

E A S E M E N T

THIS AGREEMENT is entered into on the 26 day of August 1947, between the CITY OF OMAHA, a municipal corporation of the State of Nebraska, hereinafter sometimes referred to as the "Grantor", and the EAST OMAHA DRAINAGE DISTRICT, a corporation organized under the Statutes of the State of Nebraska, now appearing in article 4, Chapter 51, Revised Statutes of Nebraska, 1943, hereinafter sometimes referred to as the "Grantee."

In consideration of the benefits which will accrue to it by virtue of the rebuilding and enlarging of the levee at the Canal Street sewer and south therefrom, the Grantor does hereby grant and transfer unto the Grantee and its successors and assigns, an easement in perpetuity to construct and maintain a levee for protection from the flood waters of the Missouri River, on, over and across all or any portions of the three parcels of land, hereinafter described, on or to which the Grantor has an easement or right of occupancy, to-wit:

PARCEL "A"

Part of Tax Lots 5 and 7, also that part of the tract of land lying North of Tax Lot 5 previously conveyed by the Union Pacific Railway Company to the City of Omaha, and also that part of the tract of land lying South of Tax Lot 5 previously conveyed by the Union Pacific Railway Company and the Whitney Realty Company to the City of Omaha - all in Section 14, Township 15 North, Range 13 East of the Sixth Principal Meridian in Douglas County, Nebraska being more particularly described as follows:

Beginning at a point on the North line of Tax Lot 5 which is 198.8 feet East of the Northwest Corner said Tax Lot 5,

Thence west along the said North line of said Tax Lot 5 a distance of 70.35 feet to a point which is 128.45 feet East of the Northwest Corner said Lot 5,

Thence Northwest on a direct line 204.02 feet more or less to a point which is 160.33 feet North of the Northwest Corner of said Tax Lot 5,

Thence North a distance of 569.92 feet along the property line between the Union Pacific Railway Company and the City of Omaha, said line being parallel with and 693 feet East of the Section line along the West side of the Northwest One-quarter (NW $\frac{1}{4}$) Northwest One-quarter (NW $\frac{1}{4}$) said Section 14 to a point which is 240 feet North of the center of the concrete sewer East end of the Grace Street sewer,

Thence North 89° 55' 44" East to the meander line of the right bank of the Missouri River survey 1856 which line is the property line between the City of Omaha and the Great Lakes Pipe Line Company,

Thence South 23° 00' East following the meander line to a point which is North 1° 30' West a distance of 204.1 feet from the South line of Section 30, Township 75 North, Range 44 West of the Fifth Principal Meridian extended,

Thence East 30.2 feet,

Thence South 22° 00' East a distance of 1591.5 feet more or less to the Northerly line of the Illinois Central Railroad right-of-way now abandoned for railroad purposes and conveyed to the East Omaha Drainage District for levee purposes,

Thence Southwesterly following the said Northerly right-of-way line of the Illinois Central Railroad Company now abandoned for railroad purposes to a point where said Northerly right-of-way line intersects the meander line of the right bank of Missouri River survey 1856 which line was the westerly terminus of the Illinois Central Railroad right-of-way,

Thence North 1° 30' West along the meander line of the right bank of the Missouri River survey 1856 to a point which is 65 feet Northerly from measured at right angles to the said Northerly right-of-way line of the Illinois Central Railroad Company now abandoned for railroad purposes,

Thence Northeasterly along the line which is parallel with and 65 feet Northerly from measured at right angles to the said Northerly right-of-way line of the Illinois Central Railroad Company now abandoned for railroad purposes

to a point which is 200 feet Westerly from measured at right angles to the center of the Grace Street open ditch sewer,

Thence Northwesterly following a line which is parallel with and 200 feet Westerly from, measured at right angles to the center line of the Grace Street open ditch sewer to a point where said line crosses the South line of Tax Lot 5,

Thence East on the South line of said Tax Lot 5 to the Southeast Corner of said Tax Lot,

Thence North along the East line of said Tax Lot 5 a distance of 39.35 feet,

Thence North 22° 00' West to the point of beginning on the North line of Tax Lot 5, 198.8 feet East of the Northwest Corner said Tax Lot 5, excepting from the above described tract a strip of land 50 feet wide being 25 feet on each side of the center line of the Grace Street open ditch sewer extending from the end of the concrete Sewer at the property line between the Union Pacific Railroad Company and the City of Omaha to the Northerly right-of-way line of the Illinois Central Railroad Company now abandoned for railroad purposes and previously conveyed to the East Omaha Drainage District for levee purposes.

The above described right-of-way contains 14.2 Acres more or less.

