

E A S E M E N T

THIS AGREEMENT was entered into on the 21 day of MARCH, 1944, by and between EDWARD C. HARRIS (also known as Edward Harris) and MARIE HARRIS, his wife, and FRANK H. HARRIS (also known as Frank Harris), unmarried, hereinafter referred to as the "Grantors", and EAST OMAHA DRAINAGE DISTRICT, a corporation organized under the laws of the State of Nebraska, hereinafter referred to as the "Grantee".

In consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, assign, convey and deliver unto the Grantee, an easement in perpetuity to occupy the property hereinafter described, for the purpose of constructing and maintaining a levee, with the right to remove earth from any portion of the property covered by the easement, for borrow purposes, on, over and across the following described property located in Douglas County, Nebraska, to-wit:

A strip of land varying in width from 150 to 125 feet for levee and borrow pit purposes, situate within the North One-half ( $N\frac{1}{2}$ ) of Section 35, Township 16 N, Range 13 E, in Douglas County, Nebraska, across blocks 26, 35, 36, 37 and 38 of the George H. Boggs Addition and across Tax Lots 16 and 17 in the Southeast One-Quarter Northeast One-quarter ( $SE\frac{1}{4}NE\frac{1}{4}$ ) said Section 35, being more particularly described as follows:

Beginning at the point where the center line of the Missouri River Levee crosses the East line of 10th Street on the west side of Block 35 of the Geo. H. Boggs Addition said point being 17 feet west and 1228.1 feet more or less north of the center of said Section 35.

Thence north, along the east line of 10th Street, 113.4 feet to the northerly right-of-way line for said levee and borrow pit.

Thence along said northerly right-of-way line which is a line parallel with and 100 feet northerly from measured at right angles to the levee center line, south  $61^{\circ} 53'$  east a distance of 538.77 feet to the point of curve.

Thence along such curve to the left, having a radius of 473.0 feet, through a central angle of  $38^{\circ} 10'$ , a distance of 315.1 feet to the point of tangent of said curve.

Thence north  $79^{\circ} 57'$  east a distance of 551.6 feet more or less to a point on the east line of 8th Street on the north and south center line of the South One-half ( $S\frac{1}{2}$ ) of the Northeast One-quarter ( $NE\frac{1}{4}$ ) said Section 35, said line being the east boundary of the Geo. H. Boggs Addition and the west boundary of Tax Lot 16.

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Thence continuing north  $79^{\circ} 57'$  east across Tax Lot 16, along a line parallel with and 100 feet northerly from measured at right angles to said levee center line, a distance of 607.7 feet to the point of curve and the easterly terminus of right-of-way 150 feet wide and the beginning of right-of-way 125 feet wide.

Thence south  $10^{\circ} 03'$  east 12.5 feet to a point of curve which is 87.5 feet northerly from and measured at right angles to the levee center line.

Thence along a line parallel with and 87.5 feet northerly from, measured at right angles to the levee center line, across part Tax Lots 16 and 17 along a curve to the right having a radius of 982.66 feet through a central angle of  $12^{\circ} 45'$  a distance of 218.67 feet to the point of tangent of said curve.

Thence south  $87^{\circ} 18'$  east a distance of 42.5 feet to a point of curve.

Thence along a curve to the right having a radius of 751.6 feet, through a central angle of  $16^{\circ} 37'$ , a distance of 217.98 feet to the point of tangent of said curve.

Thence south  $70^{\circ} 41'$  east a distance of 255.9 feet to a point of curve.

Thence along a curve to the right having a radius of 1031.3 feet, through a central angle of  $1^{\circ} 07' 42''$ , a distance of 23.12 feet to a point on the east line of Section 35, Township 16 N, Range 13 E, 1099 feet more or less north of the southeast corner of the northeast one-quarter (NE $\frac{1}{4}$ ) said Section 35.

Thence south along the east line of Section 35, 139.9 feet to a point where the southerly right-of-way line crosses said section line, 37.5 feet southerly from and measured at right angles to said levee center line.

Thence following the southerly right-of-way line parallel with and 37.5 feet southerly from, measured at right angles to said levee center line across, Tax Lot 17, along a curve to the left having a radius of 1056.9 feet, through a central angle of  $3^{\circ} 45' 22''$  a distance of 69.3 feet to the point of tangent of said curve.

Thence north  $70^{\circ} 41'$  west a distance of 255.9 feet to a point of curve.

Thence along a curve to the left, having a radius of 826.60 feet, through a central angle of  $16^{\circ} 37'$ , a distance 181.72 feet to the point of tangent of said curve.

Thence north  $87^{\circ} 18'$  east a distance of 42.5 feet to a point of curve.

Thence along a curve to the left, having a radius of 857.66 feet, through a central angle of  $120^{\circ} 45'$ , a distance of 190.86 feet to the point of tangent of said curve and the westerly terminus of right-of-way 125 feet wide and the beginning of right-of-way 150 feet wide.

