

FILED S&P CO. NE.
INSTRUMENT NUMBER
2007-16838

2007 JUN -8 A 10:03

Shirley J. Lawley
REGISTER OF DEEDS

QUINTELL *Q* VERIFIED *Q* PROOF *Q*
FEES \$ 30.50
CHECK # _____
CHG DAK -30.50 CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
MOPAC TRAIL PROJECT**

EASEMENTS

IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, **RUSSELL G. HANS, TRUSTEE UNDER THE HANS FAMILY TRUST UTA dated August 26, 2005** (hereinafter called "**GRANTORS**," whether one or more), for themselves and for their successors and assigns, do hereby grant to **PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT** (hereinafter called "**GRANTEE**"), and its successors and assigns, the easements hereinafter described, to-wit:

PERMANENT DRAINAGE EASEMENT (PARCEL A). GRANTOR hereby grants to GRANTEE the permanent, full, and free right, liberty and authority to enter upon and use the strip(s) or parcel(s) of land (hereinafter referred to collectively as "**PARCEL A**") described in the legal description attached hereto as Exhibit "A" and incorporated herein by reference, for purposes of construction, operation, maintenance, repair, replacement, and regulation of drainage improvements appurtenant to GRANTEE'S MOPAC public recreational trail project

A

(hereinafter referred to as "**the TRAIL PROJECT**"), such drainage improvement easement rights hereby granted including, without limitation, the construction, operation, maintenance, repair, replacement and regulation of drainage culverts and other conduits and extensions thereof, embankments, headwalls, channels, swales, erosion prevention measures and other surface water drainage improvements associated with and appurtenant to the TRAIL PROJECT.

TEMPORARY CONSTRUCTION AND GRADING EASEMENT (PARCEL B).

GRANTOR hereby grants to GRANTEE the temporary, full, and free right, liberty and authority to enter upon and use the strip(s) or parcel(s) of land (hereinafter referred to collectively as "**PARCEL B**") described in the legal description attached hereto as Exhibit "B" and incorporated herein by reference, for ingress and egress; construction materials storage; equipment maintenance, storage and maneuvering; and, any for other lawful purposes necessary, convenient or incidental to GRANTEE'S construction of the TRAIL PROJECT or the aforesaid drainage improvements, during the period of such construction.

The GRANTEE'S exercise of the rights granted in the afore-mentioned easements shall be subject to the following, to-wit:

1. The consideration recited hereinabove shall constitute payment in full for all damages sustained by GRANTORS, and their heirs, successors and assigns, by reason of the exercise of any of the rights or privileges herein expressly granted or reasonably implied.

2. This instrument may be recorded, shall be deemed to run with the land, and shall be binding upon and inure to the benefit of the parties to this instrument and their heirs, successors and assigns.

3. GRANTORS covenant and agree that they own PARCEL A and PARCEL B and have good right to grant the aforesaid easements over the same; that PARCEL A and PARCEL B are free and clear of all liens and encumbrances that could affect GRANTEE'S rights under the easements herein granted; and, that


B

GRANTORS will warrant and defend GRANTEE'S title to such easements against the lawful claims and demands of all persons whomsoever.

4. This instrument shall not be construed to pass to GRANTEE any fee simple title to PARCEL A or PARCEL B.

5. GRANTORS warrant that no representations or inducements have been made or given by GRANTEE, or by any of its officers, agents or employees, other than as may be recited in this instrument.

Executed by GRANTORS on this 4th day of APRIL, 2007



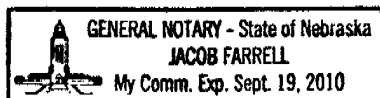
RUSSELL G. HANS, TRUSTEE UNDER THE
HANS FAMILY TRUST UTA dated August
26, 2005

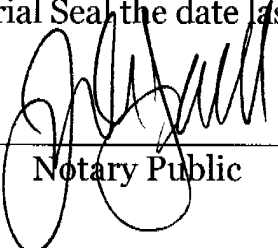
ACKNOWLEDGEMENTS

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

On this 4th day of APRIL, 2007, before me, a Notary Public, personally came RUSSELL G. HANS, TRUSTEE UNDER THE HANS FAMILY TRUST UTA dated August 26, 2005, to me personally known to be the identical person whose name is affixed to the above and foregoing instrument, and he/she acknowledged the same to be his/her voluntary act and deed.

WITNESS my hand and Notarial Seal the date last aforesaid.





