

PERMANENT EASEMENT

*Unit # 3*

THIS AGREEMENT was made and entered into on the 17th day of July, 1950, by and between the CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY, a corporation organized under the laws of the State of Illinois, (sometimes hereinafter referred to as the "Grantor"), and EAST OMAHA DRAINAGE DISTRICT, a drainage corporation organized and existing under the laws of the State of Nebraska, and the CITY OF OMAHA, a metropolitan city organized under the laws of the State of Nebraska, (hereinafter sometimes referred to as the "Grantees").

In consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged by Grantor, and the benefits to be derived by the Grantor, the Grantor does hereby grant unto the Grantees, an easement in perpetuity, subject to the terms and conditions hereinafter set out, to install, construct, operate, and maintain reinforce concrete and earthen levees and other flood protection works, including, but not by way of limitation, pumping stations, sewers, bulk heads, gates, electric transmission lines and any other facilities and appurtenances now or hereafter used or useful in connection therewith, at the locations shown by the plans of the United States Army Engineers for Omaha Flood Protection Project, designated as Unit III, sheets N-25 S 1/16, and N-25 S 1/17, dated January, 1948; Unit II Section 2, sheets Nos. OM 2-101, OM 2-102, and OM 2-103, dated January, 1948; Unit V, Section 3, sheets N-30 S 34, N-30 S35, N-30 S36, and N-30 S38, on, over and across the following described property, located in Douglas County, Nebraska, to-wit:

TRACT "A"  
(Earth Levee Section)

An irregular tract of land lying East of the Chicago, Burlington & Quincy Railroad 100.00 foot right-of-way and West of the Union Pacific Railroad right-of-way in Government Lot 4, Southwest One-quarter (SW $\frac{1}{4}$ ) Section 23, Township 15 North, Range 13 East of the Sixth Principal Meridian in Douglas County, Nebraska, more particularly described as follows:

Beginning at a point on the Easterly right-of-way line for the Chicago, Burlington & Quincy Railroad Company, said point being 180.00 feet distant Southerly, measured at right angles from the center line of the Union Pacific Railroad Bridge across the Missouri River,

Thence Easterly along a straight line that is parallel with and 180.00 feet distant Southerly, measured at right angles, from said center line of bridge, a distance of 28.00 feet,

Thence Southeasterly along a line that is parallel with said Easterly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, a distance of 81.20 feet,

Thence Easterly along a straight line that is parallel with the said center line of the Union Pacific Railroad Company's bridge, a distance of 63.00 feet,

Thence Southeasterly along a straight line to a point in the South line of said Government Lot 4 that is 100.00 feet distant East of said Easterly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, measured along said South line of Government Lot 4,

Thence West 75.00 feet more or less along the South line of Government Lot 4 to a point which is 15.00 feet distant Easterly from the center of the most Eastward railroad track #66,

Thence Northwest on a direct line 190.00 feet more or less to the point of Beginning.

TRACT "B"  
(Earth Levee Section)

An irregular tract of land across Blocks 241, 242, 270, 429, 430, 433, 438, 443, 448, 454, and 455, City of Omaha, and across the East One-half (E $\frac{1}{2}$ ) Section 26, Northeast One-quarter (NE $\frac{1}{4}$ ) Section 35, South One-half (S $\frac{1}{2}$ ) Section 35, Township 15 North, Range 13 East, and across the West One-half (W $\frac{1}{2}$ ) Section 2 and Northeast One-quarter (NE $\frac{1}{4}$ ) Section 3, Township 14 North, Range 13 East in Douglas County, Nebraska.

Beginning at a point on the South line of Government Lot #4 Southwest One-quarter (SW $\frac{1}{4}$ ) Section 23, Township 15 North, Range 13 East, said point being 25.00 feet more or less distant East, measured along said South line of Government Lot #4 from the East line of the Chicago, Burlington & Quincy Railroad right-of-way, said point also being 15.00 feet distant East from the center line of the most eastward railroad track #66,

Thence Southeast along a direct line to a point on the North line of Pierce Street which is 716.47 feet East, measured along the North line of Pierce Street from the center of 4th Street,

Thence Westerly along the North line of Pierce Street to a point which is 20.00 feet Easterly from the center line of the most Easterly railroad track #66,

Thence Southeasterly along a direct line which is parallel with and 20.00 feet Easterly, measured at right angles to the center line of Railroad Track #66 to a point which is 100.60 feet Southerly and measured at right angles to the center line of Pierce Street,

Thence Easterly along a direct line which is parallel with and 100.00 feet Southerly from the center line of Pierce Street to a point which is 761.52 feet Easterly, measured along a line parallel with the center of Pierce Street 100.00 feet Southerly at right angles thereto from the center of intersection at 4th and Pierce Streets, said point being 75.00 feet Southwesterly from, measured at right angles to the levee center line at Station 488/09.62,

Thence South 18° 33' 53" East a distance of 179.00 feet measured along a line which forms an angle of 106° 43' from West to Southeast with the center line of Pierce Street, said line being parallel with and 75.60 feet Westerly from the center line of Missouri River levee to a point of curve at Levee Station 489/88.62,

Thence along a curve to the Right having a radius of 3744.72 feet through a central angle of 2° 09' 29 $\frac{1}{2}$ " a distance of 141.05 feet measured along a line which is parallel with and 75.00 feet Westerly from the center of the Missouri River levee to a point which bears South 73° 35' 36 $\frac{1}{2}$ " West 75.00 feet from levee center line Station 491/32.57,

Thence South 73° 36' 36 $\frac{1}{2}$ " West 75.00 feet,

Thence along a curve to the right having a radius of 3669.72 feet through a central angle of 0° 42' 17 $\frac{1}{2}$ " a distance of 45.08 feet to the point of tangent of said curve at Levee Station 491/79.49,

Thence South  $15^{\circ} 42' 06''$  East a distance of 28.08 feet to a point which bears South  $74^{\circ} 17' 54''$  West 150.00 feet from Missouri River levee at Station 492/07.57,

Thence North  $74^{\circ} 17' 54''$  East 60.00 feet to a point 90.00 feet Westerly from, measured at right angles to the levee center line at Station 492/07.57,

Thence South  $15^{\circ} 42' 06''$  East along a line which is parallel with and 90.00 feet Westerly, measured at right angles to the levee center line a distance of 1082.43 feet,

Thence South  $74^{\circ} 17' 54''$  West a distance of 50.00 feet to a point which bears South  $74^{\circ} 17' 54''$  West 140.00 feet from Levee Station 502/90,

Thence Southeast on a direct line having a computed bearing of South  $25^{\circ} 07'$  East a distance of 333.50 feet more or less to a point on the South line of Hickory Street 15.00 feet West of the Northeast Corner of Lot #1, Block 448, Grandview Addition to Omaha,

Thence South 108.00 feet more or less to a point 15.00 feet West and 112.00 feet North of the Southeast Corner Block 448,

Thence East 15.00 feet to the East line of said Block 448,

Thence South along the East line of Block 448 a distance of 112.00 feet to the Southeast Corner of said block,

Thence West along the North line of Walnut Street a distance of 83.70 feet,

Thence South  $22^{\circ} 21' 52''$  East a distance of 107.95 feet to a point which bears South  $67^{\circ} 38' 08''$  West a distance of 202.00 feet from the Missouri River levee center line at Station 509/00,

Thence North  $67^{\circ} 38' 08''$  East a distance of 112.00 feet to a point which is 90.00 feet Westerly at right angles to the levee center line from Levee Station 509/00,

Thence South  $22^{\circ} 21' 52''$  East along a line which is parallel with and 90.00 feet Westerly from the center of the Missouri River levee a distance of 1125.76 feet to a point of curve at Station 520/25.76,

Thence along a curve to the Right having a radius of 1342.39 feet through a central angle of  $8^{\circ} 20' 15''$  a distance of 195.34 feet to the point of tangent of said curve at Station 522/34.20,

Thence South  $14^{\circ} 01' 37''$  East a distance of 1104.56 feet to a point which is 90.00 feet Westerly from, measured at right angles to the center line of the Missouri River levee at the point of curve on said levee center line at Station 533/38.76,

Thence South  $13^{\circ} 45' 06''$  East a distance of 116.53 feet to a point which is 90.00 feet distant Westerly from, measured at right angles to the levee center line at Station 534/60,

Thence South  $18^{\circ} 17' 06''$  East a distance of 544.90 feet to a point which is 32.00 feet distant Westerly from, measured at right angles to the levee center line at Station 540/00,

Thence South  $12^{\circ} 38' 49\frac{1}{2}''$  East a distance of 140.76 feet to a point on the radius of a curve which point is 31.00 feet Westerly from, measured at right angles to the point of curve at Station 541/41.01,

Thence South  $11^{\circ} 30' 33''$  East a distance of 58.14 feet to a point 31.00 feet distant Westerly from center line Station 542/00,

Thence South  $7^{\circ} 03' 44''$  East a distance of 197.15 feet to a point which is 35.00 feet distant Westerly from and at right angles to center line at Station 544/60,

Thence South  $3^{\circ} 05' 11''$  East a distance of 196.88 feet to a point which is 35.50 feet distant Westerly from and at right angles to center line at Station 546/00,

Thence South  $3^{\circ} 42' 53''$  West a distance of 196.64 feet to a point which is 37.00 feet distant Westerly and at right angles to center line at Station 548/00,

Thence South  $6^{\circ} 31' 51\frac{1}{2}''$  West a distance of 197.13 feet to a point which is 41.50 feet distant Westerly and at right angles to center line at Station 550/00,

Thence South  $10^{\circ} 58' 53''$  West a distance of 195.65 feet to a point which is 38.5 feet distant Westerly and at right angles to center line at Station 552/00,

Thence South  $13^{\circ} 14' 46''$  West a distance of 101.82 feet to a point which is 34.50 feet distant Westerly, measured along the radius of a curve from the point of tangent on the center line at Station 553/03.40 back =553/02.38 ahead,

Thence South  $12^{\circ} 07' 22\frac{1}{2}''$  West a distance of 211.61 feet to a point which is 17.00 feet distant Westerly from and directly opposite the center line of levee at Station 555/12.88,

Thence South  $12^{\circ} 40' 17''$  West a distance of 87.66 feet to a point which is 16.00 feet distant Westerly from and directly opposite center line Station 556/00,

Thence South  $14^{\circ} 07' 13''$  West a distance of 483.33 feet to a point which is 23.00 feet distant Westerly from and directly opposite center line Station 560/82.88 back = 560/83.24 ahead,

Thence South  $12^{\circ} 08' 30''$  West a distance of 99.22 feet to a point which is 25.50 feet distant Westerly from and directly opposite center line Station 561/83.24,

(Note: Center Line Station 561/83.24 bears South  $69^{\circ} 54' 59''$  East 524.4 feet from a CB&Q property corner pipe which is located on the South line of Haskell Street 200 feet East of the Northwest Corner Sub Lot 2, Tax Lot 8 in the Northeast One-quarter ( $NE\frac{1}{4}$ ) Section 35, Township 15 North, Range 13 East.)