PARCEL "B"

A strip of land varying in width from 180 to 165 feet situated within Government Lots 2 and 3 in the Southwest One-quarter (SW $\frac{1}{4}$) Northwest One-quarter (NW $\frac{1}{4}$) Section 14 and the Northwest One-quarter (NW $\frac{1}{4}$) Southwest One-quarter (SW $\frac{1}{4}$) said Section 14, Township 15 North, Range 13 East of the Sixth Principal Meridian in Douglas County, Nebraska, said tract being more particularly described as follows:

Beginning at the Northwest Corner of the Metropolitan Utility District property which point is 725 feet North of the line between Government Lots 3 and 4, measured along the East line of the Union Pacific Railroad Company property (the East line of Blocks 228, Q and R now vacated),

Thence East along the North line of the Metropolitan Utility District a distance of 182.62 feet to the Easterly line of right-of-way herein described,

Thence following the said Easterly right-of-way line North $13^{\circ} 37' 19''$ East a distance of 303.92 feet,

Thence South $76^{\circ} 22' 41''$ East at right angles to the last described line a distance of 10 feet to a point of curve,

Thence along a curve to the Right having a radius of 1085.91 feet a distance of 140 feet more or less to the meander line of the right bank of the Missouri River government survey of 1856,

Thence North $1^{\circ} 30'$ West along said meander line 240 feet to the Northerly line of right-of-way herein described,

Thence Southwesterly along a curve to the Left having a radius of 1250.91 feet a distance of 700 feet more or less to the point of tangent of said curve,

Thence North $76^{\circ} 22' 41''$ a distance of 25 feet,

Thence South $13^{\circ} 37' 19''$ West a distance of 324.25 feet to the point of beginning containing 3.12 Acres.

PARCEL "C"

An irregular tract of land along the Buck Izard open ditch sewer at the South end of public levee tract lying East of the property line between the Union Pacific Railroad Company and the Omaha City levee tract more particularly described as follows:

Beginning at a point on the North side of Cass Street, now vacated, 500.75 feet East of the East line of 8th Street, now vacated,

Thence South along the Union Pacific Railroad property line 100 feet to the South line of said Cass Street,

Thence East on the South line of Cass Street 180 feet to a point on the Southwest-erly bank of the Burt Izard open ditch sewer,

Thence Southeasterly following the Southerly bank of the Burt Izard open ditch sewer 150 feet more or less to the bank of the Missouri River,

Thence Northerly following the bank of the Missouri River to a point which is 90 feet Northeasterly from, measured at right angles to the center line of the Burt Izard open ditch sewer,

Thence Northwest on a direct line to a point on the property line between the Union Pacific Railroad Company and the City of Omaha levee tract 218.22 feet Northerly from, measured along the said Union Pacific property line from the North line of Cass Street, now vacated,

Thence South along the said Union Pacific property line 218.22 feet to the point of beginning excepting from the last described tract a strip of land 85 feet wide for the Burt Izard open ditch sewer to be constructed along a center line which is 98 feet Southwesterly from, measured at right angles to the Northwesterly right-of-way line of the last described tract.

The above described tract contains 1 Acre more or less.

Attached to this instrument, and marked Exhibits #1 and #2, are plats indicating the easement granted. The former covers the area described under Parcel "A", the latter covers the areas described under Parcels "B" and "C". Said plats are by reference hereby incorporated in and made a part of this instrument.

The easement and license herein granted shall continue for so long as the Grantee, its successors and assigns shall continue to operate and maintain a levee on the property included in this grant.

IN WITNESS WHEREOF, these presents have been signed on behalf of the City of Omaha, by its Mayor, and attested by its City Clerk, and its Corporate Seal affixed hereto this 26 day of August, 1947.

THE CITY OF OMAHA,

ATTEST:

M. J. Dineen
City Clerk

By [Signature]
Mayor

(SEAL)

STATE OF NEBRASKA,)
) SS
COUNTY OF DOUGLAS,)

On this 29 day of August, 1947, personally appeared before me, a Notary Public duly qualified in and for said County and State, Charles W. Leaman and M. J. Dineen, to me personally known to be the Mayor and City Clerk, respectively, of the City of Omaha, a municipal corporation of the State of Nebraska, and who acknowledged the execution of the foregoing instrument to be their voluntary act and deed, and the voluntary act and deed of said corporation.

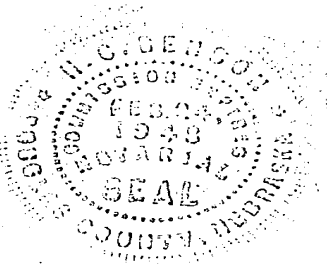
Witness my hand and Notarial Seal on the day and year first above mentioned.

