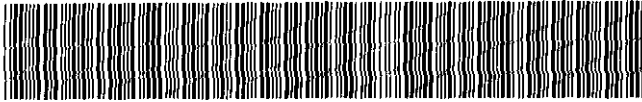


MISC 2004097858



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Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
7/23/2004 11:38:00.40



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Lamp Ryneason & Associates
 Terry Atkin
 14710 W. Dodge Road Suite 100
 Omaha, NE 68154

PERMANENT TRAIL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT the RIVERFRONT NPS, INC., OWNERS of Lot 20, GALLUP UNIVERSITY RIVERFRONT CAMPUS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, hereinafter referred to as "Grantor" (whether one or more) for and in consideration of the sum of One (\$1.00) Dollar and Other Good and 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 "Grantees", and to their successors and assigns, an easement for the right to utilize the following described property for the public benefit to be used as a or trail and appurtenances thereto, in, through and under the parcel of land described as follows, to-wit:

That property described and shown on the attached are incorporated herein by this reference.

TO HAVE AND TO HOLD unto said Grantees, their successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining and using said trail at the will of Grantees. The Grantor may, following construction of said trail, continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the Grantees to use the same for the purposes herein expressed.

IT IS FURTHER AGREED AS FOLLOWS:

1. That no buildings, improvements or other structures shall be placed in, on, over, or across said easement strip by Grantor, its successors and assigns without express approval of the Grantees. Improvements which may be approved by Grantees include landscaping. Grass or shrubbery placed on said easements shall be maintained by Grantor, its heirs, successors or assigns.
2. The Grantee will be responsible for maintenance of the trail and other improvements caused by operating said trail.
3. This easement is also for the benefit of any contractor, agent, employee or representative of Grantees and any of said construction and work.
4. That said Grantor for itself and its heirs, executors and administrators does confirm with the said Grantees and their assigns, that the Grantor is well seized in fee of the above described property and that it has the right to grant and convey this easement in the manner and form aforesaid and that it and its heirs, executors, and administrators shall warrant and defend this easement to the said Grantees and their assigns against the lawful claims and demands of all person. This easement runs with the land.
5. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings, except a Temporary Construction Easement if and as applicable between Grantor and Grantees, or their agents, and that the Grantor in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the Grantees or their agents or employees, except as are set forth herein.

IN WITNESS WHEREOF, said Grantor has set its hand this 21st day of July, 2004.

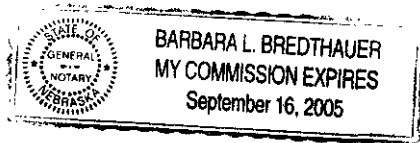
By Harlan J. Noddle
Harlan J. Noddle, President of Riverfront NPS, Inc.

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 21st day of July, 2004, before me, the undersigned, a Notary Public in and for said County and State, came Harlan J. Noddle, President of RIVERFRONT NPS, INC., to me personally known to be the President of said Corporation and the identical person who executed the above Easement and acknowledged his execution to be his voluntary act and deed and the voluntary act and deed of said Corporation.

