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SUBMITTED NEBRASKA TITLE COMPANY-OM

NEBRASKA DOCUMENTARY  
STAMP TAX  
Nov 13, 2014  
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FILED SARPY CO. NE.  
INSTRUMENT NUMBER

**2014-25301**

2014 Nov 13 08:56:58 AM

*Joseph J. Dowling*

REGISTER OF DEEDS



### TEMPORARY CONSTRUCTION EASEMENT

In consideration of the sum of SEVEN THOUSAND ONE HUNDRED DOLLARS (\$7,100.00) and other valuable consideration, the receipt of which is acknowledged, **VICTOR STEPANEK** (hereinafter referred to as "the Grantor"), for himself and for his successors and assigns, does hereby grant to the **PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT** and **OMAHA PUBLIC POWER DISTRICT**, a public corporation and political subdivision of the State of Nebraska, (hereinafter collectively referred to as "the District"), and their successors and assigns, the easements hereinafter described, in, over and across

That portion of Tax Lots 14C and 16 in the Southeast Quarter of Northeast Quarter Section 13, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, legally described in the legal description attached hereto as Exhibit "A" and incorporated herein by reference

(all said portions hereinafter being referred to collectively as "the Easement Area"). Pursuant to these temporary construction easements, the District and its successors and assigns, shall have full and free right, liberty and authority to enter upon and use the Easement Area for construction of a levee along Thompson Creek, emplacement and replacement of sewer lines, and emplacement and replacement of power transmission lines and poles.

Said temporary construction easements shall commence on the date of commencement of construction and shall continue during the period of construction of the referenced projects by the District and its agents and contractors, but in all events the temporary construction easement shall terminate no later than twenty four (24) months from the date of commencement of construction.

The purpose and scope of the easements herein granted shall be to survey, excavate, construct, reconstruct, replace, emplace, relocate, inspect, repair, grade, enlarge, remove, add to, maintain, use and operate for sewer lines, levee drainage system, and power transmission poles and lines, together with necessary appurtenances thereto or therefor.

In regard to said easements, it is expressly agreed:

1. The date of commencement of construction shall be the date upon which the Districts or their contractors first enters upon the property subject to this temporary construction easement for the purpose of construction.

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2. The District, its engineers, contractors and agents, including but not limited to the City of La Vista (the "City"), the City's agents, Omaha Public Power District (OPPD), and OPPD's agents, shall have the full right and authority of ingress and egress at all times upon the easement in order to perform any of the acts and functions described within the purposes and scope of this easement.
3. The District shall replace or shall pay Grantors or their assigns, the cost of replacing any fences moved or damaged by the District, its engineers, contractors or agents, in pursuance of the purposes and scope of this easement. Claims for any uncorrected damage shall be filed with the District within three months after termination of the construction work or other activity causing such damage.
4. Grantor agrees not to allow any buildings or structures to remain or to be placed upon the Easement Area. The District shall in no event be responsible for the replacement, restoration or reconstruction of improvements now or hereafter situated upon the easement, except for fences as provided in paragraph 2 hereof.
5. Grantor warrants and agrees that Grantor has lawful possession of said real estate, good, right and lawful authority to make the conveyance herein and that Grantor and his heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this grant of easement.

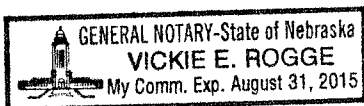
Executed by Grantor on this 11 day of August, 2014. VICTOR STEPANEK, Grantor

By Victor Stepanek

STATE OF NEBRASKA     )  
   ) SS.  
 COUNTY OF SARPY )

On this 11 day of August, 2014, before me, a Notary Public, personally came Victor Stepanek, to me known to be the identical person whose name is affixed to the above and foregoing instrument, and acknowledged the same to be his voluntary act and deed.

WITNESS my hand and Notarial Seal the date last aforesaid.