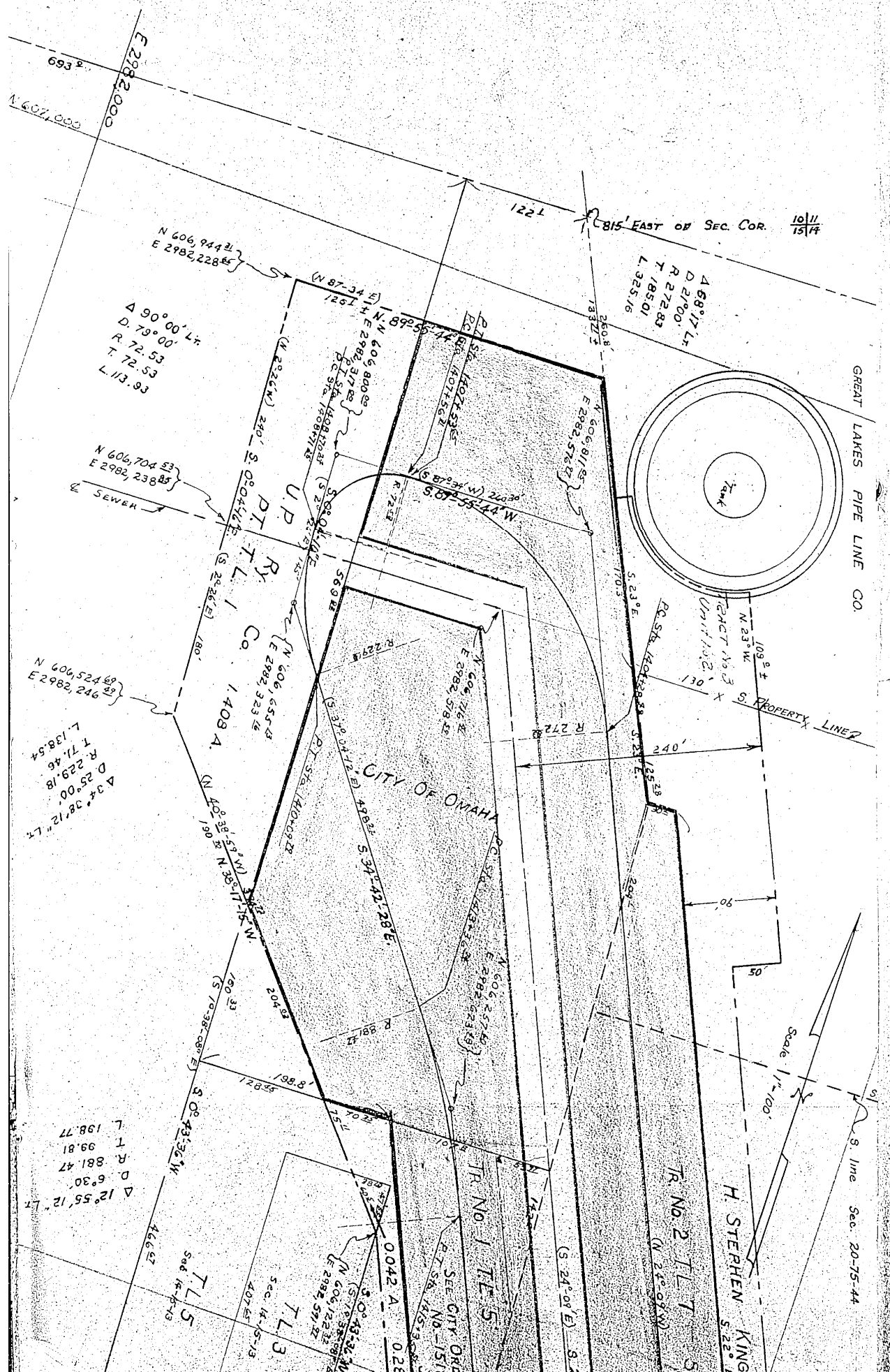
[Signature]
Notary Public

My Commission Expires:

Feb 24, 1948

Literature and attestation authorized by Resolution 42501, of the City Council of Omaha, dated August 26, 1947.





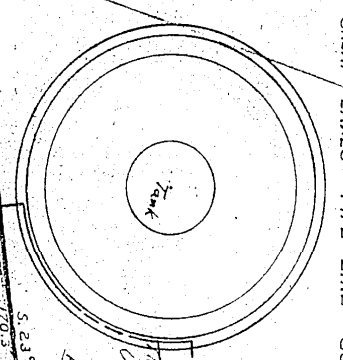
Δ 90° 00' L₁
 Δ 79° 00'
 R 72.53
 T 72.53
 L 113.93

N 606,704.53
 E 2982,238.85
 SEWER

Δ 34° 38' 12" L₁
 R 229.18
 T 71.46
 L 138.54
 N 606,524.89
 E 2982,246

Δ 12° 55' 12" L₁
 R 881.47
 T 99.81
 L 198.77

Δ 68° 17' L₁
 R 272.83
 T 185.01
 L 325.16



GREAT LAKES PIPE LINE CO.