Thence South  $13^{\circ} 49' 31''$  West a distance of 201.46 feet to a point which is 30.00 feet distant Westerly from and directly opposite center line Station 563/83.24,

Thence South  $15^{\circ} 50' 39''$  West a distance of 97.94 feet to a point which is 29.00 feet distant Westerly from and directly opposite center line Station 564/83.24,

Thence South  $21^{\circ} 42' 15''$  West a distance of 98.37 feet to a point which is 32.50 feet distant Westerly from and directly opposite center line Station 565/83.24,

Thence South  $25^{\circ} 55' 46''$  West a distance of 112.49 feet to a point which is 33.00 feet distant Westerly from, measured at right angles to the center line of the levee at Station 567/00,

Thence South  $26^{\circ} 10' 38''$  West a distance of 99.74 feet to a point which is 34.00 feet Westerly from, measured at right angles to the center line of the levee at Station 568/00,

Thence South  $27^{\circ} 31' 12''$  West a distance of 180.30 feet to a point which is 40.50 feet Westerly from and directly opposite center line Station 569/83.24,

Thence South  $30^{\circ} 56' 26''$  West a distance of 206.23 feet to a point which is 27.00 feet distant Westerly and directly opposite center line Station 571/87.52 back = 571/84.74 ahead,

Thence South  $27^{\circ} 16' 44''$  West a distance of 216.44 feet which point is 27.00 feet distant Westerly from and measured at right angles to the center line of the levee at Station 574/00,

Thence South  $28^{\circ} 40' 03''$  West a distance of 200.66 feet to a point which is 32.50 feet Westerly from, measured at right angles to the center line of the levee at Station 576/00,

Thence South  $29^{\circ} 04' 23''$  West a distance of 100.06 feet to a point which is 35.80 feet distant Westerly from, measured at right angles to the center line of the levee at Station 577/00,

Thence South  $42^{\circ} 12' 03''$  West a distance of 132.00 feet to a point which is 70.00 feet distant Westerly from, measured at right angles to the levee center line at Station 578/27.49,

Thence South  $27^{\circ} 11' 03''$  West a distance of 828.33 feet along a direct line which is 70.00 feet Westerly from and parallel with the levee center line to a point of curve which is 70.00 feet distant from and measured along the radius from the center line of levee at Station 586/55.82,

Thence in a Southwesterly direction along a curve to the Right having a radius of 811.47 feet through a central angle of  $12^{\circ} 37' 24''$  a distance of 178.79 feet to a point which is 70.00 feet distant Southwest from, measured along the radius from the point of tangent at levee center line Station 588/50.03,

Thence South  $39^{\circ} 48' 27''$  West a distance of 2350.44 feet to a point which is 70.00 feet Northwesterly from, measured along the radius from the point of curve on the center line at Station 612/00.47,

Thence along a curve to the Right having a radius of 339.25 feet through a central angle of  $13^{\circ} 33' 57''$  a distance of 80.32 feet to the point of tangent of said curve,

Thence South  $53^{\circ} 22' 24''$  West a distance of 415.88 feet to a point of curve which is 70.00 feet Northwesterly from, measured along the radius from the levee center line Station 617/13.25,

Thence along a curve to the left having a radius of 229.16 feet through a central angle of  $32^{\circ} 18' 29''$  a distance of 129.20 feet to the point of tangent of said curve 70.00 feet Northwesterly, measured along the radius of said curve from Levee Station 618/02.99,

Thence South  $21^{\circ} 03' 55''$  West a distance of 755.92 feet to a point of curve which is 70.00 feet Northwest of, measured along the radius of said curve from center of Levee Station 625/58.91,

Thence along a curve to the Left having a radius of 1343.24 feet through a central angle of  $8^{\circ} 42' 23''$  a distance of 204.06 feet to the point of tangent of said curve 70.00 feet Westerly from, measured along the radius from levee center line Station 627/52.34 back = 627/20.43 ahead,

Thence South  $12^{\circ} 21' 32''$  West a distance of 212.04 feet more or less to a point on the North line of Missouri Avenue, said point being 70.00 feet Westerly from, measured at right angles to the levee center line at Station 629/32.47,

Thence North  $87^{\circ} 36' 07''$  East along the North line of Missouri Avenue a distance of 72.39 feet to the center line of levee at Station 629/14.03,

Thence continuing North  $87^{\circ} 36' 07''$  East along the North line of Missouri Avenue a distance of 3.54 feet more or less to the East line of Section 3, Township 14 North, Range 13 East,

Thence South  $0^{\circ} 47' 17\frac{1}{2}''$  West along the Section Line to a point in the center line of Missouri Ave. at the one-quarter corner on the west side of Section 2 Township 14 North, Range 13 East,

Thence North  $87^{\circ} 36' 07''$  East along the easterly prolongation of the center line of Missouri Ave a distance of 794.2 feet more or less to a point of intersection with the South-easterly prolongation of the Southerly line of property owned by the Omaha Steel Works, *1*

Thence North  $68^{\circ} 56' 05''$  West a distance of 285.64 feet more or less along the South-easterly prolongation of the South property line of said Omaha Steel Works to the Southeast Corner of said Omaha Steel Works as conveyed by deed recorded November 20, 1946 in Book 796 at Page 443 on file in Douglas County, Nebraska,

Thence continuing North  $68^{\circ} 56' 05''$  West following the said Southerly property line of the Omaha Steel Works a distance of 150.00 feet,

Thence South  $67^{\circ} 36' 07''$  West a distance of 238.94 feet to a point which is 150.00 feet distant Southeasterly, measured at right angles to the levee center line at Station 628/12.79,

Thence North  $12^{\circ} 21' 32''$  East a distance of 166.29 feet to a point on the Southerly line of the Omaha Steel Works property,

Thence North  $68^{\circ} 56' 05''$  West a distance of 151.40 feet to the Southwest Corner of said property, said Corner being the P. I. Hub established by the Corps of Engineers' levee survey and designated on the levee plans as "R 57A-48",



Thence North  $21^{\circ} 03' 55''$  East a distance of 900.00 feet following the Westerly line of the Omaha Steel Works property as conveyed by deed recorded November 20, 1946 in Book 796 at Page 443 on file in Douglas County, Nebraska, to the Northwesterly Corner of said property at P.I. Hub R 56A-1-48,

Thence South  $68^{\circ} 56' 05''$  East along the Northerly line of the Omaha Steel Works property a distance of 82.82 feet to a point which is 70.00 feet distant Easterly from, measured at right angles to the back tangent of the levee center line from Levee Station 617/15.09,

Thence North  $53^{\circ} 22' 24''$  East a distance of 417.72 feet to a point of curve 70.00 feet Southeasterly from and measured along the radius of the curve from levee center line at Station 612/97.37,

Thence along a curve to the Left having a radius of 479.25 feet through a central angle of  $13^{\circ} 33' 57''$  a distance of 113.47 feet to the point of tangent of said curve 70.00 feet Easterly from, measured along the radius from center line Station 612/00.47,

Thence North  $39^{\circ} 48' 27''$  East a distance of 50.00 feet more or less to a point which is 50.00 feet distant Northerly, measured at right angles to the center line of switch track leading to the Omaha Steel Works property,

Thence Southeasterly along a curve to the Right having a radius of 553.42 feet, said curve being parallel with and 50.00 feet distant Easterly from the center of switch track leading to the Omaha Steel Works property, to a point which is 175.00 feet North, measured at right angles to the North Line of Omaha Steel Works property,

Thence Southeasterly along a line which is parallel with and 175.00 feet Northerly from, measured at right angles to said Northerly line of Omaha Steel Works property a distance of 370.00 feet more or less to the high right bank of the Missouri River,

Thence Northeasterly, Northerly and Northwesterly following the right high bank of the Missouri River across the Northwest One-quarter ( $NW\frac{1}{4}$ ) Section 2, Township 14 North, Range 13 East and across Block 7 of Riverside addition and across Section 35, and the South part of Section 26 - all in Township 15 North, Range 13 East to a point which is 70.00 feet Northeasterly from, measured at right angles to the center line of levee at Station 533/38.76,

Thence North  $14^{\circ} 01' 37''$  West a distance of 653.61 feet to a point which is 70.00 feet Northeasterly from, measured at right angles to levee center line Station 526/85.15 a point 40.00 feet Southerly from, measured at right angles to the center line of an 80.00 foot right-of-way for Martha Street Outlet Ditch.