Vickie E. Rogge  
 Notary Public




# TEMPORARY EASEMENT

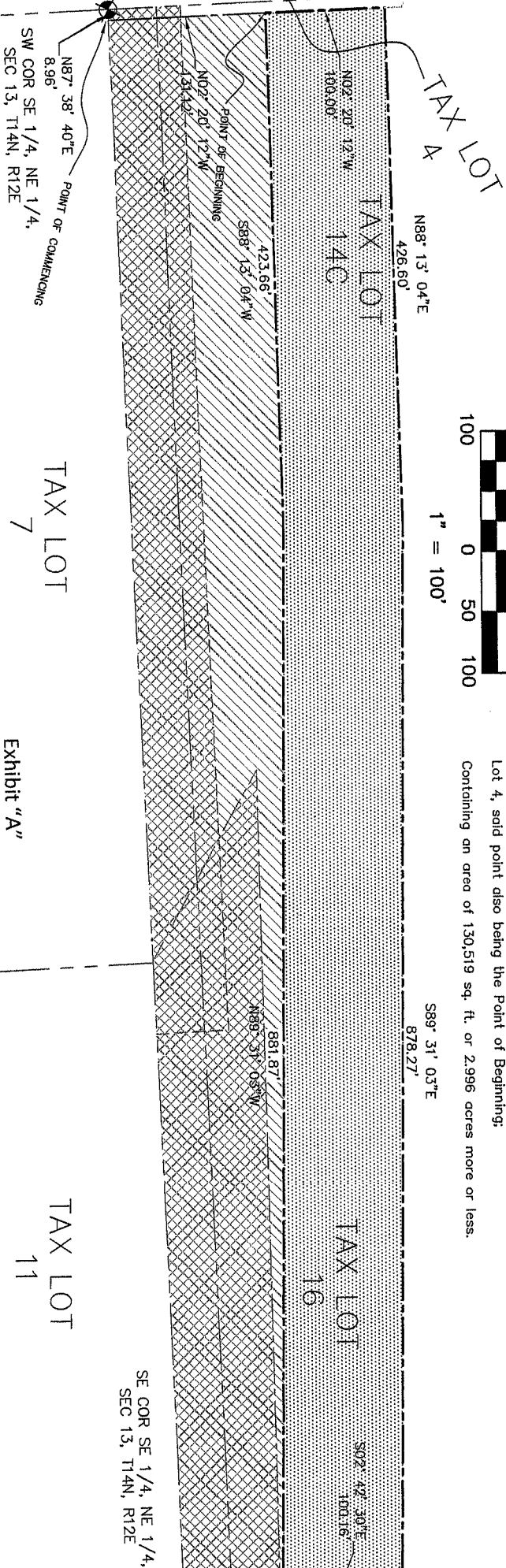
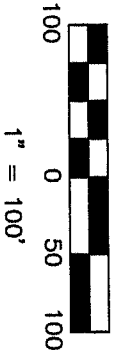
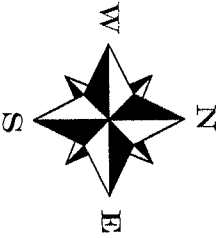
## LEGAL DESCRIPTION

That part of Tax Lot 14C and Tax Lot 16, in the Southeast 1/4, of the Northeast 1/4, of Section 13, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Southeast 1/4; thence North 87° 38' 40" East, (bearing referenced to the Nebraska State Plane System NAD 1983) along the South line of said Southeast 1/4, for a distance of 8,996 feet to the Southeast corner of Tax Lot 4 in said Southeast 1/4 thence; North 02° 20' 12" West along the East line of said Tax Lot 4, for a distance of 131,12 feet to the Point of Beginning; thence West along the East line of said Tax Lot 4, for a distance of 100,00 feet thence North 88° 13' 04" East, for a distance of 426,60 feet; thence South 89° 31' 03" East, for a distance of 878,27 feet to a point on the East line of said Southeast 1/4; thence South 02° 42' 30" East, along said East line of said Southeast 1/4, for a distance of 100,16 feet; thence North 89° 31' 03" West, for a distance of 881,87 feet; thence South 88° 13' 04" West, for a distance of 423,66 feet, to a point on the said East line of said Tax Lot 4, said point also being the Point of Beginning;

Containing an area of 130,519 sq. ft. or 2,996 acres more or less.

-  TEMPORARY EASEMENT
-  EXISTING EASEMENT
-  PERMANENT EASEMENT




**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT**  
 8901 S. 154TH STREET  
 OMAHA, NE 68138-3621  
 OFFICE: 402-444-6222  
 FAX: 402-895-6543  
 www.papionrd.org

TRACT 6, TEMPORARY CONSTRUCTION EASEMENT LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 13, TOWNSHIP 14 NORTH, RANGE 12 EAST

PROJECT:	THOMPSON CREEK
DATE:	3-22-2014
DRAWN BY:	SNM
SCALE:	1" = 100'
SHEET:	1 OF 1