CITY OF OMAHA

H STEPHEN KING

TR. NO. 2 T L T

TR. NO. 1 T L T

0042 A - 0284

T L 3

T L 5

Scale 1" = 100'

S. line Sec. 20-75-44

122 L 815' EAST OF SEC. COR. 10/11 15/14

E 2982,000
 N 607,000
 693

N 606,944.21
 E 2982,228.65

U.P.
 RY.
 T.L.
 Co. 1409 A.

N 606,655.53
 E 2982,323.76

N 606,257.50
 E 2982,923.49

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

N 606,122.32
 E 2982,591.57

1-75-44

PHEN KING PT TAX LOT 7 1.895 A.
S. 22° E. 158.15'

T.L. 7 SEE CITY ORDINANCE No. - 15122 - DATED JUNE 22, 1943
1963 88 N 21° 47' 16" W
21° 09' W

24° 09' E S. 21° 47' 16" E
CHANNEL
TRACT 2
PARCEL 11
PARCEL 4

T.L. 5
SEE CITY ORDINANCE No. - 15122 - DATED JUNE 22, 1943
S. 21° 47' 16" E
388.52'

042 A. - 0284 A. 388.52'
S. 0° 43' 32" W
S. 7° 38' 58" E
N. 60° 12' 23" E
E. 298.2571 27

T.L. 3
Sec. 14-15-13
407.65'

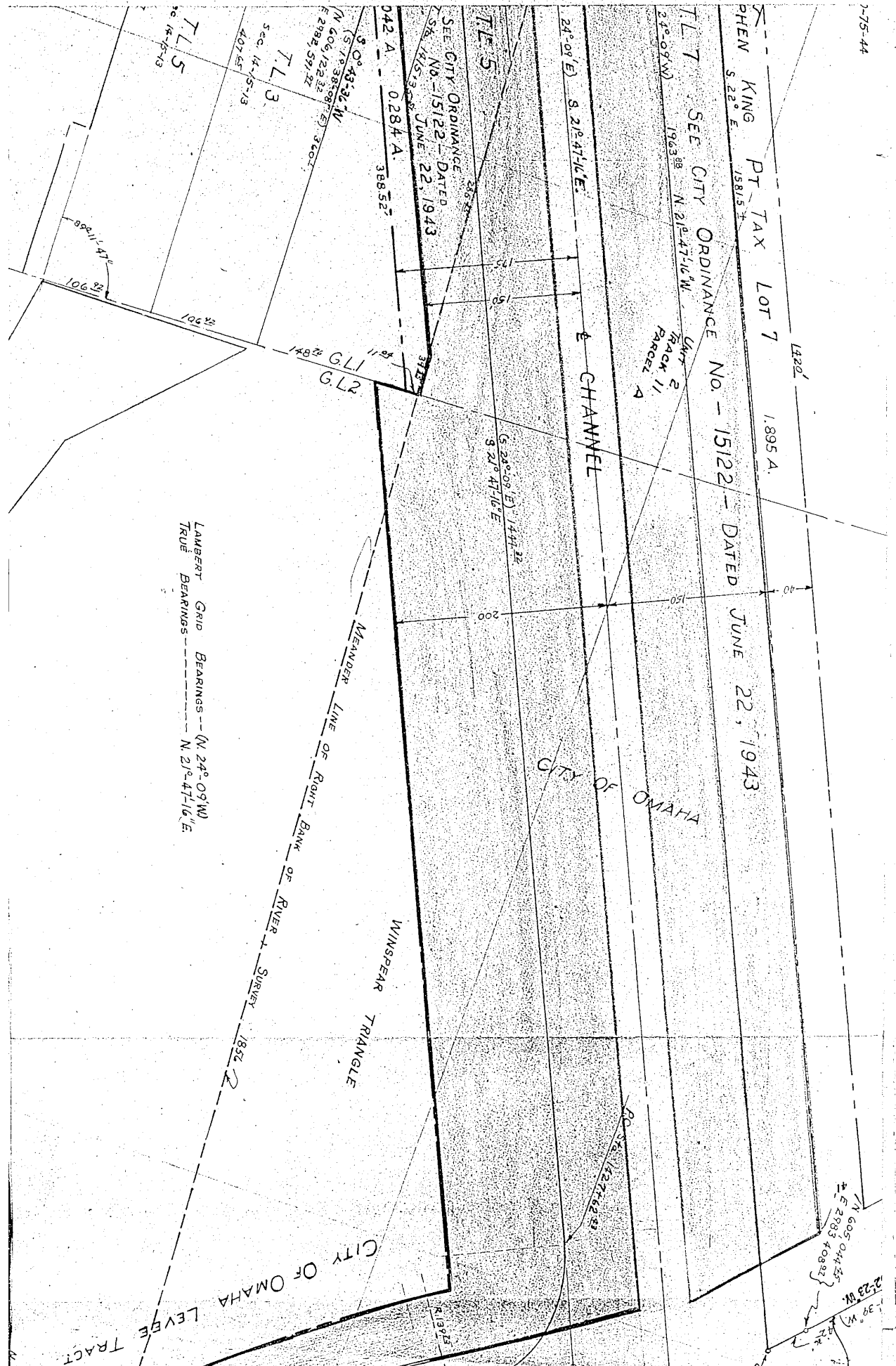
T.L. 5
Sec. 14-15-13
407.65'

