



BK 1436 PG 544-547



MISC 2002 09630

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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TEMPORARY EASEMENT

THIS AGREEMENT, made this 8th day of April 2002 between SHARON BRUNING and STATE STREET INVESTMENTS, LLC, hereinafter referred to collectively, whether one or more, as GRANTOR, and SANITARY AND IMPROVEMENT DISTRICT NO. 441 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision, hereinafter referred to as GRANTEE, and to its successors and assigns.

WITNESSETH:

THAT, said Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto said Grantee, and its successors and assigns, the right to use the parcel of land described as follows:

See Exhibit "A," attached hereto and by this reference incorporated herein (the "Property").

This easement shall run with the land and terminate one (1) year after the recording date of this easement.

Said easement is granted for ingress and egress over, across, under and through the Property for the purpose of constructing, inspecting, operating and maintaining a drainage-way and associated appurtenances for the benefit of real property owned by Grantee.

This easement is also for the benefit of any successor, assign, contractor, agent, employee and representative of the Grantee in any of said construction and work.

Grantee shall replace or rebuild, to its original state, any and all improvements, including reseeding, trees, shrubs, and wetlands restoration if required by the United States Army Corp of Engineers, damaged by Grantee exercising its rights pursuant to this easement, except for any portion of the Property that is also subject to a permanent easement in favor of Grantee which shall be governed by the permanent easement.

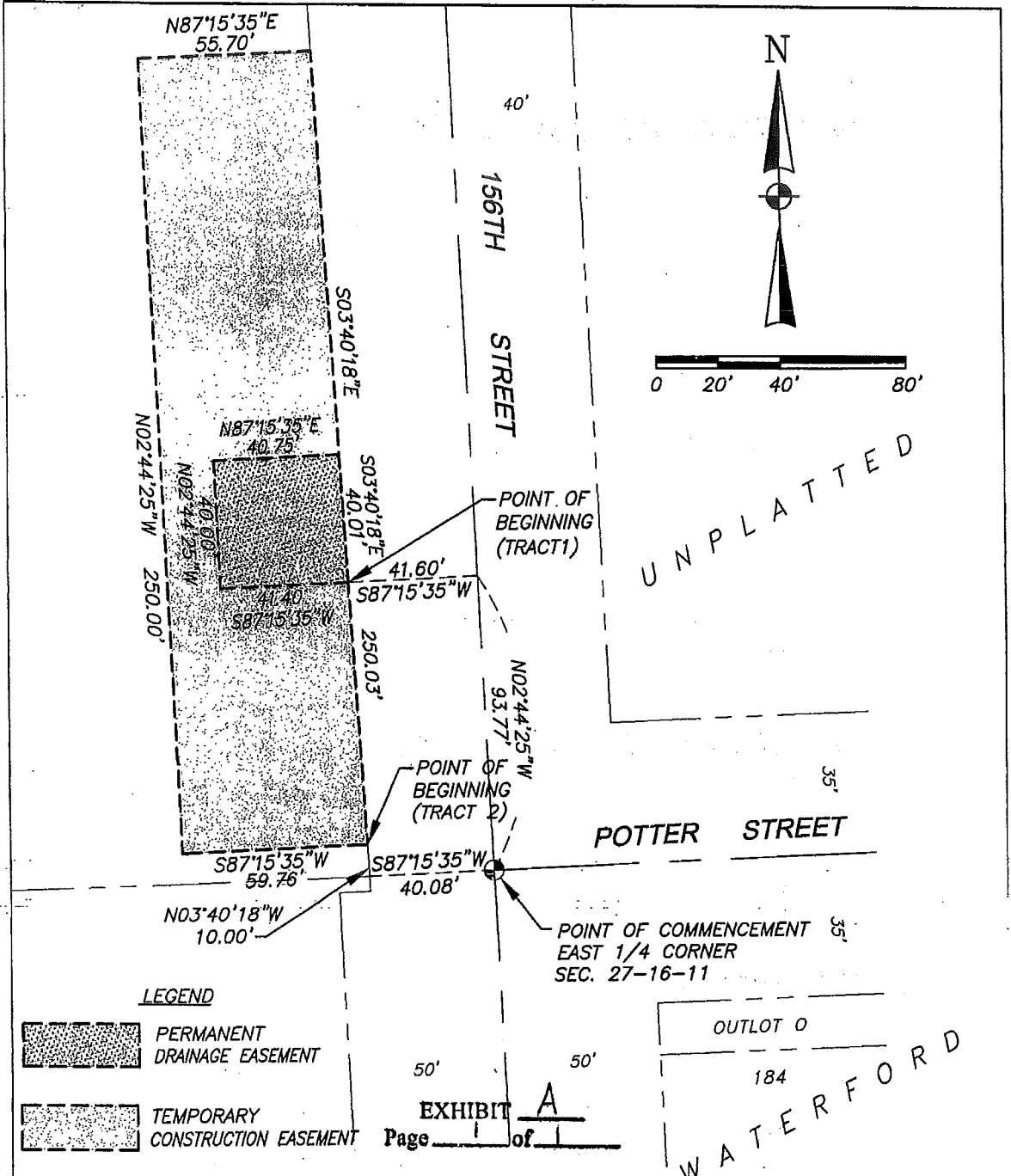
Grantee shall cause the Property to be left in a neat and orderly condition.

Said Grantor for itself and its successors and assigns does confirm with said Grantee and its successors and assigns, that Grantor has the right to grant this easement in the manner and form aforesaid.

FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-4482

*A MISC
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FEE	2050	FB	01-60000
BKP	27-16-11	C/O	COMP
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LEGEND

- PERMANENT DRAINAGE EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A
 Page 1 of 1

LEGAL DESCRIPTION (TRACT 1) – PERMANENT DRAINAGE EASEMENT

A TRACT OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 27; THENCE ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, N02°44'25"W (ASSUMED BEARING), 93.77 FEET; THENCE S87°15'35"W, 41.60 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF 156TH STREET; THENCE S87°15'35"W, 41.40 FEET; THENCE N02°44'25"W, 40.00 FEET; THENCE N87°15'35"E, 40.75 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 156TH STREET; THENCE ON SAID WEST RIGHT OF WAY LINE, S03°40'18"E, 40.01 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.04 ACRE (1,643 SQUARE FEET), MORE OR LESS.

LEGAL DESCRIPTION (TRACT 2) – TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 27; THENCE S87°15'35"W (ASSUMED BEARING), 40.08 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 156TH STREET; THENCE ON SAID WEST RIGHT OF WAY LINE, N03°40'18"W, 10.00 FEET TO THE POINT OF BEGINNING; THENCE S87°15'35"W, 59.76 FEET; THENCE N02°44'25"W, 250.00 FEET; THENCE N87°15'35"E, 55.70 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 156TH STREET; THENCE ON SAID WEST RIGHT OF WAY LINE, S03°40'18"E, 250.03 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM, THE ABOVE DESCRIBED TRACT 1, CONTAINING A NET AREA OF 0.29 ACRE (12,789 SQUARE FEET), MORE OR LESS.