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°06'28" EAST FOR 560.21 FEET; THENCE S 04°15'31" E FOR 443.21 FEET; THENCE S 23°53'49" E FOR 196.58 FEET; THENCE S 54°21'36" E FOR 2524.16 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35; THENCE SOUTH 68°22'00" E FOR 605.84 FEET; THENCE S 52°01'06" EAST FOR 525.87 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 58°01'19" E FOR 969.78 FEET ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE TO THE EAST LINE OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 9, EAST; THENCE N 00°03'47" W FOR 35.38 FEET TO THE POINT OF BEGINNING (CONTAINING 288.84 ACRES, MORE OR LESS.

EXCEPT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE 6H P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 2; THENCE SOUTH 00°13'02" EAST (ASSUMED BEARINGS) FOR 35.62 FEET ALONG THE EAST LINE OF SAID SECTION 2 TO THE NORTHWEST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 58°04'03" WEST FOR 939.34 FEET ALONG SAID NORTHWEST RIGHT OF WAY LINE TO THE 5/8" REBAR AND TRUE POINT OF BEGINNING; THENCE SOUTH 57°58'17" WEST FOR 29.92 FEET CONTINUING ALONG SAID NORTHWEST RIGHT OF WAY LINE; THENCE NORTH 52°04'24" WEST FOR 525.61 FEET TO A " OPEN TOP PIPE; THENCE NORTH 68°22'37" WEST FOR 40.53 FEET; THENCE NORTH 38°54'27" EAST FOR 34.30 FEET TO A 5/8" REBAR; THENCE SOUTH 52°35'29" EAST FOR 574.21 FEET TO THE POINT OF BEGINNING. CONTAINS 0.34 ACRES.

EXCEPT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 2; THENCE SOUTH 00°13'02" EAST (ASSUMED BEARINGS) FOR 35.52 FEET ALONG THE EAST LINE OF SAID SECTION 2 TO THE NORTHWEST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 5°80'03" WEST FOR 939.34 FEET ALONG SAID NORTHWEST RIGHT OF WAY LINE TO A 5/8" REBAR; THENCE SOUTH 57°58'17" WEST FOR 29.92 FEET CONTINUING ALONG SAID NORTHWEST RIGHT OF WAY LINE AND TRUE POINT OF BEGINNING, THENCE SOUTH 57°58'17" WEST FOR 203.89 FEET CONTINUING ALONG SAID NORTHWEST RIGHT OF WAY LINE TO A " PINCHED TOP PIPE; THENCE NORTH 66°47'55" WEST FOR 517.59 FEET; THENCE NORTH 390'20" EAST FOR 311.78 FEET TO THE SOUTH LINE OF THE PROPERTY DESCRIBED IN SECURITY LAND TITLE'S TITLE COMMITMENT CASE NO C00-440 AS PARCEL 1; THENCE SOUTH 68°22'37" EAST FOR 40.53 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 52°04'24" EAST FOR 525.61 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. CONTAINS 3.08 ACRES, AND:

THAT PART OF LOT ¹⁴² ~~C~~, GINGER WOODS, ^{Replat Z} A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 2; THENCE SOUTH 00°13'02" EAST (ASSUMED BEARINGS) FOR 35.62 FEET ALONG THE EAST LINE OF SAID SECTION 2 TO THE NORTHWEST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 58°04'03" WEST FOR 939.34 FEET ALONG SAID NORTHWEST RIGHT OF WAY LINE TO A 5/8" REBAR, THENCE SOUTH 57°58'17" WEST FOR 233.81 FEET CONTINUING ALONG SAID NORTHWEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF SAID LOT C, GINGER WOODS, A " PINCHED TOP PIPE AND TRUE POINT OF BEGINNING; THENCE SOUTH 58°15'59" WEST FOR 74.25 FEET; THENCE SOUTH 87°45'14" WEST FOR 240.73 FEET; THENCE NORTH 64°56'54" WEST FOR 84.26 FEET TO A 5/8" REBAR, THENCE NORTH 48°56'24" WEST FOR 210.38 FEET TO A 5/8" REBAR; THENCE NORTH 38°42'08" EAST FOR 100.63 FEET TO THE NORTH LINE OF SAID LOT C, GINGER WOODS; THENCE ALONG THE NORTHEAST LINE OF SAID LOT C FOR THE FOLLOWING 5 COURSES; 1) THENCE SOUTH 66°47'55" EAST FOR 45.08 FEET; 2) THENCE SOUTH 38°26'10" WEST FOR 60.50 FEET; 3) THENCE SOUTH 51°33'50" EAST FOR 210.00 FEET; 4) THENCE NORTH 87°58'36" EAST FOR 266.46 FEET; 5) THENCE SOUTH 66°47'55" EAST FOR 44.74 FEET TO THE POINT OF BEGINNING. CONTAINS 0.77 ACRES.