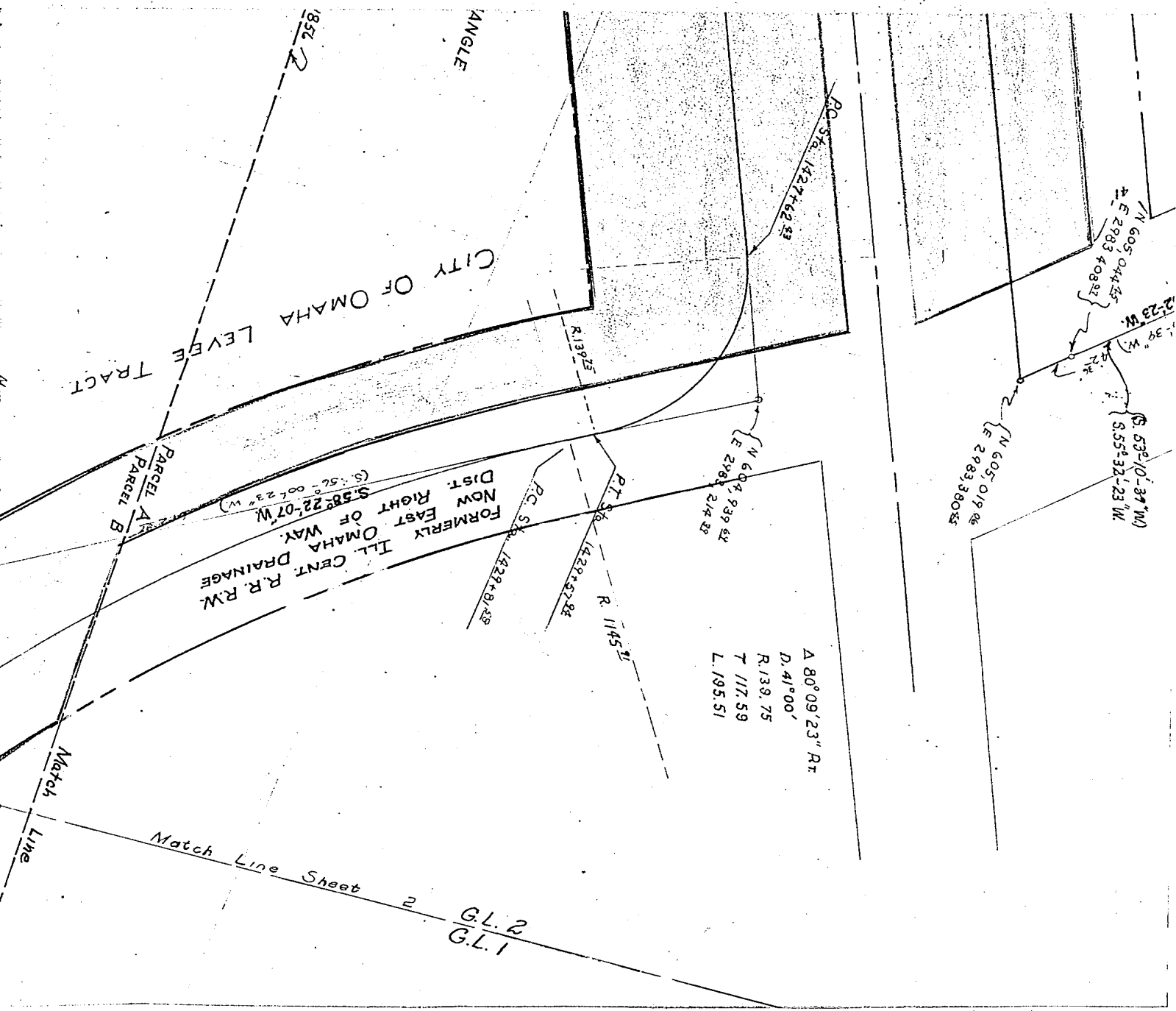
G.L. 1
G.L. 2
MEANDER LINE OF RIGHT BANK OF RIVER + SURVEY 1852