Thence North 80° 58' 23" East a distance of 160.00 feet more or less to a point on the low water bank of the Missouri River 40.00 feet Southerly from the center line of an 80.00 foot right-of-way for the Martha Street Drainage Outlet Ditch,

Thence Northwesterly following the low water bank of the Missouri River to a point 40.00 feet Northerly from, measured at right angles to the center of an 80.00 foot right-of-way for Martha Street Drainage Outlet Ditch,

Thence South 80° 58' 23" West a distance of 180.00 feet more or less to a point which is 70.00 feet Northeasterly from, measured at right angles to levee center line Station 526/11.27,

Thence North 14° 01' 37" West a distance of 377.07 feet to a point of curve,

Thence Northwesterly along a curve to the Left having a radius of 1502.39 feet through a central angle of 8° 20' 15" a distance of 218.63 feet to the point of tangent of said curve 70.00 feet Northeasterly, measured along the radius from levee center line Station 520/25.76,

Thence North 22° 21' 52" West a distance of 654.18 feet to a point which is 70.00 feet North-easterly, at right angles from center of levee at Station 513/71.58,

Thence North 58° 22' 08" East a distance of 15.20 feet to a point which is 85.00 feet distant Northeasterly, and measured at right angles to the center of levee at Station 513/69.13,

Thence North 22° 21' 52" West a distance of 79.47 feet to a point 85.00 feet distant North-easterly, measured at right angles to levee center line Station 512/89.66 said point being 40.00 feet distant Southerly, measured at right angles to the center line of an 80.00 foot right-of-way for Cedar Street Sewer,

Thence North 58° 22' 08" East a distance of 200.00 feet more or less to a point on the low water bank of the Missouri River, said point being 40.00 feet Southerly from, measured at right angles to the center of an 80.00 foot right-of-way for Cedar Street Sewer,

Thence Northwest following the low water bank of the Missouri River to a point which is 40.00 feet Northerly, measured at right angles to the center of an 80.00 foot right-of-way for Cedar Street Sewer,

Thence South 58° 22' 08" West a distance of 190.00 feet more or less to a point which is 85.00 feet Northeasterly, measured at right

angles from, levee center line Station 512/  
08.60,

Thence North  $22^{\circ} 21' 52''$  West a distance of 308.60 feet to a point which is 85.00 feet Northeast, measured at right angles to levee center line Station 509/00,

Thence North  $67^{\circ} 38' 08''$  East a distance of 90.00 feet,

Thence North  $22^{\circ} 21' 52''$  West a distance of 100.60 feet,

Thence South  $67^{\circ} 38' 08''$  West a distance of 90.00 feet,

Thence North  $22^{\circ} 21' 52''$  West a distance of 60.79 feet to a point of angle,

Thence North  $10^{\circ} 52' 32''$  West a distance of 126.77 feet to a point which is 40.00 feet distant Southerly, measured at right angles to the center of a 80.00 foot right-of-way for Hickory Street Sewer,

Thence North  $88^{\circ} 56' 16''$  East a distance of 200.00 feet more or less along a line which is parallel with and 40.00 feet Southerly from the center line of Hickory Street Sewer to a point on the low bank of the Missouri River,

Thence Northwest along the low bank of the Missouri River to a point which is 40.00 feet Northerly from, measured at right angles to the center of a 80.00 foot right-of-way for Hickory Street Sewer,

Thence South  $88^{\circ} 56' 16''$  West a distance of 185.00 feet more or less to a point which is 85.00 feet Easterly, measured at right angles to the levee center line at Station 505/18.86,

Thence North  $15^{\circ} 42' 06''$  West a distance of 228.86 feet to a point which is 85.00 feet Northeasterly from, measured at right angles to center of levee Station 502/90,

Thence South  $74^{\circ} 17' 54''$  West a distance of 20.00 feet,

Thence North  $15^{\circ} 42' 06''$  West a distance of 960.00 feet to a point which is 65 feet Northeasterly from, measured at right angles to the center line at levee Station 493/30,

Thence North  $74^{\circ} 17' 54''$  East a distance of 80.00 feet more or less to a point on the right high bank of the Missouri River,

Thence Northwest along the right high bank of the Missouri River across Blocks 429, 270 and 241 City of Omaha to a point on the South line of the Government Lot #4 in the Southwest

One-quarter (SW $\frac{1}{4}$ ) of Section 23, Township 15 North, Range 13 East,

Thence West along the South line of said Government Lot #4 in the Southwest One-quarter (SW $\frac{1}{4}$ ) Section 23 to the point of beginning.

TRACT "C"  
(Spring Street Sewer)

An irregular tract of land in tax Lot 23, Government Lot 1 in the Northeast One-quarter (NE $\frac{1}{4}$ ) of Section 35, Township 15 North, Range 13 East, more particularly described as follows:

Beginning at a T Rail Monument on the Chicago, Burlington and Quincy Railroad right-of-way which is located at the Northwest Corner of Tax Lot 23 in Government Lot 1 on the South line of Sub-Lot 1, Tax Lot 2 in said Government Lot 1 - all in the Northeast One-quarter (NE $\frac{1}{4}$ ) of Section 35, Township 15 North, Range 13 East,

Thence North 64° 57' 07" East a distance of 613.40 feet to a point of angle at a Hub established by the Corps of Engineers, United States War Department, and designated on the levee plans as R-52-A-48,

Thence South 16° 51' 12" West a distance of 613.60 feet to a point in the center of the Missouri River levee at Station 553/22, the point of beginning for right-of-way herein described for the Spring Street Sewer and Levee,

Thence North 79° 05' West a distance of 33.05 feet to a point on the Westerly line of right-of-way for the Missouri River levee,

Thence continuing North 79° 05' West a distance of 439.95 feet to a point of angle herein designated as Angle Point "A",

Thence North 10° 55' East a distance of 10.00 feet,

Thence South 71° 54' West to a point on the Westerly line of right-of-way of the Chicago, Burlington & Quincy Railroad,

Thence Northeasterly following the Westerly line of right-of-way for the Chicago, Burlington & Quincy Railroad a distance of 145.00 feet,

Thence North 71° 54' East to a point which bears North 10° 55' East 90.00 feet from the point hereinabove designated as Angle Point "A",

Thence North 10° 55' East a distance of 120.00 feet,

Thence South  $79^{\circ} 05'$  East a distance of 495.00 feet more or less to a point on the tangent line for the Missouri River levee,

Thence South  $16^{\circ} 51' 12''$  West a distance of 211.13 feet to the point of beginning, excepting from the above described tract all that part situated East of the Westerly line of right-of-way for the Missouri River levee and described as a part of Tract "B".

The above described tract contains 2.37 Acres. 100

TRACT "D"  
(Missouri Avenue Sewer)

A rectangular tract of land for the Missouri Avenue Sewer 80.00 feet in width having 40.00 feet on each side of the center line of said sewer across Sub-Lot 1, Tax Lot 1 in the Northeast One-quarter ( $NE\frac{1}{4}$ ) Section 3, Township 14 North, Range 13 East in Douglas County, Nebraska.

Beginning at a point on the center line of the Missouri River levee where the same crosses the center line of Missouri Avenue, said point being South  $87^{\circ} 36' 07''$  West 8.93 feet from the East One-quarter Corner of Section 3, Township 14 North, Range 13 East,

Thence North  $12^{\circ} 21' 32''$  East along the Missouri River Levee center line a distance of 41.33 feet to Levee Station 628/98.67,

Thence North  $77^{\circ} 38' 28''$  West a distance of 70.00 feet to a point on the Westerly line of right-of-way for the Missouri River Levee, said point being the point of beginning for the Missouri Avenue Sewer right-of-way,

Thence North  $87^{\circ} 38' 28''$  West along the Northerly line of an 80.00 foot strip of land for the Missouri Avenue Sewer right-of-way a distance of 913.00 feet more or less to the Westerly right-of-way line of the Chicago, Burlington & Quincy Railroad,

Thence Southwesterly along the Westerly line of right-of-way of the Chicago, Burlington & Quincy Railroad to a point which is 80.00 feet Southerly, measured at right angles to the course last described,

Thence South  $87^{\circ} 38' 28''$  East a distance of 906.00 feet, more or less to a point on the Westerly line of right-of-way for the Missouri River Levee, said point being 70.00 feet Northwesterly, measured at right angles from the center of said levee at Station 629/79.90,

Thence North  $12^{\circ} 21' 32''$  East a distance of 81.23 feet to the point of beginning, excepting from the above described tract all that part situated within the limits of right-of-way for Missouri Avenue.

The area contained in the above described tract, including that within the Missouri Avenue right-of-way, is 1.67 Acres.

TRACT "E"  
(Cedar Street Sewer Open  
Outlet Ditch)

A tract of land 80 feet wide have 40 feet on each side of the center line of the open outlet ditch for Cedar Street Sewer in T.L. Southeast One-quarter ( $SE\frac{1}{4}$ ) Section 26 Township 15 North, Range 13 East in Douglas Co. Nebraska more particularly described as follows:

From a point on the westerly line of permanent Right-of-way for the Missouri River Levee which point is located at the Southeast corner of Block 448 Grandview Addition to Omaha,

Thence West along the North line of Walnut Street a distance of 83.70 feet,

Thence South  $22^{\circ} 21' 52''$  East a distance of 107.95 feet to a point which bears South  $67^{\circ} 38' 08''$  West a distance of 202.00 feet from the Missouri River Levee Center Line Station 509/00,

Thence North  $67^{\circ} 38' 08''$  East a distance of 112.00 feet,

Thence South  $22^{\circ} 21' 52''$  East a distance of 337.15 feet to the point of Beginning for Tract "E" herein described,

Thence South  $58^{\circ} 22' 08''$  West along a direct line which is parallel with and 40.00 feet Northerly from the center of said outlet ditch Sewer a distance of 198.00 feet to a point 20.00 feet distant Easterly from the center of the most Eastward railroad track (CB&Q Railroad Company Tract #54),

Thence Southeast along a direct line which is 20.00 feet distant Easterly from, and parallel with the most Eastwardly track (CB&Q Railroad Tract #54), a distance of 80.00 feet to a point 40.00 feet Southeast of the center of Cedar Street Sewer,

Thence North  $58^{\circ} 22' 08''$  East along a direct line which is parallel with and 40.00 feet Southerly from, measured at right angles to the center of the Cedar Street outlet sewer a distance of 195.00 feet more or less to a point which is 90.00 feet distant Westerly measured at right angles to the center of the

Missouri River levee at Station 513/18.21,

Thence North  $22^{\circ} 21' 52''$  West along the Westerly line of Permanent Right-of-way for the Missouri River Levee a distance of 81.06 feet to the point of Beginning, containing 0.358 Acres.

