



MISC 2005153645



DEC 06 2005 09:42 P 4

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
12/6/2005 09:42:08.87



2005153645

**THIS PAGE INCLUDED FOR INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT**

*a*

*Misc*

FEE 27<sup>50</sup> FB OC-07291

*4/15*

BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP BW

DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

✓ 22260

RELEASE OF EASEMENT

KNOW ALL MEN THESE PRESENTS:

WHEREAS, Douglas County Sanitary & Improvement District No. 456 and the City of Omaha, are the owners of a Storm Sewer and Drainageway Easement recorded in Book 1410, Page 27, in the Miscellaneous Records of Douglas County, Nebraska, and

WHEREAS, Douglas County Sanitary & Improvement District No. 456 and the City of Omaha desire to release and discharge the above-referenced Easement for the reason that the Easement is no longer required as there are other dedicated easements contained within the replatting of Cottonwood Creek, a Subdivision in Douglas County, Nebraska, which are sufficient and adequate replacements for the easement to be vacated herein.

NOW, THEREFORE, Douglas County Sanitary & Improvement District No. 456 and the City of Omaha do hereby release the Easement recorded in Book 1410, Page 27, in the Miscellaneous Records of the Douglas County Register of Deeds, which Easement is more particularly described on Exhibit "A" attached hereto and made a part hereof by reference

IN WITNESS WHEREOF, this instrument has been executed as of this 24 day of January, 2005.

SANITARY & IMPROVEMENT DISTRICT NO. 456

By [Signature]

CITY OF OMAHA

By [Signature]  
PUBLIC WORKS DIRECTOR

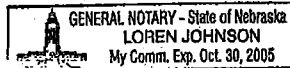
STATE OF NEBRASKA  
COUNTY OF DOUGLAS

By [Signature]  
Planning Director

On this 24 day of January, 2005, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came Gale Larson, the Chairman, of Sanitary & Improvement District No. 456 who is personally known to me to be the identical person whose name is affixed to the above instrument, and acknowledged the said instrument to be his/her free and voluntary act and deed and the free and voluntary act and deed of said Sanitary & Improvement District No. 456.

WITNESS my hand and official seal at Omaha, in said county and state, the date aforesaid.

(SEAL)



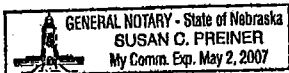
[Signature]  
Notary Public

STATE OF NEBRASKA  
COUNTY OF DOUGLAS

On this 4th day of February, 2005, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came H. Viereger & Robt. Peters, the Directors Pub. Wks. & Planning, of the City of Omaha who is personally known to me to be the identical person whose name is affixed to the above instrument, and acknowledged the said instrument to be his/her free and voluntary act and deed and the free and voluntary act and deed of said City of Omaha.

WITNESS my hand and official seal at Omaha, in said county and state, the date aforesaid.

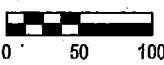
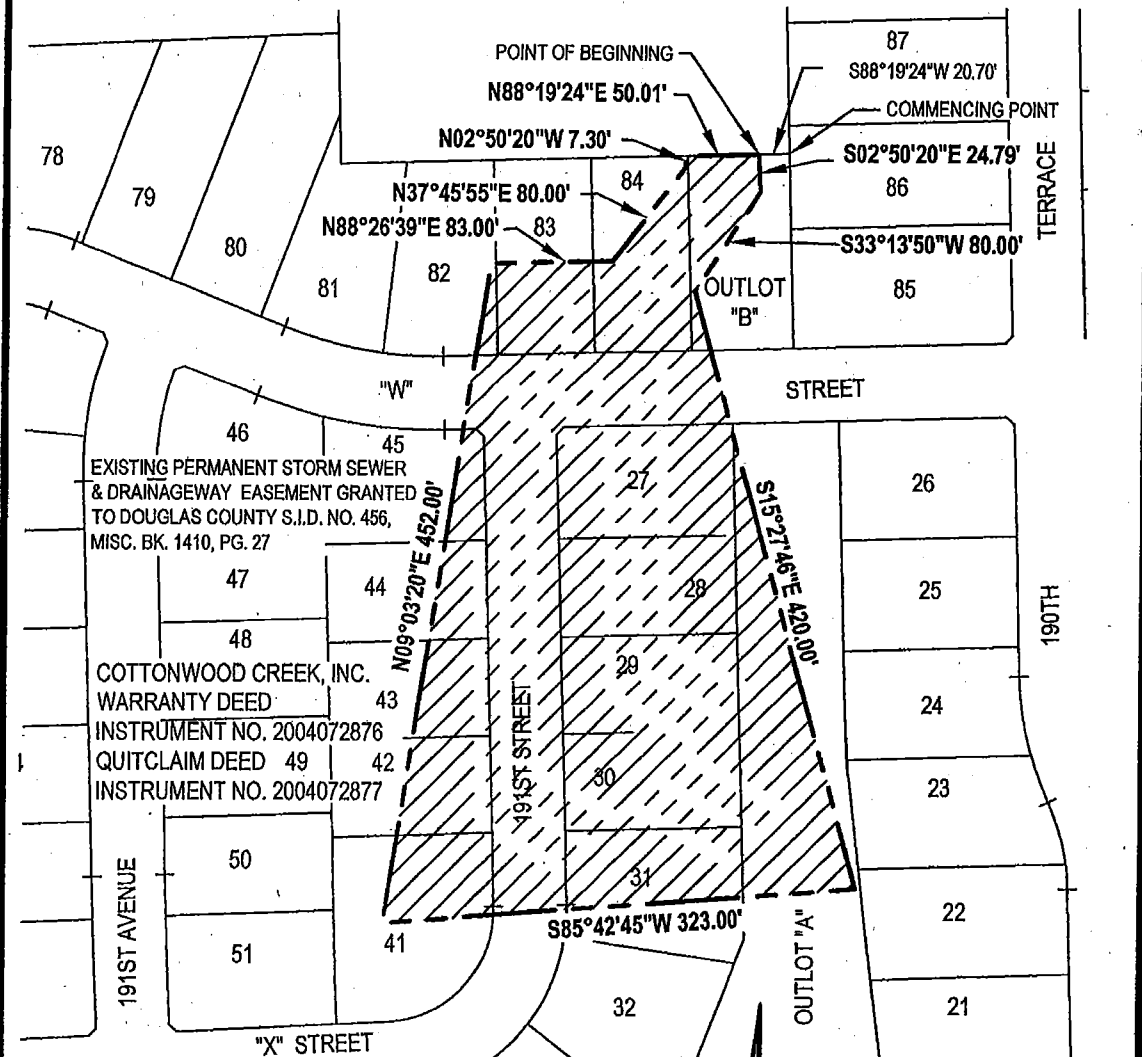
(SEAL)