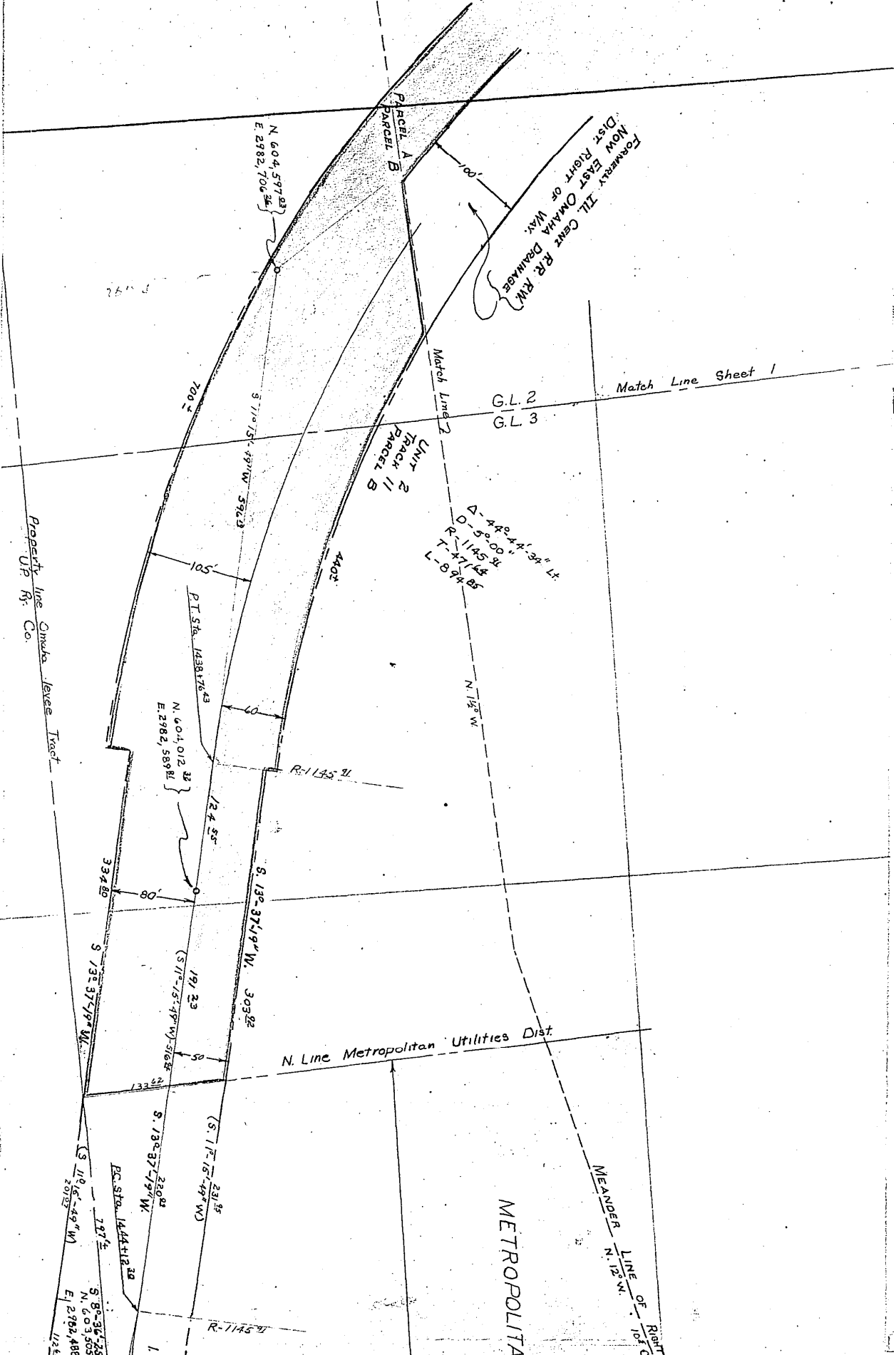
WINSPEAR TRIANGLE
CITY OF OMAHA
CITY OF OMAHA LEVEE TRACT

LAMBERT GRID BEARINGS -- (N. 24° 09' W)
TRUE BEARINGS -- (N. 21° 47' 16" E)

N 60° 04' 55"
E 298.340882'
N 39° W
E 223 W







G.L. 2
G.L. 3

Match Line Sheet 1

$\Delta = 44^{\circ} 44' 34''$ LE
 $D = 5^{\circ} 00'$
 $R = 1145.81$
 $T = 47.154$
 $L = 8.9485$

Property line Omaha Levee Tract
UP R. Co.