TRACT "F"  
(Martha Street Outlet Ditch)

A tract of land 80 feet wide having 40 feet on each side of the center line for the Martha Street Outlet Ditch and located in Tax Lots 15 and 16 Southeast One-quarter ( $SE\frac{1}{4}$ ) Section 26, Township 15 North, Range 13 East at the Sixth Principal Meridian in Douglas County, Nebraska, said tract being more particularly described as follows:

From at a point located on the Westerly line of Permanent Right-of-way for the Missouri River Levee at the Southeast corner of Block 448 in Grandview Addition to Omaha thence following said westerly line of permanent right-of-way along the following courses and distances:

West along the North Line of Walnut Street  
83.70 feet  
South  $22^{\circ} 21' 52''$  East 107.95 Feet  
North  $67^{\circ} 38' 08''$  East 112.00 feet  
South  $22^{\circ} 21' 52''$  East 1125.76 feet to a point  
of

curve at Station 520/25.76,

Thence along a curve to the Right having a radius of 1342.39 feet through a central angle of  $8^{\circ} 20' 15''$  a distance of 195.34 feet to the point of tangent at Station 522/34.20, 100

Thence South  $14^{\circ} 01' 37''$  East a distance of 362.78 feet to a point which is 40 feet distant Northerly from the center of Martha Street Outlet Ditch and the point of Beginning for Tract "F" herein described,

Thence South  $80^{\circ} 58' 23''$  West a distance of 61.50 feet along a direct line which is parallel with and 40.00 Northerly from, measured at right angles to the center of said Martha Street outlet ditch to a point which is 10.00 feet distant from center line of the Eastermost track (CB&Q Track #54),

Thence South  $19^{\circ} 57' 07''$  East a distance of 80.43 feet along a direct line which is parallel with and 10.00 feet distant Easterly from the center line of said Railroad Track #54,

Thence North  $80^{\circ} 58' 23''$  East a distance of 53.20 feet along a direct line which is 40.00 feet Southerly from, measured at right angles to the center line of Martha Street outlet ditch to a point which is 90.00 feet Westerly from, measured at right angles to the center line of the Missouri River levee at Station 526/-77.28,

Thence North  $14^{\circ} 01' 37''$  West along the Westerly Line of permanent right-of-way for the Missouri River Levee a distance of 80.30 feet to the point of beginning containing 0.105 acres.

TRACT "G"  
(Grover Street Sewer)

A tract of land 80 to 100 feet wide having 40 to 50 feet on each side of the center line for the Grover Street Sewer in part Tax Lot 15 Northeast One-quarter ( $NE\frac{1}{4}$ ) Northeast One-quarter ( $NE\frac{1}{4}$ ) Southwest One-quarter ( $SW\frac{1}{4}$ ) Section 35 and in Vacated Riverview Addition in the Southwest One-quarter ( $SW\frac{1}{4}$ ) said Section 35 Township 15 North, Range 13 East of the 6th Principal Meridian in Douglas County, Nebraska more particularly described as follows:

Beginning at a property corner pipe which is located on the South line of Haskell Street 200 feet East of the Northwest Corner of Sub Lot 2, Tax Lot 8 Section 35, Township 15 North, Range 13 East,

Thence South  $69^{\circ} 54' 59''$  East 524.4 feet to center line of the Missouri River Levee at Station 561/83.24,

Thence along said Levee Center Line along the following courses and distances:

South  $12^{\circ} 32' 43''$  West 200.00 feet,

South  $16^{\circ} 21' 11''$  West 100.00 feet,

South  $19^{\circ} 36' 01''$  West 100.00 feet,

South  $25^{\circ} 31' 44''$  West 400.00 feet,

South  $34^{\circ} 43' 27''$  West 204.28 feet,

South  $27^{\circ} 11' 03''$  West 642.75 feet to a point in the center of Levee at Station 578/27.49,

Thence North  $62^{\circ} 48' 57''$  West at right angles to said levee center line a distance of 70 feet to a point on the Westerly line of levee right-of-way and the point of beginning for Tract "G" described herein,

Thence North  $46^{\circ} 16' 57''$  West a distance of 735.00 feet along a direct line which is 40.00 feet Northeasterly from and parallel with



the center line of an 80.00 foot right-of-way for Grover Street Sewer,

Thence North  $43^{\circ} 43' 03''$  East a distance of 10.00 feet,

Thence North  $46^{\circ} 16' 57''$  West to a point on the Westerly line of the CB&Q Railroad right-of-way, 50.00 feet Northeast of the center line of a 100 foot right-of-way for said Grover Street Sewer,

Thence Southwest along the Westerly right-of-way line of the CB&Q Railroad to a point which is 50.00 feet Southwest from, measured at right angles to the center line of a 100 foot right-of-way for the Grover Street Sewer,

Thence South  $46^{\circ} 16' 57''$  East to a point which bears North  $46^{\circ} 16' 57''$  West 837.99 feet from the center line of levee at Station 579/42.15,

Thence North  $43^{\circ} 43' 03''$  East a distance of 10.00 feet,

Thence South  $46^{\circ} 16' 57''$  East a distance of 762.00 feet along a line which is 40.00 feet distant Southwesterly, and parallel with the center line of a 80 foot right-of-way for the Grover Street Sewer to a point which is 70.00 feet Northwesterly from, measured at right angles to the center of levee at Station 579/10.95,

Thence North  $27^{\circ} 11' 03''$  East following the Westerly line of Missouri River Levee permanent right-of-way a distance of 83.46 feet to the point of beginning containing 1.421 acres more or less.

TRACT "H"  
(Riverview Park Sewer)

A tract of land 80 to 155 feet wide having 40 feet on the Southerly side of and 40 to 115 feet on the northerly side of the center line for the Riverview Park Sewer in the Southwest one-quarter ( $SW\frac{1}{4}$ ) Section 35 Township 15 North, Range 13 East of the sixth principal meridian in Douglas County, Nebraska, more particularly described as follows:

Beginning at a property corner pipe located at the Northeast corner Sub. Lot 1 Tax Lot 8 on the south line of Hascall Street in the Southwest one-quarter ( $SW\frac{1}{4}$ ) Northeast one-quarter ( $NE\frac{1}{4}$ ) said Section 35,

Thence South  $69^{\circ} 54' 59''$  East 524.4 feet to center line of the Missouri River Levee at

Station 561/83.24,

Thence along said Levee center line along the following courses and distances:

South 12° 32' 43" West 200.0 feet,  
 South 16° 21' 11" West 100.00 feet,  
 South 19° 36' 01" West 100.0 feet,  
 South 25° 31' 44" West 400.0 feet,  
 South 34° 43' 27" West 204.28 feet,  
 South 27° 11' 03" West 1471.08 feet

Southwesterly along a curve to the right having a radius of 881.47 feet through a central angle of 12° 37' 24" a distance of 194.21 feet,

South 39° 48' 27" West 330.19 feet to a point in the center line of levee at Station 591/80.22,

Thence North 50° 11' 33" West at right angles to said levee center line a distance of 70 feet to a point on the westerly line of permanent right-of-way for the Missouri River Levee and the point of beginning for Tract "H" herein described,

Thence North 45° 34' 33" West a distance of 1092.00 feet along a line which is 40.00 feet Northerly from, measured at right angles to the center of an 80 foot right-of-way for the Riverview Sewer,

Thence North 44° 25' 27" East a distance of 75.00 feet,

Thence North 45° 34' 33" West a point on the Westerly right-of-way line of the CB&Q Railroad, said point being 115.00 feet North-west from and measured at right angles to the center of Riverview Park Sewer,

Thence Southwest following the Westerly right-of-way line of the CB&Q Railroad to a point which is 40.00 feet Southwest, measured at right angles to the center of the Riverview Park Sewer,

Thence South 45° 34' 33" East to a point on the Westerly Line of permanent right-of-way for levee which is 70.00 feet North-westerly from, measured at right angles to the levee center line at Station 592/60.48,

Thence North 39° 48' 27" East along said westerly line at permanent right-of-way for the Missouri River Levee a distance of 80.26 feet to the point of beginning, containing 2.133 Acres, more or less.

TRACT "I"  
(Homer Street Sewer)

A strip of land 100 feet wide having 50 feet on each side the center line of the Homer Street Sewer as the same is located across part vacated Riverview Addition, across Lots 2 to 7 and Lots 10 to 14 both inclusive, Block 3 of Riverside Addition in the Southwest One-quarter ( $SW\frac{1}{4}$ ) Section 35, Township 15 North, Range 13 East, also across part Government Lot 1 in the Northwest One-quarter ( $NW\frac{1}{4}$ ) Section 2, Township 14 North, Range 13 East of the Sixth Principal Meridian in Douglas County, Nebraska, which strip is more particularly described as follows:

Beginning at a point in the center line of the Missouri River Levee which point bears South  $7^{\circ} 11' 32''$  East a distance of 1663.20 feet from a property corner pipe at the common corners for Sections 2 and 3, Township 14 North, Range 13 East and Sections 34 and 35 Township 15 North, Range 13 East,

Thence following the center line of the Missouri River Levee along the following courses and distances:

North  $21^{\circ} 03' 55''$  West 326.60 feet,

Northeast along curve to Right having a radius of 159.16 feet through a central angle of  $32^{\circ} 18' 29''$  a distance of 89.74 feet to the point of tangents of said curve,

North  $53^{\circ} 22' 24''$  East 415.88 feet to point of curve at levee Station 612/97.37,

Northeasterly along a curve to the Left having a radius of 409.25 feet through a central angle of  $13^{\circ} 33' 57''$  a distance of 96.90 feet to the point of tangent at Levee Station 612/00.47,

North  $39^{\circ} 48' 27''$  East 1020.47 feet to Levee Station 601/80,

Thence North  $50^{\circ} 11' 33''$  West at right angles to said levee center line a distance of 70 feet to the Westerly line of levee right-of-way and the point of beginning for Tract "I" herein described,

Thence North  $50^{\circ} 11' 33''$  West along a line which is 50.00 feet Northerly from and parallel with the center of a 100 foot right-of-way for the Homer Street Sewer to a point on the Westerly line of right-of-way for the CB&Q Railroad,

Thence Southwest following said West line of CB&Q Railroad right-of-way to a point which is 50.00 feet distant Southwesterly from measured at right angles to

the center of the 100 foot right-of-way for Homer Street Sewer,

Thence South  $50^{\circ} 11' 33''$  East parallel with and 50.00 feet Southwesterly from the center of the 100 foot right-of-way for Homer Street Sewer to a point which is 70.00 feet Northwest from, measured at right angles to the center of levee at Station 602/ 80,

Thence North  $39^{\circ} 48' 27''$  East along the Westerly line of permanent right-of-way for Levee a distance of 100 feet to the point of beginning, containing 2.824 acres.

TRACT "J"  
(South Omaha Sewer)

A rectangular tract of land 40 feet wide, East and West by 110 feet long, North and South, parallel with and adjacent to and on the Easterly side of the Westerly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, being more particularly located - Beginning at the point of intersection of the East prolongation of the Southerly right-of-way line of O'Hern Street, in Omaha, Nebraska;

Thence South following the Westerly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, a distance of 110 feet;

Thence East along a line which is parallel with and 110 feet South of the Easterly prolongation of the Southerly line of O'Hern Street, a distance of 40 feet, more or less, to a point which is 10 feet West of the center of the most Westerly line of main line track of Chicago, Burlington & Quincy Railroad;

Thence North following a line which is parallel with and 10 feet West of said most Westerly main line track, a distance of 110 feet;

Thence West 40 feet, more or less, to the point of beginning, containing 0.101 Acres.

TRACT "1"  
(Sea Wall Right-of-Way)

All that part of Government Lot 3 in the Southwest One-quarter (SW $\frac{1}{4}$ ) Section 23, Township 15 North, Range 13 East at the Sixth Principal Meridian in Douglas County, Nebraska lying Westerly of the Harbor Line and Easterly of the following described line:

Beginning at a point in the center line of Floodwall where the same crosses the East and West center line of said Section 23 at Floodwall Station 30/96.63 said point being 12.50 feet Easterly from, measured at right Angles to the center line of Union Pacific Railroad Company Track ICC 130,

Thence South 87° 20' West a distance of 4.07 feet along said East and West center line of Section 23 which line is also coincident with the Southerly line of Block 157 in the City of Omaha to a point on the Westerly line of Right-of-way for Floodwall herein described,

Thence Southeasterly along said Westerly line of right-of-way as follows:

South 12° 21' East a distance of 26.57 feet along a line which forms an angle of 79° 44' from East to South with the East and West center line of said Section 23 and which is parallel with and 4.0 feet distant Westerly from the center line of Floodwall to a point which bears South 74° 26' 30" West 4.01 feet from center of Floodwall at Station 31/22.25,

South 16° 36' 15 $\frac{1}{2}$ " East a distance of 53.01 feet to a point which is 6.00 feet Westerly from, measured at right angles to the center of Floodwall at Station 31/75.00,

South 16° 45' 19" East a distance of 56.98 feet to a point which bears South 68° 22' 30" West 4.004 feet from the center line of Floodwall at Station 32/31.75,

South 24° 29' East a distance of 91.74 feet along a line which is parallel to and 4 feet Westerly from, measured at right angles to the center line of Floodwall to a point which bears South 65° 00' West 4.002 feet from center of Floodwall at Station 33/23.25,

South 25° 47' 26" East a distance of 62.79 to a point which is 3.70 feet Westerly from, measured at right angles to the center of Flood wall at Station 33/86,

South 64° 29' West a distance of 4.80 feet to the Northwest Corner of Right-of-way for Emergency Gate Valves for F.C.P. Corp. Discharge and Suction Lines Pit,

South 25° 31' East a distance of 25.00 feet to the Southwest corner of right-of-way for Emergency Gate Valve Pit,

North 64° 29' East a distance of 4.80 feet to a point which is 3.70 feet Westerly from, measured at right angles to the center of Floodwall at Station 34/10,

South 25° 31' East a distance of 598.58 feet along a line which is parallel with and 3.70 feet Westerly from, measured at right angles to the center line of Floodway to a point which bears South 67° 05' West 4.004 feet from center line of wall at Station 40/08.75,

South 20° 43' 48" East a distance of 194.05 feet to a point which bears South 66° 36' 30" West 2.303 feet from the center of Floodwall at Station 42/02.76,

(Note: The aforesaid center line of Floodwall at Station 42/02.76 bears South 83° 39' East 626.80 feet from a property corner pipe located on the North side of Jones Street at the Southeast Corner Lot 7 Block 181 City of Omaha.)

Thence continuing Southeasterly along the Westerly line of right-of-way for Floodwall,

South 25° 10' 01" East a distance of 234.331 feet to a point which bears South 72° 01' West 7.20 feet from the center of Floodwall at Station 44/38,

Thence South 72° 01' West a distance of 25.80 feet to the Northwest corner of right-of-way for Omaha Public Power District Water Intake Crossing Structure,

Thence South 17° 59' East a distance of 44.84 feet to the Southwest corner of right-of-way for Omaha Public Power District Water Intake Crossing Structure,

Thence North 72° 01' East a distance of 29.40 feet to a point on the Westerly line of right-of-way for Floodwall which point is 3.6 feet Westerly from, measured at right angles to the center line of Floodwall at Station 44/-82.84,

Thence South 18° 51' 11" East a distance of 127.538 feet to a point on the Westerly line of Floodwall right-of-way which point bears South 71° 27' West 3.70 feet from the center of Floodwall at Station 46/10.34,

Thence South 18° 12' East a distance of 68.64 feet to a point on the Westerly line of right-of-way which is 3.7 feet Westerly from, measured at right angles to

the center line of Floodwall at Station 46/79.00,

Thence South  $71^{\circ} 48'$  West a distance of 3.3 feet to the Northwest Corner of right-of-way for Sump Number 2,

Thence South  $18^{\circ} 12'$  East a distance of 8.00 feet to the Southwest Corner of right-of-way for Sump Number 2,

Thence North  $71^{\circ} 48'$  East a distance of 3.30 feet to a point on the Westerly line of right-of-way for Floodwall which bears South  $71^{\circ} 48'$  West 3.70 feet from the center of said Floodwall at Station 46/87.00,

Thence South  $18^{\circ} 15' 06''$  East a distance of 554.01 feet to a point on the Westerly line of right-of-way for Floodwall which bears South  $71^{\circ} 48'$  West 3.20 feet from the center line of Floodwall at Station 52/41.01,

Thence continuing South  $18^{\circ} 15' 06''$  East 31.28 feet to a point on the Westerly line of right-of-way for Floodwall which point is 8.00 feet Westerly from, at right angles to the center line of wall at Station 52/71.42,

Thence South  $27^{\circ} 59'$  East a distance of 213.15 feet to a point on the property line between the Union Pacific Railroad Co. and the Chicago, Burlington & Quincy Railroad Co. which line is parallel with and 396 feet North of the South line of Government Lot 4 in the Southwest One-quarter ( $SW\frac{1}{4}$ ) Section 23, Township 15 North, Range 13 East, said point being the Southerly terminus of Chicago, Burlington & Quincy Railroad Co. right-of-way for Floodwall herein designated as Tract #1 and being South  $86^{\circ} 51'$  West 8.78 feet from the center line of Floodwall at Station 54/88.19.

#### INTERCEPTOR SEWER "B"

Right-of-way for a 30" sewer (Interceptor Sewer "B") within the Grantor's right-of-way, Unit III, Section 23, Township 15 North, Range 13 East in Douglas County, Nebraska, the center line of Interceptor Sewer "B" being more particularly described as follows:

Beginning at the proposed catch basin at Station 3/36.3 Interceptor "B" a point in the Harney Street Sewer, said point being 23.22 feet South and 66.45 feet West of T-Rail which marks the East line of 5th Street and the East and West center line Section 23, Township 15 North, Range 13 East,

Thence South  $26^{\circ} 07'$  East a distance of 111.93 feet to a proposed catch basin at Station 2/24.37,

Thence South  $19^{\circ} 01'$  East a distance of 128.52 feet to a proposed catch basin at Station 0-/95.85,

Thence South  $36^{\circ} 33'$  East a distance of 95.85 feet to the Southerly terminus for Interceptor "B" at a proposed catch basin to be constructed at Station 0/00 which point bears South  $17^{\circ} 59'$  West a distance of 117.89 feet from the center of sea wall at Sea Wall Station 33/23.25.

#### INTERCEPTOR SEWER "C"

Right-of-way for a 12" storm drain leading from an existing culvert under the Grantor's right-of-way in a Southwesterly direction to a point on the Omaha Public Power District East property line, being more particularly described as follows:

Beginning at a point on the East line of Omaha Public Power District property which is 60 feet Northwest measured along said property line from the center line of Leavenworth Street Sewer,

Thence Northeast on a direct line 40 feet more or less to a connection with an existing culvert, said connection to be 80 feet from, or less, Northwest measured along the said East property line of the Omaha Public Power District and 35 feet Northeast at right angles to said property line from the center line of the Leavenworth Street Sewer where the same intersects said property line.

All alignment surveys used in the foregoing descriptions were made by the Corps of Engineers, U. S. War Department, and Bearings shown are referred to Nebraska (South) Lambert Grid, as established by the U. S. Coast and Geodetic Survey 1927 American Datum.

The captions in the foregoing descriptions are inserted for convenience, and shall not be deemed to be a part of the descriptions. The plats are attached for the purpose of making the specific descriptions more easy to follow and shall not be deemed to be a part of this instrument for recording or for any other purpose.

The station references in the foregoing descriptions are to the stations appearing in the plans of the U. S. Army Engineers, Omaha Flood Protection Project, and the specific units and sheets thereof, hereinbefore in this instrument set out.



The rights here granted are subject to the following reservations and agreements, each of which the Grantees, by accepting delivery of this conveyance, agree to be bound by and/or to perform and carry out:

(1) The Grantor reserves the right to maintain its tracks, (except such as are specifically required to be removed by the *said* plans of the U. S. Army Engineers), in place and to operate its equipment over all underground sewers and structures, and no structure is to be placed by Grantees above ground nearer than  $8\frac{1}{2}$  feet from the center line of the Grantor's railroad tracks.