Thence south  $10^{\circ} 03'$  east a distance of 12.5 feet to a point 50 feet southerly from and measured at right angles to the levee center line.

Thence continuing along a line parallel with and 50 feet southerly from, measured at right angles to the levee center line, across part Tax Lots 17 and 16, south  $79^{\circ} 57'$  west a distance of 634.8 feet to a point on the east line of 8th Street in the Geo. H. Boggs Addition.

Thence across Blocks 37, 38 and 35 of the Geo. H. Boggs Addition on a line 50 feet southerly from, measured at right angles to said levee center line, south  $79^{\circ} 57'$  west a distance of 524.5 feet to a point of curve.

Thence along a curve to the right having a radius of 623.0 feet through a central angle of  $38^{\circ} 10'$  a distance of 415 feet to the point of tangent of said curve.

Thence north  $61^{\circ} 53'$  west a distance of 458.62 feet more or less to a point on the east line of 10th Street.

Thence north along the east line of 10th street 56.69 feet to the point of beginning, containing 9.126 Acres of which 4.70 Acres has been previously acquired for levee purposes leaving 4.426 Acres conveyed herein.

and

All that part of a strip of land 125 feet wide situated within Tax Lot 14 and part south 20 Acres of West One-quarter Northwest One-quarter ( $W\frac{1}{4} NW\frac{1}{4}$ ) lying within the Southwest One-quarter ( $SW\frac{1}{4}$ ), Northwest One-quarter ( $NW\frac{1}{4}$ ), Section 36, Township 16 N., Range 13 E., of the 6th Principal Meridian in Douglas County, Nebraska said strip having 37.5 feet on the southerly side of and 87.5 feet on the northerly side of the center line for the Missouri River Levee described as follows:

Beginning at a point in the center line of Levee where the same crosses the West line of said Section 36, 1006.1 feet north of the quarter corner on the west side of said section 36, said point being a point on a curve the tangent for which bears south  $68^{\circ} 46' 51''$  East.

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Thence along said curve to the right having a radius of 1094.4 feet, through a central angle of  $7^{\circ} 26' 51''$  a distance of 142.26 feet to the point of tangent to said curve.

Thence South  $60^{\circ} 20'$  East 231.7 feet to a point of curve.

Thence along a curve to the Right having a radius of 1846.4 feet, through a central angle of  $6^{\circ} 12'$  a distance of 199.8 feet to the point of tangent to said curve.

Thence South  $54^{\circ} 08'$  East a distance of 397.5 feet to a point of curve.

Thence along a curve to the Left having a radius of 1482.9 feet, through a central angle of  $7^{\circ} 32'$  a distance of 188.4 to the point of tangent to said curve.

Thence South  $61^{\circ} 40'$  East 391.0 feet to a point on the North and South center line of the Northwest One-quarter ( $NW\frac{1}{4}$ ) Section 36, 198.3 feet North of the Southeast corner of the Southwest One-quarter ( $SW\frac{1}{4}$ ) Northwest One-quarter ( $NW\frac{1}{4}$ ) said Section 36. Said described strip containing 4.45 acres of which 2.67 acres has been previously acquired for levee purposes.

In the foregoing descriptions, all bearings shown are referred to the North and South center line of Ninth Street along the West Line, Section 35, Township 16 N., Range 13 E, as true North and South.

To have and to hold said property unto the Grantee, its heirs, successors and assigns, for the purposes herein specified, forever.

The Grantors warrant that said property is free and clear of taxes, liens and encumbrances, and that they are the owners thereof and have good and lawful right to convey the same, and will forever warrant and defend the title against the claims of all persons whomsoever.

Dated this 21 day of March, 1944, at Omaha, Nebraska.

Edward E. Harris

Marie Harris

Frank H. Harris

Attest:

Warrick  
Secretary

EAST OMAHA DRAINAGE DISTRICT

By

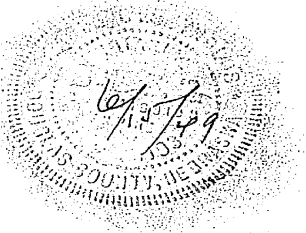
Ed. Knapp  
President

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STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF DOUGLAS )

Before me, a Notary Public, on the date and year last above mentioned, appeared Edward C. Harris (also known as Edward Harris) and MARIE Harris, personally known to me to be husband and wife, and Frank Harris, personally known to me to be unmarried, and each, after being first duly sworn, stated that they executed the foregoing easement, and that it was his or her voluntary act and deed, by him or her voluntarily executed.

IN WITNESS WHEREOF, I have set my hand and affixed my seal on the 21 day of March, 1944.



Earl E. Reynolds  
Notary Public.

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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.  
15 DAY July 1946 AT 4:28 P. M. THOMAS J. O'CONNOR, REGISTER OF DEEDS

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