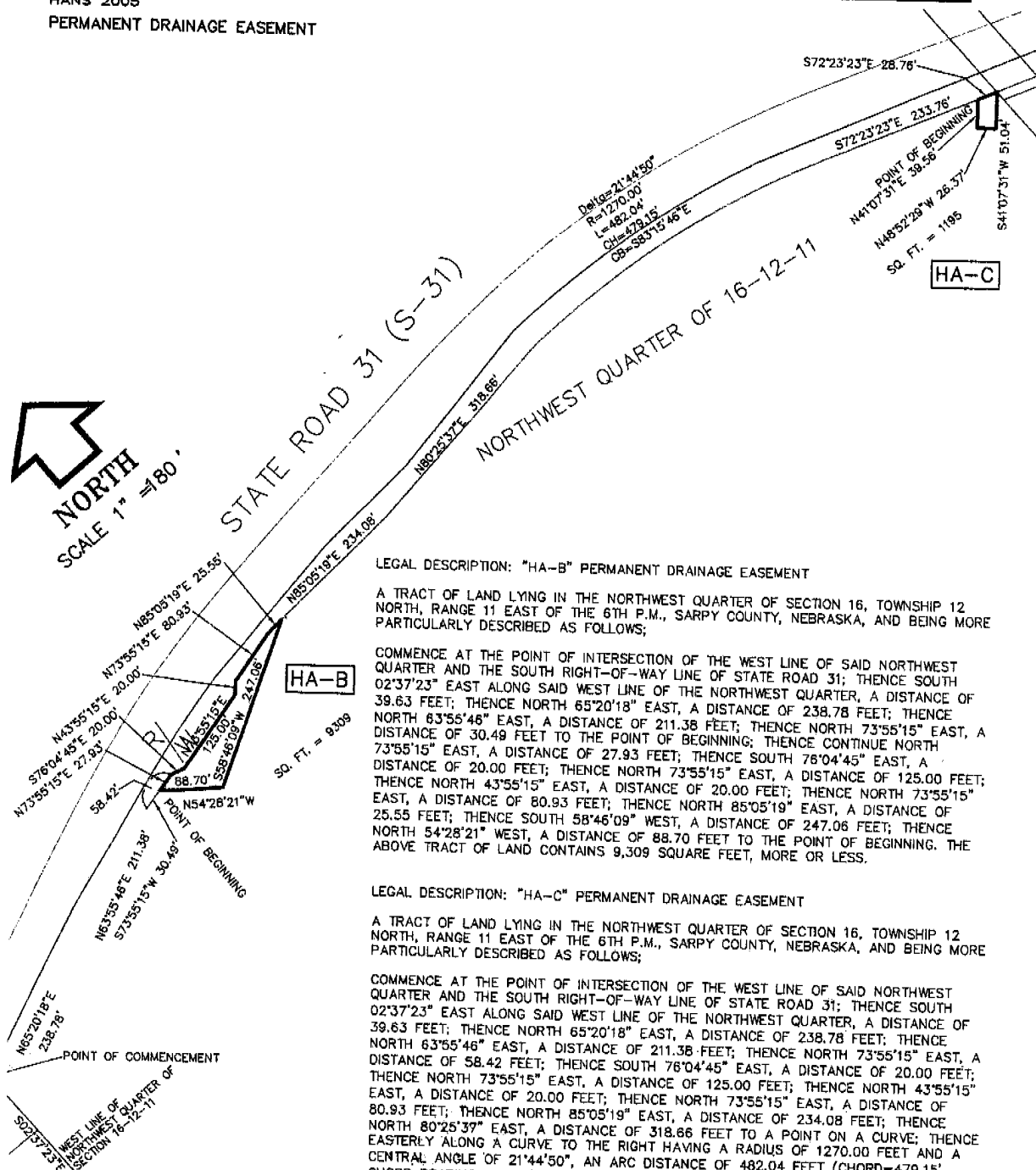
Notary Public

Project No. EGA031340

DESCRIPTION & SKETCH

HANS 2005

PERMANENT DRAINAGE EASEMENT



Date: 10/25/05

**EHRHART
GRIFFIN &
ASSOCIATES**

ENGINEERING

PLANNING

LAND SURVEYING

3552 Farham Street • Omaha, Nebraska 68134 • (402) 441-1111

DESCRIPTION & SKETCH

TEMPORARY CONSTRUCTION AND GRADING EASEMENT



2007-16838E

