

*Affects
out lot #3.*TEMPORARY AND PERMANENT EASEMENT

FOR VALUABLE CONSIDERATION, Father Flanagan's Boys' Home, a Nebraska corporation, hereinafter referred to as Grantor, hereby grants and conveys to St. Wenceslaus Church of Omaha, a Nebraska corporation, hereinafter referred to as Grantee, and its successors and assigns a permanent easement and temporary construction easement as indicated on Exhibit A attached hereto, in, over, and upon the following described land situated in the County of Douglas, State of Nebraska, to-wit:

LEGAL DESCRIPTION (PERMANENT EASEMENT)

That part of the $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 26, T15N, R11E of the 6th P.M., Douglas County, Nebraska described as follows: Commencing at the Northeast corner of said $W\frac{1}{2}$; thence $S00^{\circ}00'00''E$ (assumed bearing) on the East line of said $W\frac{1}{2}$, 990.00 feet; thence $N89^{\circ}34'24''W$ on a line 990.00 feet South of and parallel to the North line of said $W\frac{1}{2}$, 723.60 feet; thence $N21^{\circ}34'24''W$, 58.94 feet to the point of beginning; thence continuing $N21^{\circ}34'24''W$, 20.61 feet; thence $S54^{\circ}25'36''W$, 47.79 feet; thence $S35^{\circ}34'24''E$, 20.00 feet; thence $N54^{\circ}25'36''E$, 42.80 feet to the point of beginning.

on which Grantee may construct, reconstruct, maintain and repair a storm sewer outfall line. Grantee shall have the right to enter upon said easement area at any time to inspect, construct, reconstruct, maintain and repair said storm sewer outfall line.

LEGAL DESCRIPTION (TEMPORARY CONSTRUCTION EASEMENT)

That part of the $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 26, T15N, R11E of the 6th P.M., Douglas County, Nebraska described as follows: Commencing at the Northeast corner of said $W\frac{1}{2}$; thence $S00^{\circ}00'00''E$ (assumed bearing) on the East line of said $W\frac{1}{2}$, 990.00 feet; thence $N89^{\circ}34'24''W$ on a line 990.00 feet South of and parallel to the North line of said $W\frac{1}{2}$, 723.60 feet; thence $N21^{\circ}34'24''W$, 43.48 feet to the point of beginning; thence continuing $N21^{\circ}34'24''W$, 51.53 feet; thence $S54^{\circ}25'36''W$, 66.52 feet; thence $S35^{\circ}34'24''E$, 50.00 feet; thence $N54^{\circ}25'36''E$, 54.06 feet to the point of beginning.

which temporary easement area Grantee may use during the time of initial installation of the storm sewer line and the permanent easement. The temporary easement shall expire upon the expiration of the installation of the storm sewer line.

After completion of the initial installation of the storm sewer line Grantee shall restore the surrounding easement area surface as nearly as possible to the condition existing prior to such work and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the easement area.

Grantee agrees to perform any repair or maintenance necessary for the maintenance and operation of the above-mentioned storm sewer line.

Grantee is solely responsible for construction, operating and maintaining the above-described improvements for the purpose of or in connection with which the temporary easement is granted; and Grantee shall indemnify and hold harmless the Grantor, its successors and assigns from any and all claims for personal injury, including death, or damage to property arising out of or in connection with the constructing, operating or maintaining of the above-described improvements.

Grantor agrees not to place any structure, building, or other permanent structure on the permanent easement area.

The easements include the right of ingress and egress at any time over and upon the above-described land of the Grantor and any other land of Grantor adjoining said land.

These easements granted shall run in favor and be binding upon the respective assigns, executors, administrators, heirs, devisees, successors, contractors and agents of the Grantor and Grantee.

DATED this 20th day of August, 1982.

FATHER FLANAGAN'S BOYS' HOME,
Grantor

Attest:

J. Vinson Roach

Secretary

By

Robert P. Murphy

ST. WENCESLAUS CHURCH OF OMAHA,
Grantee

Attest:

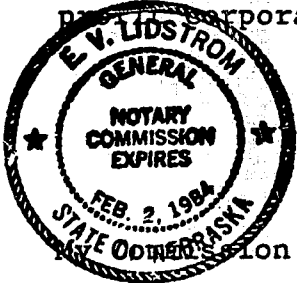
James R. Cassi
Secretary

By

David E. Stuchan

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) SS.

The foregoing instrument was acknowledged before me on August 20, 1982 by ROBERT P. HUPP, Executive Vice President of FATHER FLANAGAN'S BOYS' HOME, a Nebraska non-profit corporation, on behalf of the corporation.

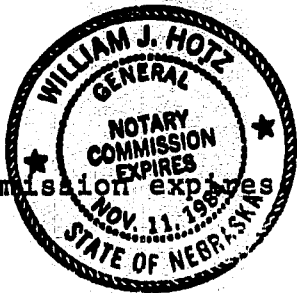


E. V. Lidstrom
Notary Public

My Commission expires: February 2, 1984

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) SS.

The foregoing instrument was acknowledged before me on August 24, 1982, 1982 by DANIEL E. SHEEHAN, President of St. Wenceslaus Church of Omaha, a non-profit corporation, on behalf of the corporation.

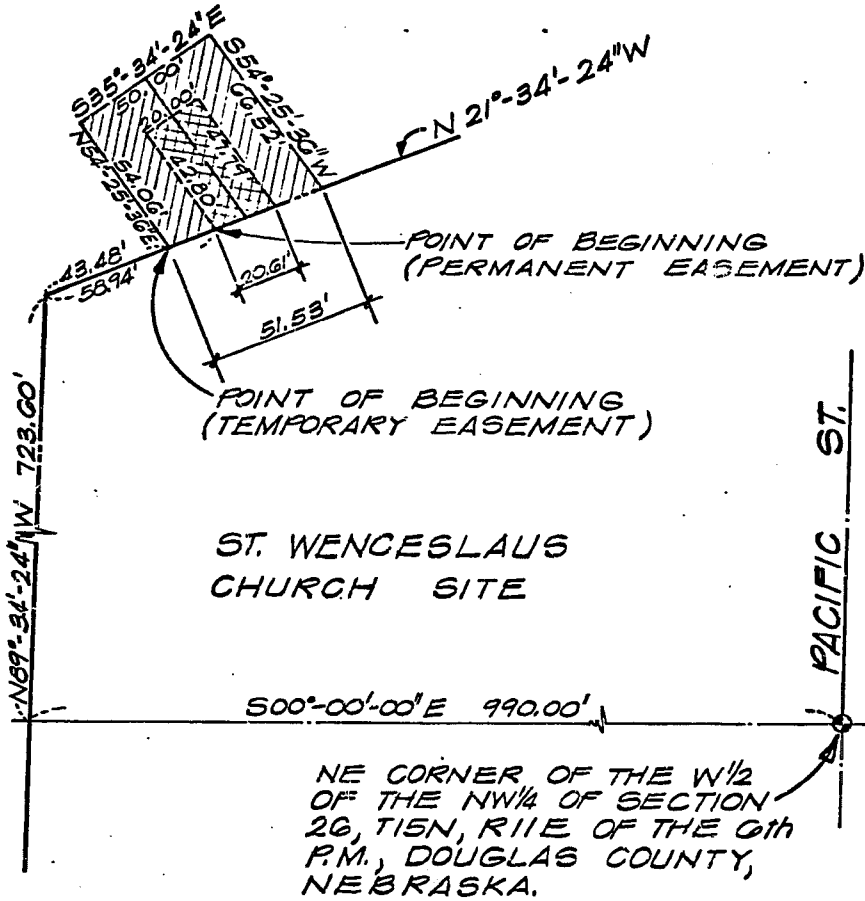


William J. Hotz
Notary Public

My Commission expires 11 - 11 - 84



SCALE : 1" = 50'



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LEGEND

PERMANENT EASEMENT

TEMPORARY CONSTRUCTION EASEMENT



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EXHIBIT A