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

Barbara L. Bredthauer
Notary Public



LOT 19

POINT OF COMMENCEMENT

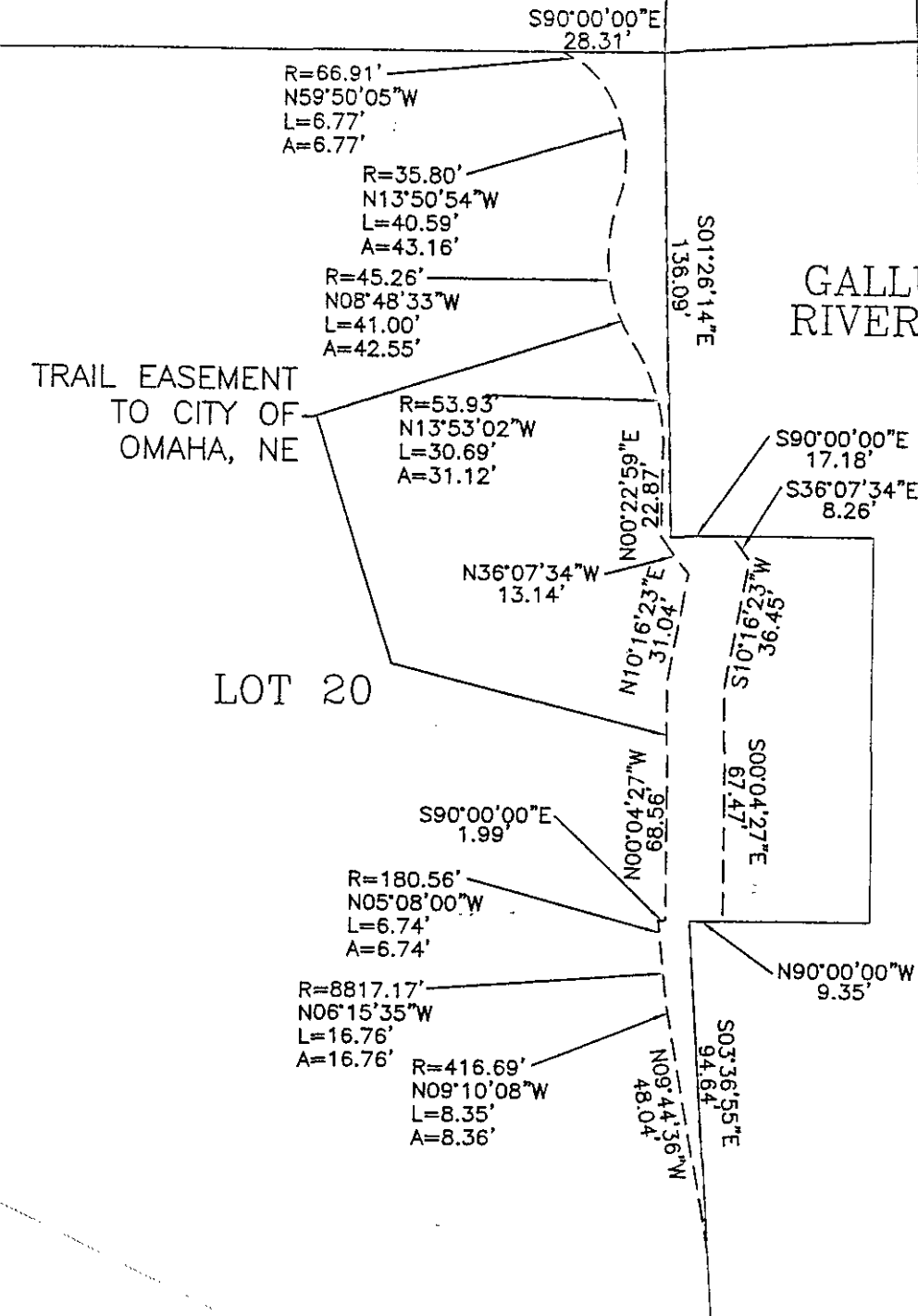
POINT OF BEGINNING

GALLUP UNIVERSITY
RIVERFRONT CAMPUS

TRAIL EASEMENT
TO CITY OF
OMAHA, NE

LOT 20

OL 5



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Book _____ Page _____ Date 07/16/04 DwnBy MJW Job Number 00006.01-283

Lamp, Rynearson & Associates, Inc.

WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498
(Fax) 402.496.2730

Return

LEGAL DESCRIPTION

A permanent trail easement over that part of Lot 20, GALLUP UNIVERSITY RIVERFRONT CAMPUS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the northeast corner of said Lot 20;
Thence South 01°26'14" East (bearings referenced to the Final Plat of GALLUP UNIVERSITY RIVERFRONT CAMPUS) for 136.09 feet along the east line of said Lot 20 to an angle point therein;
Thence South 90°00'00" East for 17.18 feet along said east line;
Thence South 36°07'34" East for 8.26 feet;
Thence South 10°16'23" West for 36.45 feet;
Thence South 00°04'27" East for 67.47 feet to the said east line of Lot 20;
Thence North 90°00'00" West for 9.35 feet along said east line;
Thence South 03°36'55" East for 94.64 feet along said east line;
Thence North 09°44'36" West for 48.04 feet;
Thence along a curve to the right (having a radius of 416.69 feet and a long chord bearing North 09°10'08" West for 8.35 feet) for an arc length of 8.36 feet;
Thence along a curve to the left (having a radius of 8817.17 feet and a long chord bearing North 06°15'35" West for 16.76 feet) for an arc length of 16.76 feet;
Thence along a curve to the right (having a radius of 180.56 feet and a long chord bearing North 05°08'00" West for 6.74 feet) for an arc length of 6.74 feet;
Thence South 90°00'00" East for 1.99 feet;
Thence North 00°04'27" West for 68.56 feet;
Thence North 10°16'23" East for 31.04 feet;
Thence North 36°07'34" West for 13.14 feet;
Thence North 00°22'59" East for 22.87 feet;
Thence along a curve to the left (having a radius of 53.93 feet and a long chord bearing North 13°53'02" West for 30.69 feet) for an arc length of 31.12 feet;
Thence along a curve to the right (having a radius of 45.26 feet and a long chord bearing North 08°48'33" West for 41.00 feet) for an arc length of 42.55 feet;
Thence along a curve to the left (having a radius of 35.80 feet and a long chord bearing North 13°50'54" West for 40.59 feet) for an arc length of 43.16 feet;
Thence along a curve to the right (having a radius of 66.91 feet and a long chord bearing North 59°50'05" West for 6.77 feet) for an arc length of 6.77 feet to the north line of said Lot 20;
Thence South 90°00'00" East for 28.31 feet to the Point of Beginning.
Contains 3660 square feet.