(2) The rights here granted shall terminate when the land covered by this Agreement is no longer used or required for use in connection with the Flood Protection Project.

(3) In granting these rights, the Grantor reserves the right to instruct the Grantees and their contractors and agents as to the time and method of handling the work within the proximity of the Grantor's tracks where there is a possibility that such work may interfere with or jeopardize the safe operation of Grantor's tracks or facilities.

(4) That, except in case of emergency, the Grantees, and their agents and contractors, shall obtain permission from the Grantor before starting work in close proximity to Grantor's tracks or hauling over and across Grantor's tracks, or constructing, maintaining and repairing drainage facilities under or near Grantor's tracks, and the Grantees and their agents and contractors are not to interfere with or in any way delay or disrupt Grantor's railroad operations, except if authorized by Grantor.

(5) As a condition of this grant, the Grantees shall jointly and severally agree to indemnify and hold the Grantor harmless from any loss, damage or destruction of property, or injury to or death of persons, growing out of or occasioned by the exercise of any of the rights herein granted, but that the Grantees shall not be liable for injury or damage resulting from flood, acts of God, or conditions beyond Grantees' control, not resulting from the negligence or unlawful acts of the Grantees, or either of them.

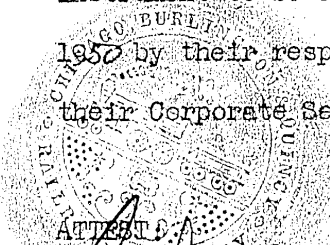
(6) Except in case of emergency, Grantees shall not enter upon the property covered by the easement, for the purpose of reconstructing, revising, renewing, changing, modifying, extending, repairing, and maintaining said flood protection works, except on forty-eight (48) hours' notice to Grantor.

(7) The authorizations hereto granted to the Grantees, and any contractor employed by the Grantees, or the Corps of Engineers of the United States Army, shall continue and remain in effect until the completion of the original construction.

The Grantor does not represent nor warrant that it is the legal owner of all of the properties described herein, and it is the intention of the Grantor that no rights herein granted shall bind the Grantor to an extent greater than the right, title, and interest now owned or hereafter acquired by the Grantor in the properties described herein.

TO HAVE AND TO HOLD the premises covered by said easement unto the Grantees, their successors and assigns forever for the purposes and subject to the conditions hereinbefore specified.

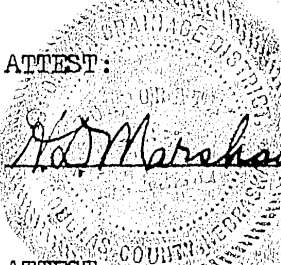
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on this 17th day of July, 1950 by their respective officers, duly authorized to act, and their Corporate Seals to be affixed and attested.



ATTEST: [Signature]  
Secretary

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY,

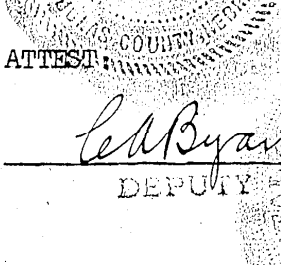
By [Signature]  
President



ATTEST: [Signature]  
Secretary

EAST OMAHA DRAINAGE DISTRICT,

By [Signature]  
President



ATTEST: [Signature]  
DEPUTY City Clerk

THE CITY OF OMAHA,

By [Signature]  
Mayor

APPROVED [Signature]  
CHIEF ENGINEER

APPROVED AS TO PROPERTY INTERESTS [Signature]  
General Land Agent

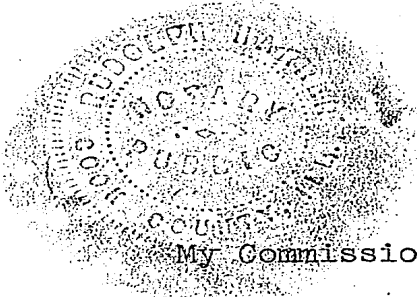
Approved as to form [Signature]  
Attorney

STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

J. C. JAMES, and E. J. ALDEN personally known to me to be respectively Vice-President and Secretary of Chicago, Burlington, & Quincy Railroad Company appeared before me and being first duly sworn stated that they had voluntarily executed the foregoing instrument for and in behalf of the Chicago, Burlington, & Quincy Railroad Company and that it was the voluntary act of said Company.

In witness whereof, I have set my hand and seal on this 17th day of July, 1950.