N. Line Metropolitan Utilities Dist

METROPOLITA

MEANDER
 LINE OF
 RIGHT
 OF WAY
 N. 12° W. 101'

PC Sta. 1444+18.39
 S. 8° 36' 25"
 N. 60° 35' 05"
 E. 2982.488
 112.87

S. 130° 37' 19" W. 220.84
 (S. 127° 15' 49" W)

S. 130° 37' 19" W. 303.92
 197.23
 (S. 117° 15' 49" W) 516.87

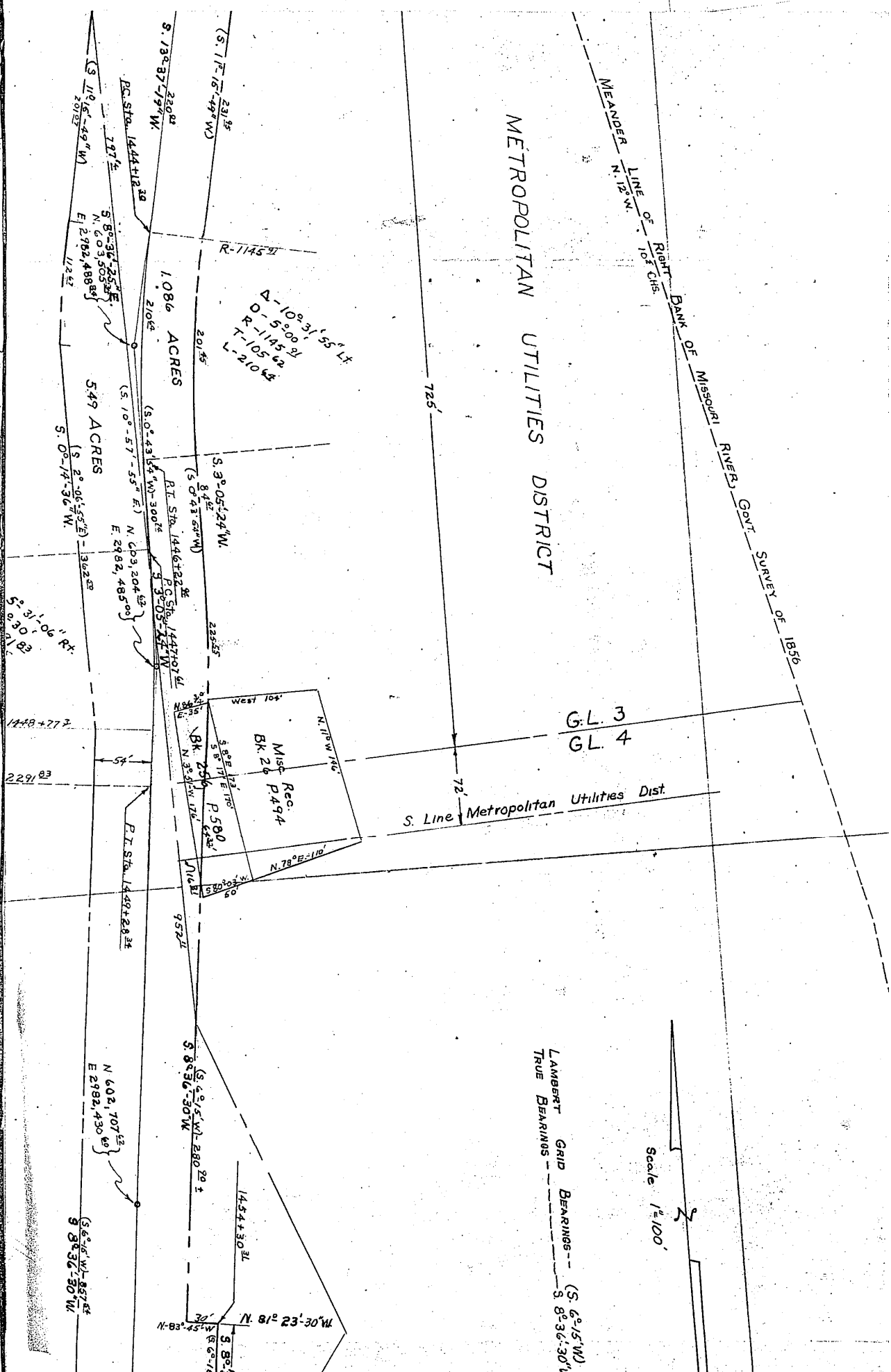
N. 60° 4' 01.2"
 E. 2982.5898

PT Sta. 14381+76.43
 N. 60° 4' 01.2"
 E. 2982.5898

N. 60° 4' 57.2"