[Signature]  
Notary Public

RECORD AND RETURN TO: Robert F. Peterson, 11718 Nicholas Street, #101, Omaha, NE 68154

# EXHIBIT "A"



Scale: 1" = 100'



SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
1201 Q STREET OMAHA, NE 68137 PHONE: (402) 995-4700

PART OF A PERMANENT STORM SEWER  
AND DRAINAGEWAY EASEMENT TO BE  
VACATED  
DOUGLAS COUNTY, NEBRASKA

Drawn by: DAS Chkd by: wac 8-25-05 Chkd by: \_\_\_\_\_  
Job No.: 2003038.02 Date: 08/08/2005 SHEET 1 OF 2

K:\Projects\2003\038\p01\Survey\Easements\RELEASE EASE-000.dwg, 8.5x11 (19), 8/25/2005 11:43:37 AM, DonaldS

## EXHIBIT "A"

### LEGAL DESCRIPTION

COTTONWOOD CREEK, INC.

WARRANTY DEED - INSTRUMENT NO. 2004072876

QUITCLAIM DEED - INSTRUMENT NO. 2004072877

PERMANENT STORM SEWER AND DRAINAGEWAY EASEMENT GRANTED TO

DOUGLAS COUNTY S.I.D NO. 456 AND THE CITY OF OMAHA TO BE VACATED

PLAT RECORDED AS INSTRUMENT NO. 2003151461, COTTONWOOD CREEK

PLAR RECORDED AS INSTRUMENT NO. 2005042125, COTTONWOOD CREEK REPLAT ONE

PART OF A PERMANENT STORM SEWER AND DRAINAGEWAY EASEMENT TO BE VACATED LOCATED IN ALL OF LOTS 28 THRU 30, INCLUSIVE, COTTONWOOD CREEK REPLAT ONE, A SUBDIVISION LOCATED IN THE WEST 1/2 OF THE NW1/4 OF SECTION 8; AND ALSO TOGETHER WITH PART OF LOTS 27, 31, 41, 42, 43, 44, 45, 82, 83 AND 84, SAID COTTONWOOD CREEK REPLAT ONE; AND ALSO TOGETHER WITH PART OF OUTLOTS "A" AND "B", SAID COTTONWOOD CREEK REPLAT ONE; AND ALSO TOGETHER WITH PART OF 191ST STREET RIGHT-OF-WAY; AND ALSO TOGETHER WITH PART OF "W" STREET RIGHT-OF-WAY; ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, COTTONWOOD CREEK, A SUBDIVISION LOCATED IN SAID NW1/4 OF SECTION 8, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID OUTLOT "B", COTTONWOOD CREEK REPLAT ONE, SAID POINT ALSO BEING ON THE WEST LINE OF LOT 86, SAID COTTONWOOD CREEK REPLAT ONE; THENCE S88°19'24"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID LOT 1, COTTONWOOD CREEK, SAID LINE ALSO BEING THE NORTH LINE OF SAID OUTLOT "B", COTTONWOOD CREEK REPLAT ONE, A DISTANCE OF 20.70 FEET TO THE POINT OF BEGINNING; THENCE S02°50'20"E, A DISTANCE OF 24.79 FEET; THENCE S33°13'50"W, A DISTANCE OF 80.00 FEET; THENCE S15°27'46"E, A DISTANCE OF 420.00 FEET; THENCE S85°42'45"W, A DISTANCE OF 323.00 FEET; THENCE N09°03'20"E, A DISTANCE OF 452.00 FEET; THENCE N88°26'39"E, A DISTANCE OF 83.00 FEET; THENCE N37°45'55"E, A DISTANCE OF 80.00 FEET; THENCE N02°50'20"W, A DISTANCE OF 7.30 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 84, COTTONWOOD CREEK REPLAT ONE, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 1, COTTONWOOD CREEK; THENCE N88°19'24"E ALONG SAID NORTH LINE OF LOT 84, COTTONWOOD CREEK REPLAT ONE, AND ALSO SAID NORTH LINE OF OUTLOT "B", COTTONWOOD CREEK REPLAT ONE, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 1, COTTONWOOD CREEK, A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT STORM SEWER AND DRAINAGEWAY EASEMENT TO BE VACATED CONTAINS AN AREA OF 104,168 SQUARE FEET OR 2.391 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING



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ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

Drawn by: DAS

Chkd by: *unc 8-25-05*

Chkd by: \_\_\_\_\_

Job No.: 2003038.02

Date: 08/08/2005

SHEET 2 OF 2

PART OF A PERMANENT STORM SEWER  
AND DRAINAGEWAY EASEMENT TO BE  
VACATED  
DOUGLAS COUNTY, NEBRASKA