TOGETHER WITH THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE 6TH P.M. DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 2; THENCE SOUTH 00°13'02" EAST (ASSUMED BEARINGS) FOR 35.62 FEET ALONG THE EAST LINE OF SAID SECTION 2 TO THE NORTHWEST, RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 58°04'03" WEST FOR 939.34 FEET ALONG SAID NORTHWEST RIGHT OF WAY LINE TO A 5/8" REBAR, THENCE SOUTH 57°58'17" WEST FOR 233.81 FEET CONTINUING ALONG SAID NORTHWEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF SAID LOT C, GINGER WOODS AND A " PINCHED TOP PIPE; THENCE NORTH 66°47'55" WEST FOR 44.74 FEET ALONG THE NORTH LINE OF LOT C, GINGER WOODS, TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID LOT C FOR THE FOLLOWING 3 COURSES; 1) THENCE SOUTH 87°58'36" WEST FOR 266.46 FEET; 2) THENCE NORTH 51°33'50" WEST FOR 210.00 FEET; 3) THENCE NORTH 38°26'10" EAST FOR 60.50 FEET; THENCE SOUTH 66°47'55" EAST FOR 427.77 FEET TO THE POINT OF BEGINNING. CONTAINS 0.70 ACRES.

PARCEL C: SE NW | NE NW

THAT PART OF THE EAST HALF (E) OF THE NORTHWEST QUARTER (NW) OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID E; THENCE S 00°01'37" W (ASSUMED BEARING) ON THE WEST LINE OF SAID E, 345.16 FEET TO THE POINT OF BEGINNING; THENCE S 89°55'22" E ON THE LINE 345.16 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID E, 295.16 FEET; THENCE N 00°01'37" E ON A LINE 295.16 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID E, 285.16 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF STATE HIGHWAY NO. 64; THENCE S 89°55'22" E ON A LINE 60.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID

E, 527.39 FEET; THENCE N 00°04'38" E 15.00 FEET; THENCE S 89°55'22" E ON A LINE 45.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID E, 289.07 FEET; THENCE S 00°01'07" W ON A LINE 208.72 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID E, 163.72 FEET; THENCE S 89°55'22" E ON A LINE 208.72 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID E, 208.72 FEET TO A POINT ON THE EAST LINE OF SAID E; THENCE S 00°01'07" W ON THE EAST LINE OF SAID E, 2440.68 FEET TO THE SE CORNER OF SAID E; THENCE N 89°55'19" W ON THE SOUTH LINE OF SAID E, 1320.74 FEET TO THE SW CORNER OF SAID E; THENCE N 00°01'37" E ON THE WEST LINE OF SAID E, 2304.22 FEET TO THE POINT OF BEGINNING. (CONTAINING 75.95 ACRES, MORE OR LESS)

ALL OF WHICH IS MORE PARTICULARLY DESCRIBED AS:

That part of the Northeast Quarter, the Southeast Quarter, the East Half of the Northwest Quarter and the East Half of the Southwest Quarter of Section 35, Township 16 North, Range 9 East of the 6th P.M., AND part of Government Lots 1 and 2 of Section 2, Township 15 North, Range 9 East of the 6th P.M., Douglas County, Nebraska, the entire tract described as follows:

Beginning at a brass cap at the northeast corner of said Government Lot 1 of Section 2;

Thence South 02°41'46" East (bearings referenced to the Nebraska State Plane System NAD 83) for 35.63 feet along the east line of said Government Lot 1 of Section 2 to a 3/4" open top pipe in the north right of way line of the Union Pacific Railroad;

Thence South 55°44'02" West for 939.64 feet along said north right of way line to a 5/8" rebar at the east corner of Lot 1, GINGER WOODS REPLAT 2, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence North 54°55'17" West for 574.23 feet to a 5/8" rebar at the north corner of said Lot 1;

Thence South 36°35'08" West for 34.24 feet along the northwest line of said Lot 1 to a 5/8" rebar;

Thence North 70°41'42" West for 565.07 feet to the line common to said Sections 2 and 35;

Thence North 56°41'28" West for 498.27 feet ;

Thence North 56°41'28" West for 2026.08 feet to a 1" pinched top pipe;

Thence North 26°13'33" West for 196.58 feet;

Thence North 06°35'10" West for 443.37 feet to a 3/4" pinched top pipe in the west line of the said East Half of the Southwest Quarter of Section 35;

Thence North 02°26'12" West for 560.05 feet along the west line of the said East Half of the Southwest Quarter of Section 35 to a 5/8" rebar at the southwest corner of the said East Half of the Northwest Quarter of Section 35 and the southeast corner of Outlot B, GINGER COVE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence North 02°22'11" West for 2304.01 feet along the line common to the west line of the said East Half of the Northwest Quarter of Section 35 and the east line of said Outlot B to a 3/4" pinched top pipe;

Thence North 87°40'58" East for 295.18 feet to a 5/8" rebar;

Thence North 02°21'53" West for 285.40 feet to a 3/4" pinched top pipe in the south right of way line of Nebraska Highway 64;

Thence North 87°40'51" East for 527.48 feet along said south right of way line to a 3/4" pinched top pipe;

Thence North 02°56'01" West for 14.97 feet along said south right of way line to a 3/4" pinched top pipe;

Thence North 87°37'12" East for 289.01 feet along said south right of way line to a 3/4" pinched top pipe;

Thence South 02°25'21" East for 163.88 feet to a 3/4" rebar;

Thence North 87°40'28" East for 208.72 feet to a 3/4" pinched top pipe in the west line of the North Half of the Northeast Quarter of Section 35;

Thence South 02°22'21" East for 1115.90 feet along said west line to a 3/4" open top pipe at the southwest corner of the said North Half of the Northeast Quarter of Section 35;

Thence North 87°44'13" East for 165.21 feet along the south line of the said North Half of the Northeast Quarter of Section 35 to a 5/8" rebar;

Thence North 02°23'44" West for 1269.67 feet to the south right of way line of Nebraska Highway 64;
 Thence North 88°27'16" East for 1037.29 feet along said south right of way line;
 Thence North 87°18'19" East for 1388.66 feet along said south right of way line to the west right of way line of 288th Street;
 Thence South 02°23'50" East for 1264.71 feet along said west right of way line to the south line of the North Half of the Northeast Quarter of Section 35;
 Thence South 02°23'48" East for 1324.80 feet along said west right of way line to the south line of the South Half of the Northeast Quarter of Section 35;
 Thence South 02°23'40" East for 2450.15 feet along said west right of way line to a 3/4" open top pipe;
 Thence North 87°26'08" East for 17.08 feet along said west right of way line to a 3/4" open top pipe;
 Thence South 02°23'06" East for 199.94 feet along said west right of way line to a 3/4" open top pipe in the south line of the Southeast Quarter of Section 35;
 Thence North 87°33'35" East for 33.02 feet to the Point of Beginning.
 Contains 434.670 acres.

Sec 35

NENE
 NENE
 SE NE
 SW NE
 SESE
 NWSE
 SWSE
 SESE
 NE NW
 SE NW

Sec 2

NENE
 SE NE
 NW NE
 SW NE