Rudolph Warner  
Notary Public

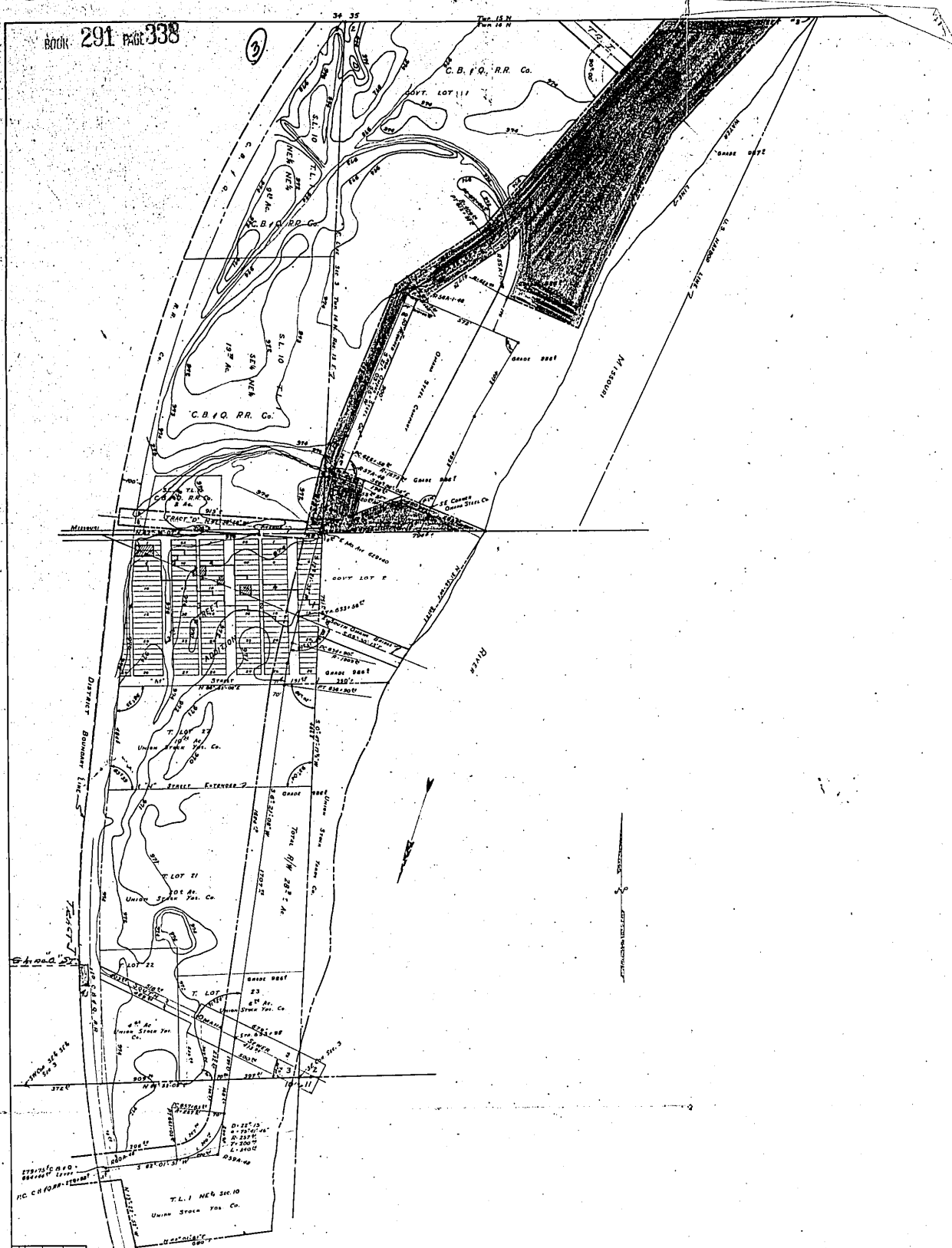


My Commission Expires: February 28, 1954

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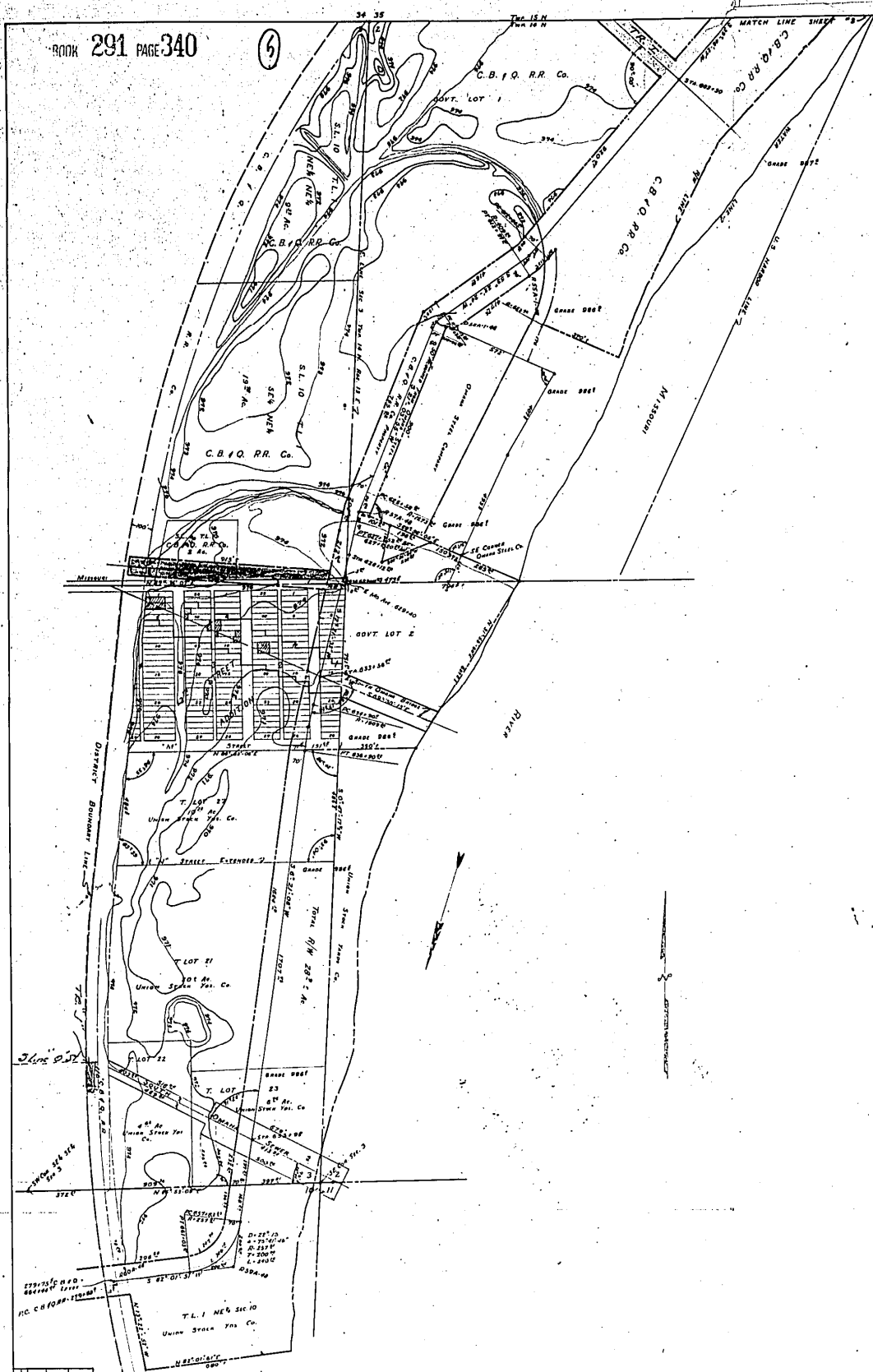
EAST OMAHA DRAINAGE DIST  
 IODOUX COUNTY IEBASNSA  
 SEC. 2 3 4 5 14 15 16 17 18  
 245 LAW BLDG  
 CONSULTING ENGR.  
 RAYMOND CITY MO.  
 10/15/1913

NOTE -  
 Lino Distro to  
 City of Omaha

TRACT B -



(6)



EAST OMAHA BRANCH DIST  
 DOUGLASS COUNTY NEBRASKA  
 SEC. 23 3 1/2 DISTRICT 5  
 E. I. WINGS CONSULTING ENGINEER  
 3151 LAW BLDG. WASHINGTON CITY, MO.  
 DRAWN BY E. I. WINGS  
 CHECKED BY E. I. WINGS  
 DATE 11/1/20

NOTE -  
 Land Given To  
 City of Omaha

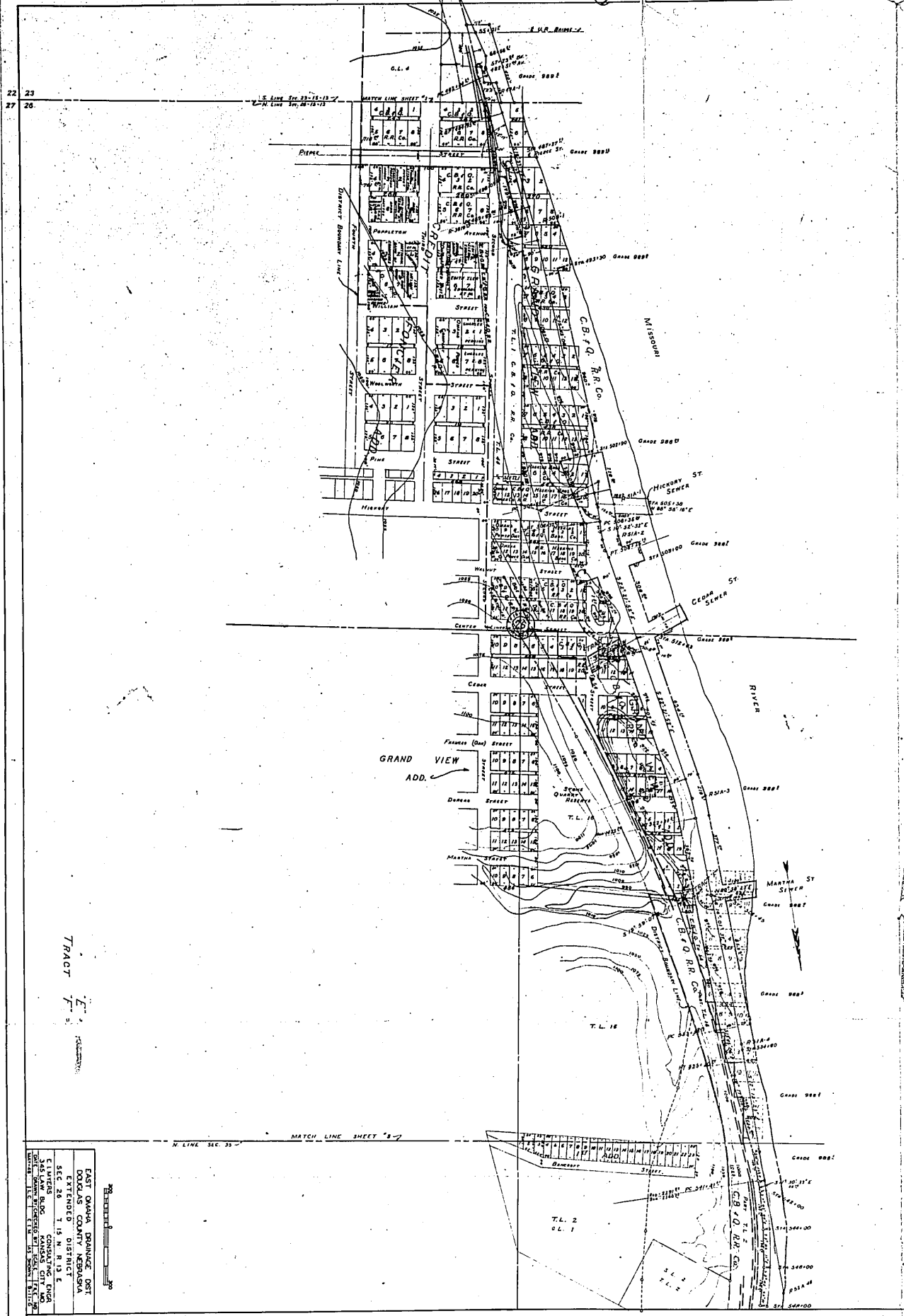
TRACT I  
 TRACT J



16

17

22 23  
27 28



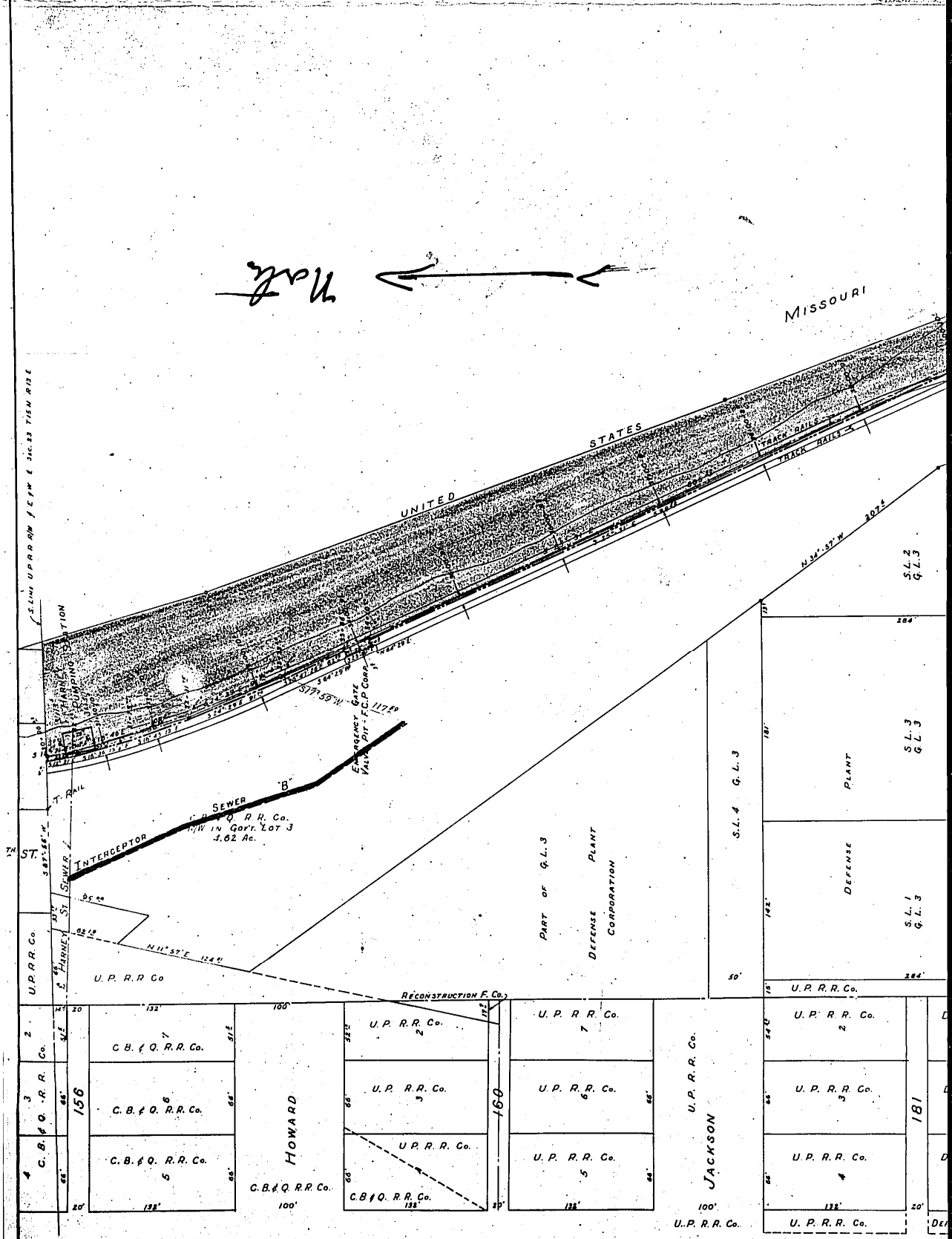
TRACT 17

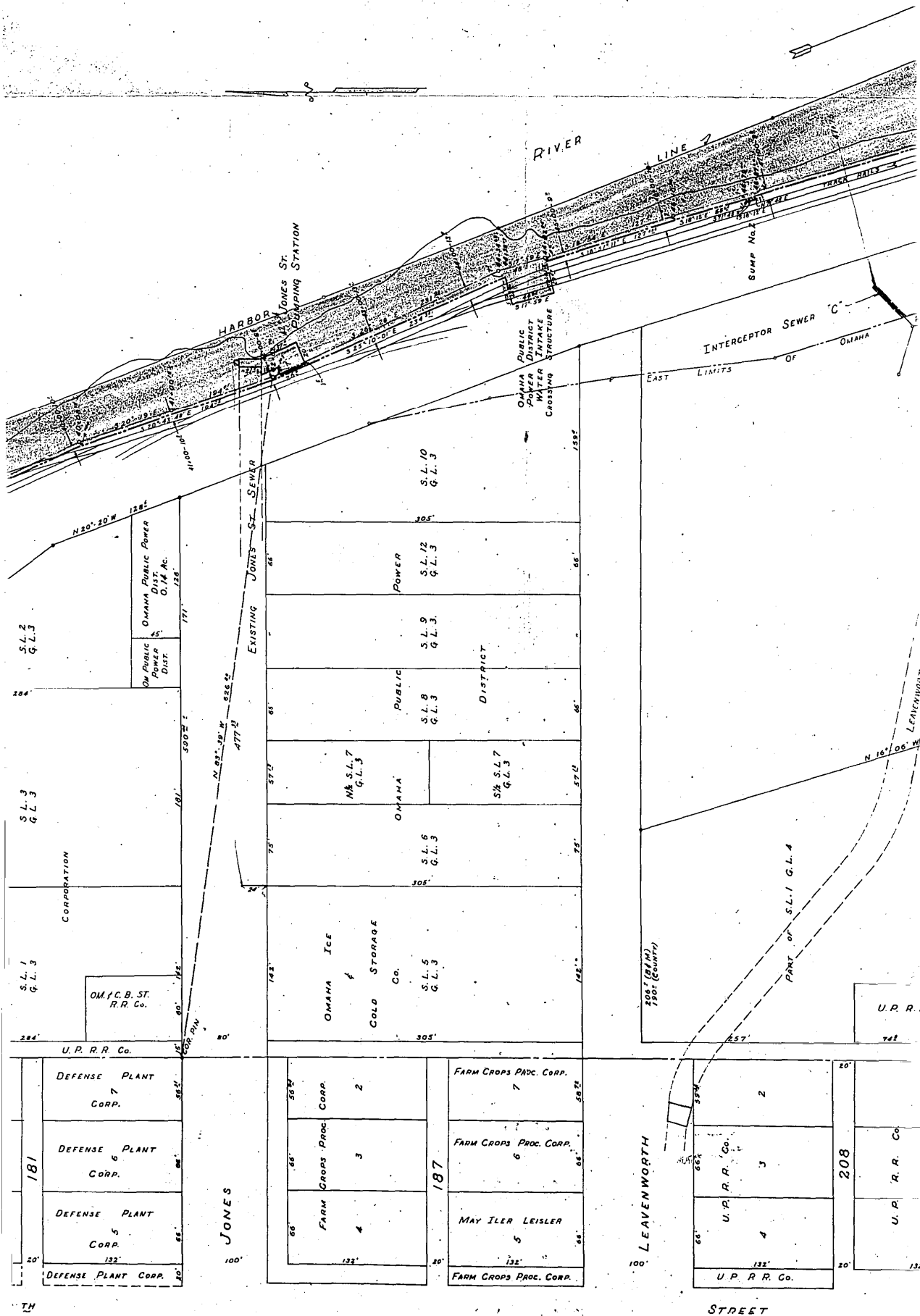
EAST OMAHA GRABAGE DIST  
 DOUGLAS COUNTY NEBRASKA  
 EXTENDED DISTRICT  
 SEC. 28 T. 15 N. R. 13 E.  
 CLAVENS BLDG. CONSULTING ENGR  
 1010 S. 17TH ST. OMAHA, NEB.  
 1910

18

Mark ←

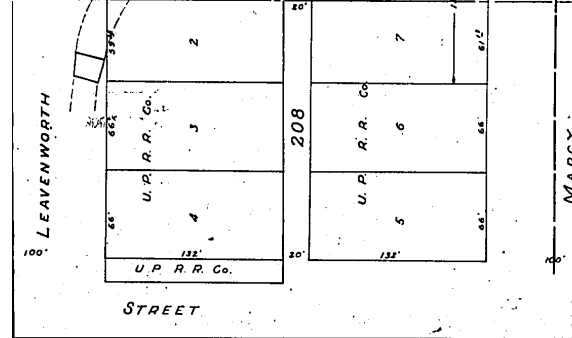
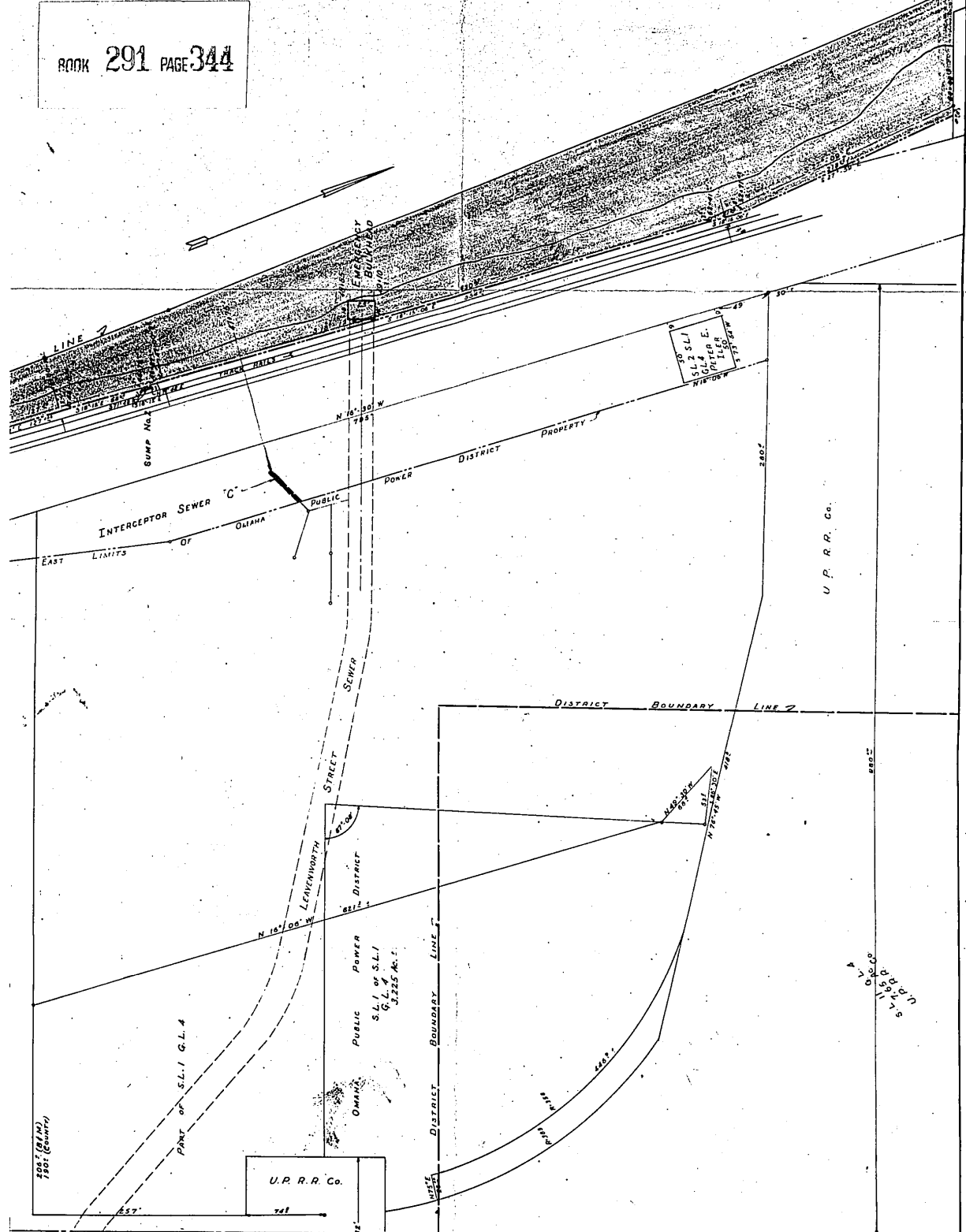
MISSOURI





TH

STREET



(See Wall) Tract # 1  
 Interceptor Sewer B  
 Interceptor Sewer C

Revised  
 JANUARY 3 1919

Scale: 0 50 100

EAST OMAHA DRAINAGE DISTRICT			
DOUGLAS COUNTY, NEBRASKA			
FLOODWALL RIGHT OF WAY			
C. B. & Q. RAILROAD COMPANY			
TRACT NO. 1			
E. I. MYERS		CONSULTING ENGR.	
345 LAW BLDG. KANSAS CITY, MO.			
DATE DRAWN BY	CHECKED BY	SCALE	FILE NO.
NOV-19	T.L.C.	E.I.M.	AS SHOWN E-1-C

1.  
 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.  
 3 DAY Sept 19 1919 AT 9:21 A.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS.

14.50