 E. 2982.7063

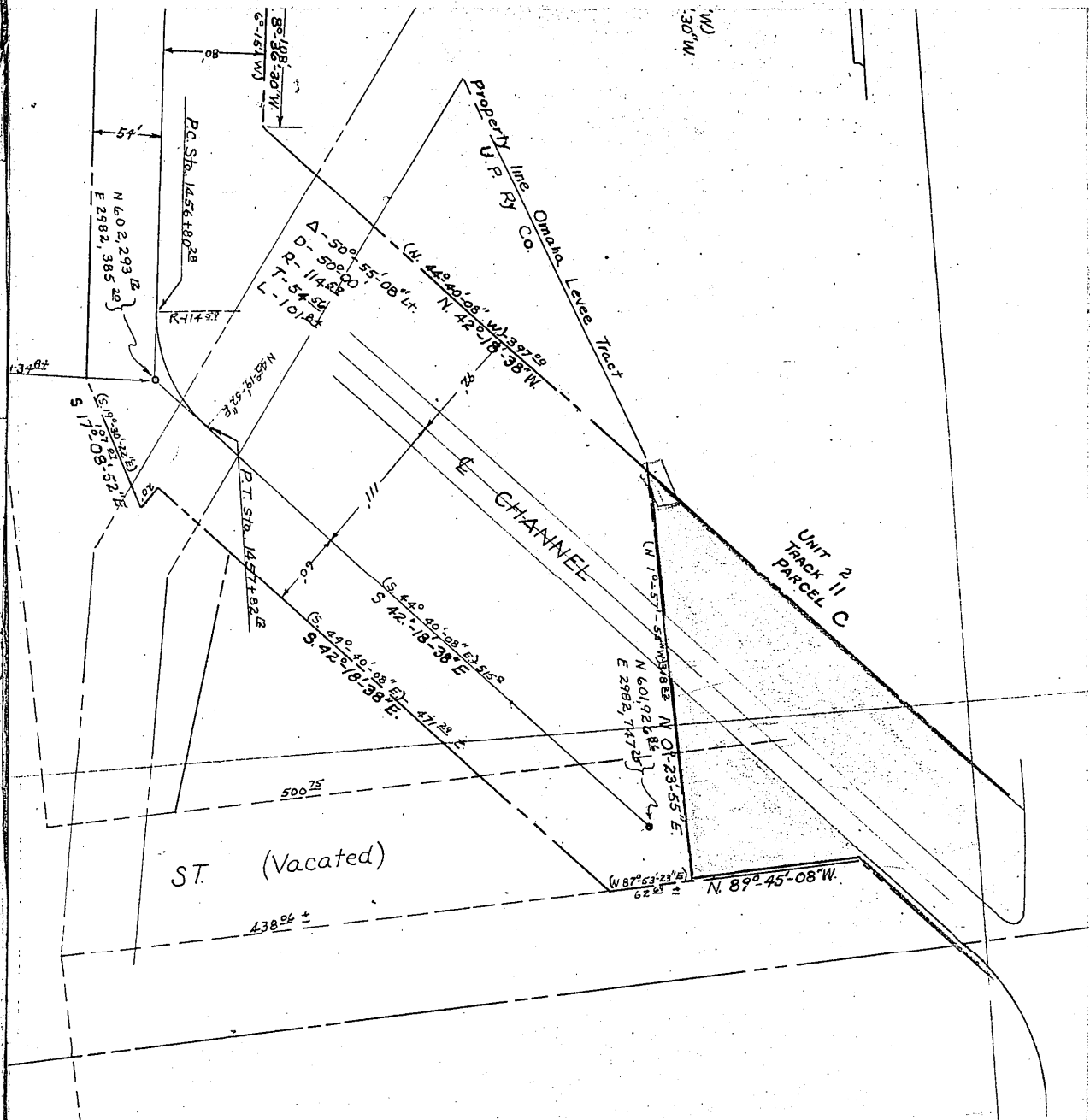
METROPOLITAN UTILITIES DISTRICT

MEANDER LINE OF RIGHT BANK OF MISSOURI RIVER, GOVT. SURVEY OF 1856



Scale 1/2"=100'

LAMBERT GRID BEARINGS - (S. 8° 15' W.) TRUE BEARINGS - (S. 8° 36' 50" W.)



14.
 INDEXED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, MISSOURI 5.90
 9 DAY Oct 19 47 AT 3:49 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS