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RICHARD M. TOMECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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RECEIVED

DAM COMPLEX EASEMENT AGREEMENT DAM SITE 6 - BENNINGTON LAKE PROJECT

This Dam Complex Easement Agreement (herein this "Easement Agreement") is made and entered into as of this 17th day of August, 1998, by and between the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT (herein "the NRD"), HORGAN DEVELOPMENT COMPANY, a Nebraska corporation (herein "HDC"), and SANITARY AND IMPROVEMENT DISTRICT NO. 425 OF DOUGLAS COUNTY, NEBRASKA (herein "the SID").

Preliminary Statement

HDC is in the process of developing and platting a section of real property legally described as Section 9, Township 16 North, Range 11, East of the 6th P.M., Douglas County, Nebraska (herein the "Section 9 Property"), as part of a residential subdivision which will contain approximately two hundred ninety-four (294) residential lots. In conjunction with such development, HDC, the NRD and the SID are developing on the Section 9 Property and on adjacent property to the west, north, east and south, a dam, reservoir, and other improvements which will be a part of flood control facilities for the Big Papillion Creek Watershed. The entire project being undertaken by HDC, the NRD, and the SID is presently referred to as the Dam Site 6/Bennington Lake Project (herein the "Project").

HDC, the NRD, and the SID have entered into an Amended Agreement executed by the NRD on April 16, 1998, and by HDC and the SID on April 29, 1998 (herein the "Amended Agreement"). The Amended Agreement evidences the agreements and understandings between the NRD, HDC, and the SID concerning Project matters, including, without limitation, the construction, operation and maintenance of the Dam, the Reservoir, the Sediment Retention Structure, the Wetlands, the Trails System, the Channel Improvements, the Treatment Facility, the SID Open Space Improvements, the NRD Open Space Improvements, and the Fishing Facilities. The Amended Agreement further provides in Paragraphs 13 and 14 for certain land transfers. A Memorandum of the Amended Agreement was recorded with the Douglas County Register of Deeds on 8-27-98, 1998, in Book 1261, at Page 199.

Immediately preceding the execution of this Easement Agreement, HDC, as Grantor, conveyed to the NRD by warranty deed the real property in Douglas County, Nebraska, which is legally described in Exhibits "D1A," "D1B," "D2," and "D3" attached hereto and incorpo-

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FEE 12.00 FB 01-1000000
BK 9-11-11 C/O JP COMP MS
DEL SCAN DC FV

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rated herein by this reference. The real estate legally described in Exhibit "D1A" and "D1B" is hereinafter referred as "the Dam Complex," the property legally described in Exhibit "D2" is hereinafter referred to as "the Improved Channel," and the property legally described in Exhibit "D3" is hereinafter referred to as "the Dam Complex."

In conjunction with the development of the Project, including the construction, maintenance and operation of the reservoir, dam, and other flood control improvements, it is necessary for HDC and the SID to reserve certain easements on, upon, across, and under the Dam Complex, Improved Channel, and Wetlands Complex. This Easement Agreement is entered into for purposes of reserving easements pertaining to the Dam Complex.

NOW, THEREFORE, in consideration of the foregoing, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I Dam Complex Easements

A. The NRD hereby grants to the SID and HDC, and the successors and assigns of HDC, a perpetual right, privilege and easement across that part of the Dam Complex legally described on Exhibit "D4A" and "D4B" attached hereto and incorporated herein by this reference, to construct, operate, maintain, inspect, repair, and replace, the Trails System.

B. The NRD hereby grants to the public a perpetual right, privilege and easement to utilize, come upon, and travel across that part of the Dam Complex legally described on Exhibit "D4A" and "D4B" attached hereto, by means other than motorized vehicles, and subject to such written usage rules and regulations as may be adopted from time to time by the SID or its successors and approved by the NRD, which approval shall not be unreasonably withheld.

C. The NRD hereby grants to the SID, a temporary right, privilege and easement on, across, upon, and under the Dam Complex to construct the principal spillway as contemplated by the Amended Agreement, which easement will terminate upon certification of completion by the Engineers and final acceptance by the NRD of the contemplated improvements.

D. The NRD hereby grants to HDC, and the successors and assigns of HDC, a temporary right, privilege and easement on, across, upon and under the Dam Complex to construct the Dam as contemplated by the Amended Agreement, which easement will terminate upon certification of completion by the Engineers and final acceptance by the NRD of the contemplated improvements.

4 1

E. The NRD hereby grants to the SID and HDC, and the successors and assigns of HDC, a perpetual right, privilege and easement across that part of the Dam Complex legally described on Exhibit "D5," attached hereto and incorporated herein by this reference, to construct, operate, maintain, inspect, repair and replace the recreational and park facilities defined as the "Fishing Facilities" in the Amended Agreement.

F. The NRD hereby grants to the public a perpetual right, privilege and easement to utilize, come upon, and travel across that part of the Dam Complex legally described on Exhibit "D5" attached hereto and incorporated herein by this reference, to access and use the recreational and park facilities defined as the "Fishing Facilities" in the Amended Agreement, and subject to such usage rules and regulations as may be adopted from time to time by the SID and approved by the NRD, which approval shall not be unreasonably withheld.

G. The NRD hereby grants to HDC, and the successors and assigns of HDC, a perpetual right, privilege and easement across that part of the Dam Complex legally described on Exhibit "D6" attached hereto and incorporated herein by this reference, to construct, operate, maintain, inspect, repair, and replace effluent pipe from the Treatment Facility Complex.

H. The NRD hereby grants to the owners of residential lots on the Section 9 Property, their families, guests, and invitees, and HDC, a perpetual right, privilege and easement to flow water and sediment onto and inundate the Dam Complex up to elevation 1,149 feet above mean sea level, referenced to the National Geodetic Vertical Datum of 1929; and to travel on, upon, across and under the water surface covering the Dam Complex.

I. The NRD hereby grants to the SID and HDC, and the successors and assigns of HDC, a perpetual right, privilege and easement to come upon and travel across the Dam Complex: (i) without obligation, to perform shoreline maintenance, seeding, mowing, and weed control on and upon the face of the Dam if it is not being maintained in an aesthetically pleasing manner; and (ii) without obligation, to construct and maintain fish habitat on and below the surface of the water covering the Dam Complex.

J. The NRD hereby grants to the SID a perpetual right, privilege, and easement on, upon, across and under that part of the Dam Complex as legally described on Exhibit "D7," attached hereto and incorporated herein by this reference, to construct, operate, maintain, inspect, repair, and replace a storm sewer (detention basin principal spillway) and related facilities.

K. The NRD hereby grants to the SID and HDC, and their respective agents, contractors, successors and assigns, a perpetual right, privilege, and easement on, upon, across and under that part of the Dam Complex as legally described on Exhibits "D8A" and "D8B," attached hereto and incorporated herein by this reference, to construct, operate, maintain, inspect, repair, and replace a sanitary sewer, electricity, cable, gas, water, telephone and other utilities, and related facilities.

ARTICLE II
Miscellaneous

A. Prior to performing any construction, operation, maintenance, repair or replacement activity as described in the foregoing Article I which is not addressed by the Comprehensive Plan developed in accordance with the Amended Agreement (the "Comprehensive Plan") or the NRD approved Operations and Maintenance Manual (herein the "O&M Manual") the SID or HDC, as applicable, shall give the NRD reasonable advance notice of the commencement of such activity, and shall prepare written plans and specifications for such activity, and shall obtain the written approval of such plans and specifications, which approvals shall not be unreasonably withheld. Construction, operation, maintenance, repair or replacement activities, as described in the foregoing Article I, shall be performed in accordance with the Comprehensive Plan, the O&M Manual or the respective NRD approved plans and specifications, as applicable.

B. Nothing contained in this Easement Agreement shall be construed: (i) as limiting the right of the NRD to make necessary improvements or modifications to the Dam, provided, however, that prior to performing any improvements or modifications which are not contemplated by the Comprehensive Plan the NRD shall give HDC and the SID reasonable advance notice of the commencement of such activity, shall prepare written plans and specifications for such improvements or modifications, and shall obtain the written approval of the plans and specifications by HDC or the board of directors for the lake homeowners association for the property adjacent Section 9 which consent shall not be unreasonably withheld; (ii) as imposing a duty upon the NRD to operate, maintain, repair or replace the Trails System, Fishing Facilities, or other recreational and park facilities in the Dam Complex, or the sanitary sewer, electricity, cable, gas, water, telephone, and other utilities and storm sewer and related facilities, or improvements comprising the Treatment Facility, located in the Dam Complex; or (iii) as imposing any duty upon the NRD to dredge or remove accumulated silt and other accumulated materials from the Dam Complex or from the Reservoir.

C. HDC, at its own cost and expense, shall promptly repair any sloughing or erosion of the Dam, and remediate any persistent surface seepage in the Dam, caused solely by operation, maintenance, repair or replacement of the Treatment Facility effluent pipe.

D. All construction, repair or replacement activities described in the foregoing Article I shall be performed in conformance with such permits as may be necessary and which shall be the acting party's duty to obtain.

E. The easements granted herein shall run with the land, inure to the benefit of, and be binding upon, the parties and their respective heirs, personal representatives, successors and assigns.

F. No waiver of any breach of any of the easements or agreements contained in this Easement Agreement shall be construed as or constitute a waiver of any other breach, or a

waiver, acquiescence or consent to any further or succeeding breach of the same or any other easement or agreement.

G. If any term or provision of this Easement Agreement shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Easement Agreement shall not be affected thereby, but each remaining term or provision shall be valid and enforced to the fullest extent permitted by law.

H. All terms of this Easement Agreement with an initial capitalized letter which are not otherwise defined herein, shall have the meaning ascribed to them by the Amended Agreement. This Easement Agreement shall be construed and enforced in accordance with the laws of the State of Nebraska.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement to be effective as of the date and year first above written.

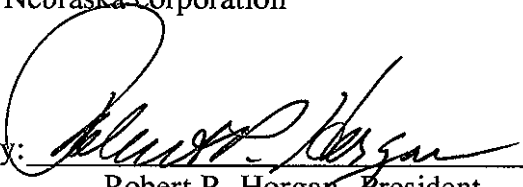
This Easement Agreement is executed by the NRD on this 26th day of August, 1998.

PAPIO-MISSOURI RIVER NATURAL
RESOURCES DISTRICT

By: 
Steven G. Oltmans, General Manager

This Easement Agreement is executed by HDC on this 13th day of August, 1998.

HORGAN DEVELOPMENT COMPANY,
a Nebraska corporation

By: 
Robert P. Horgan, President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 13th day of August, 1998, Robert P. Horgan, President of HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, to me personally known to be the identical person whose name is affixed to the above and foregoing instrument, and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal the date last aforesaid.

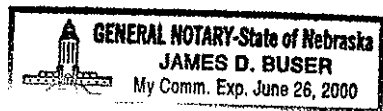


James D. Buser
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

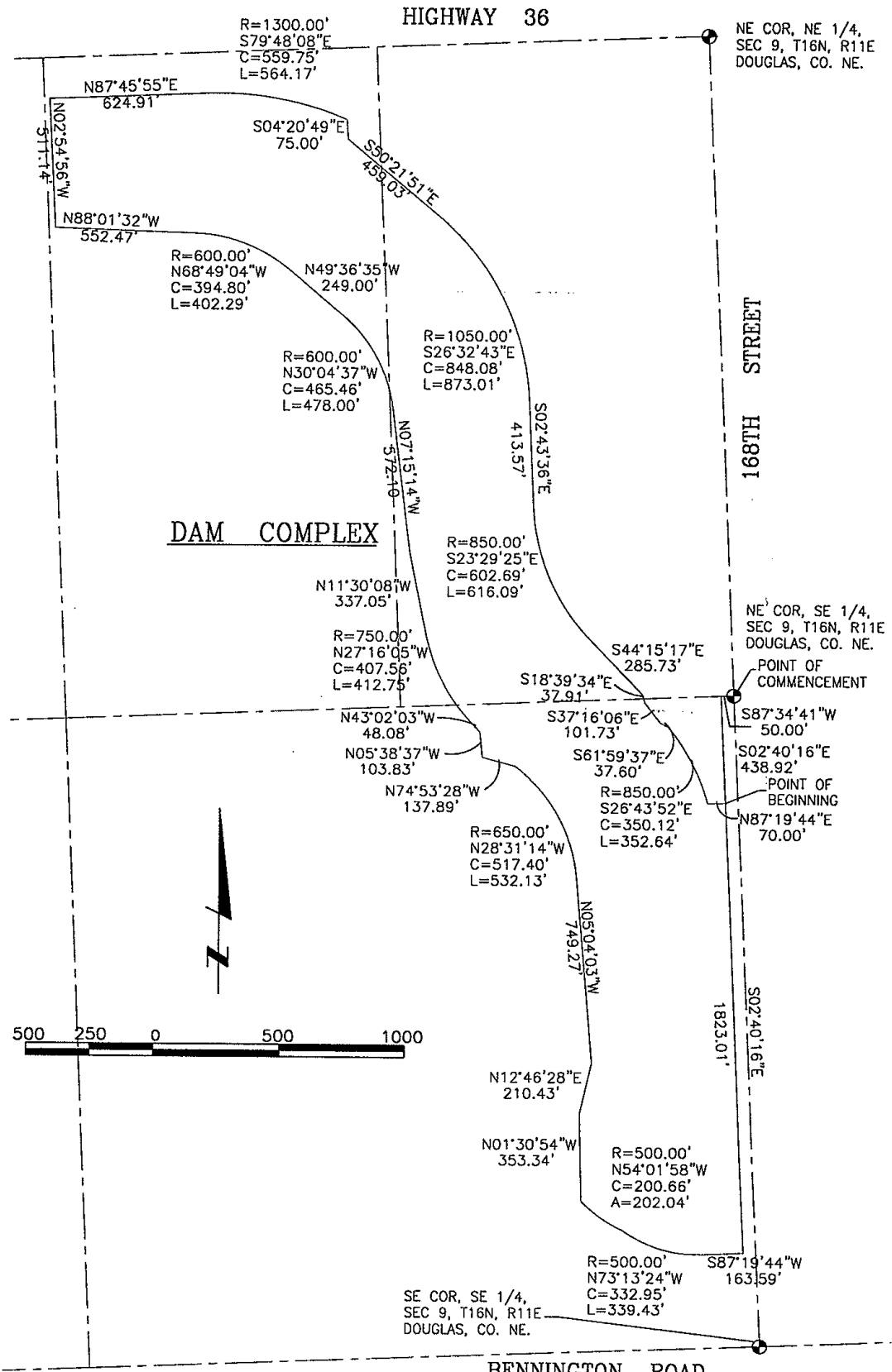
On this 13th day of August, 1998, before me, a Notary Public, personally came Robert P. Horgan, Chairperson of the Board of Trustees of SANITARY AND IMPROVEMENT DISTRICT NO. 425 OF DOUGLAS COUNTY, NEBRASKA, to me personally known to be the identical person whose name is affixed to the above and foregoing instrument, and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said district.

WITNESS my hand and Notarial Seal the last date last aforesaid.



James D. Buser
Notary Public

EXHIBIT D1A



96009\9609L101 V1 PAGE 1 OF 2

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400

lamp, rynearson & associates, inc.
 engineers surveyors planners

14710 west dodge road, suite 100
 omaha, nebraska 68154-2029

ph 402-496-2498
 fax 402-496-2730

LEGAL DESCRIPTION

That part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northeast corner of the Southeast Quarter of Section 9;

Thence South 87°34'41" West (assumed bearings) for 50.00 feet along the north line of the said Southeast Quarter of Section 9;

Thence South 02°40'16" East for 438.92 feet parallel with and 50.00 feet west of the east line of the said Southeast Quarter of Section 9 to the TRUE POINT OF BEGINNING;

Thence continuing South 02°40'16" East for 1823.01 feet parallel with and 50.00 feet west of the east line of the said Southeast Quarter of Section 9;

Thence South 87°19'44" West for 163.59 feet;

Thence along a curve to the right (having a radius of 500.00 feet and a long chord bearing North 73°13'24" West for 332.95 feet) for an arc length of 339.43 feet to a point in a non-radial curve;

Thence along a curve to the right (having a radius of 500.00 feet and a long chord bearing North 54°01'58" West for 200.66 feet) for an arc length of 202.04 feet;

Thence North 01°30'54" West for 353.34 feet;

Thence North 12°46'28" East for 210.43 feet;

Thence North 05°04'03" West for 749.27 feet;

Thence along a curve to the left (having a radius of 650.00 feet and a long chord bearing North 28°31'14" West for 517.40 feet) for an arc length of 532.13 feet;

Thence North 74°53'28" West for 137.89 feet;

Thence North 05°38'37" West for 103.83 feet;

Thence North 43°02'03" West for 48.08 feet;

Thence along a curve to the right (having a radius of 750.00 feet and a long chord bearing North 27°16'05" West for 407.56 feet) for an arc length of 412.75 feet;

Thence North 11°30'08" West for 337.05 feet;

Thence North 07°15'14" West for 572.10 feet;

Thence along a curve to the left (having a radius of 600.00 feet and a long chord bearing North 30°04'37" West for 465.46 feet) for an arc length of 478.00 feet;

Thence North 49°36'35" West for 249.00 feet;

Thence along a curve to the left (having a radius of 600.00 feet and a long chord bearing North 68°49'04" West for 394.80 feet) for an arc length of 402.29 feet;

Thence North 88°01'32" West for 552.47 feet;

Thence North 02°54'56" West for 511.14 feet;

Thence North 87°45'55" East for 624.91 feet;

Thence along a curve to the right (having a radius of 1300.00 feet and a long chord bearing South 79°48'08" East for 559.75 feet) for an arc length of 564.17 feet;

Thence South 04°20'49" East for 75.00 feet;

Thence South 50°21'51" East for 459.03 feet;

Thence along a curve to the right (having a radius of 1050.00 feet and a long chord bearing South 26°32'43" East for 848.08 feet) for an arc length of 873.01 feet;

Thence South 02°43'36" East for 413.57 feet;

Thence along a curve to the left (having a radius of 850.00 feet and a long chord bearing South 23°29'25" East for 602.69 feet) for an arc length of 616.09 feet;

Thence South 44°15'17" East for 285.73 feet;

Thence South 18°39'34" East for 37.91 feet;

Thence South 37°16'06" East for 101.73 feet;

Thence South 61°59'37" East for 37.60 feet;

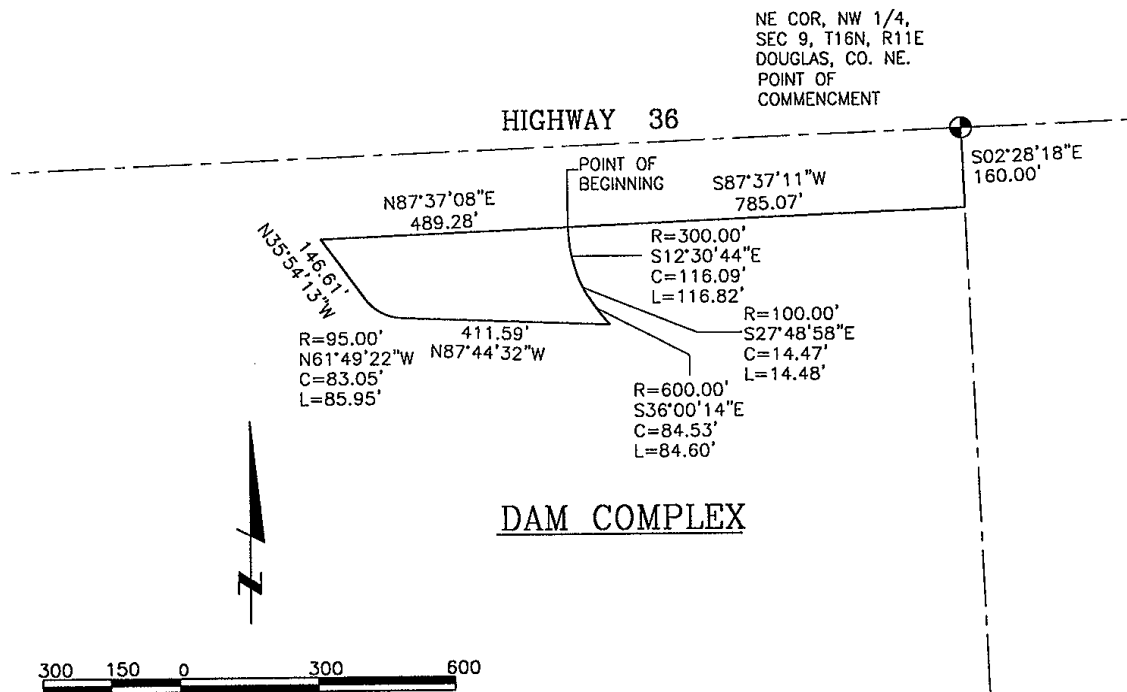
Thence along a curve to the right (having a radius of 850.00 feet and a long chord bearing South 26°43'52" East for 350.12 feet) for an arc length of 352.64 feet;

Thence North 87°19'44" East for 70.00 feet to the Point of Beginning.

Contains 74.73 acres.

June 29, 1998
LAMP, RYNEARSON & ASSOCIATES, INC.
96009 (Dam Complex in E 1/2, 9-16-11)

NW }
NE } NE
SW }
SE } SE




lamp, rynearson & associates, inc.
 engineers surveyors planners

14710 west dodge road, suite 100
 omaha, nebraska 68154-2029

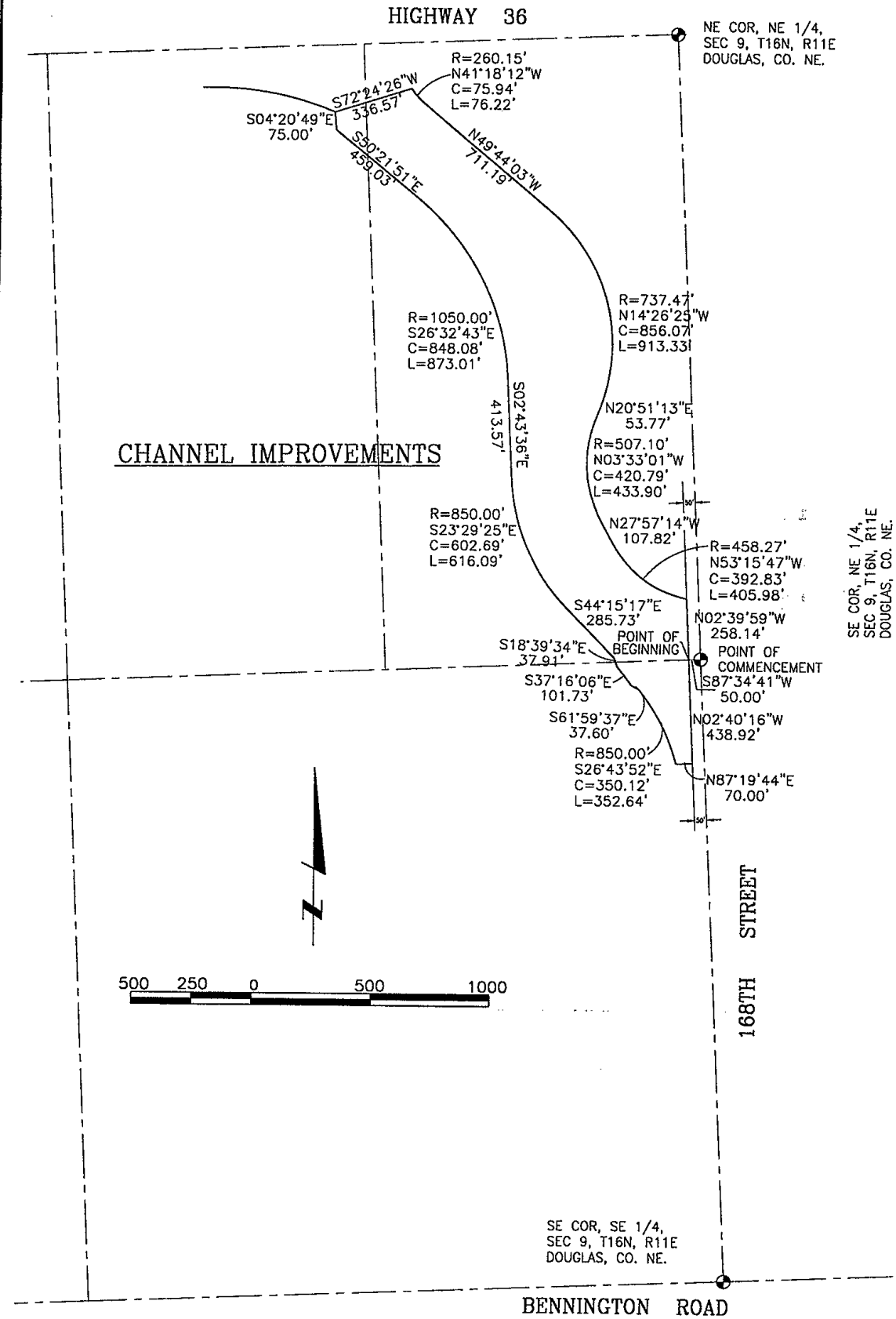
ph 402-498-2488
 fax 402-498-2730

LEGAL DESCRIPTION

That part of the Northwest Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:
Commencing at the northeast corner of the Northwest Quarter of Section 9;
Thence South 02°28'18" East (assumed bearings) for 160.00 feet along the east line of the Northwest Quarter of Section 9;
Thence South 87°37'11" West for 785.07 feet to the TRUE POINT OF BEGINNING;
Thence along a curve to the left (having a radius of 300.00 feet and a long chord bearing South 12°30'44" East for 116.09 feet) for an arc length of 116.82 feet;
Thence along a curve to the left (having a radius of 100.00 feet and a long chord bearing South 27°48'58" East for 14.47 feet) for an arc length of 14.48 feet;
Thence along a curve to the left (having a radius of 600.00 feet and a long chord bearing South 36°00'14" East for 84.53 feet) for an arc length of 84.60 feet;
Thence North 87°44'32" West for 411.59 feet;
Thence along a curve to the right (having a radius of 95.00 feet and a long chord bearing North 61°49'22" West for 83.05 feet) for an arc length of 85.95 feet;
Thence North 35°54'13" West for 146.61 feet;
Thence North 87°37'08" East for 489.28 feet to the Point of Beginning.
Contains 1.84 acres.

NE NW

EXHIBIT D2



lamp, rynearson & associates, inc.
 engineers surveyors planners

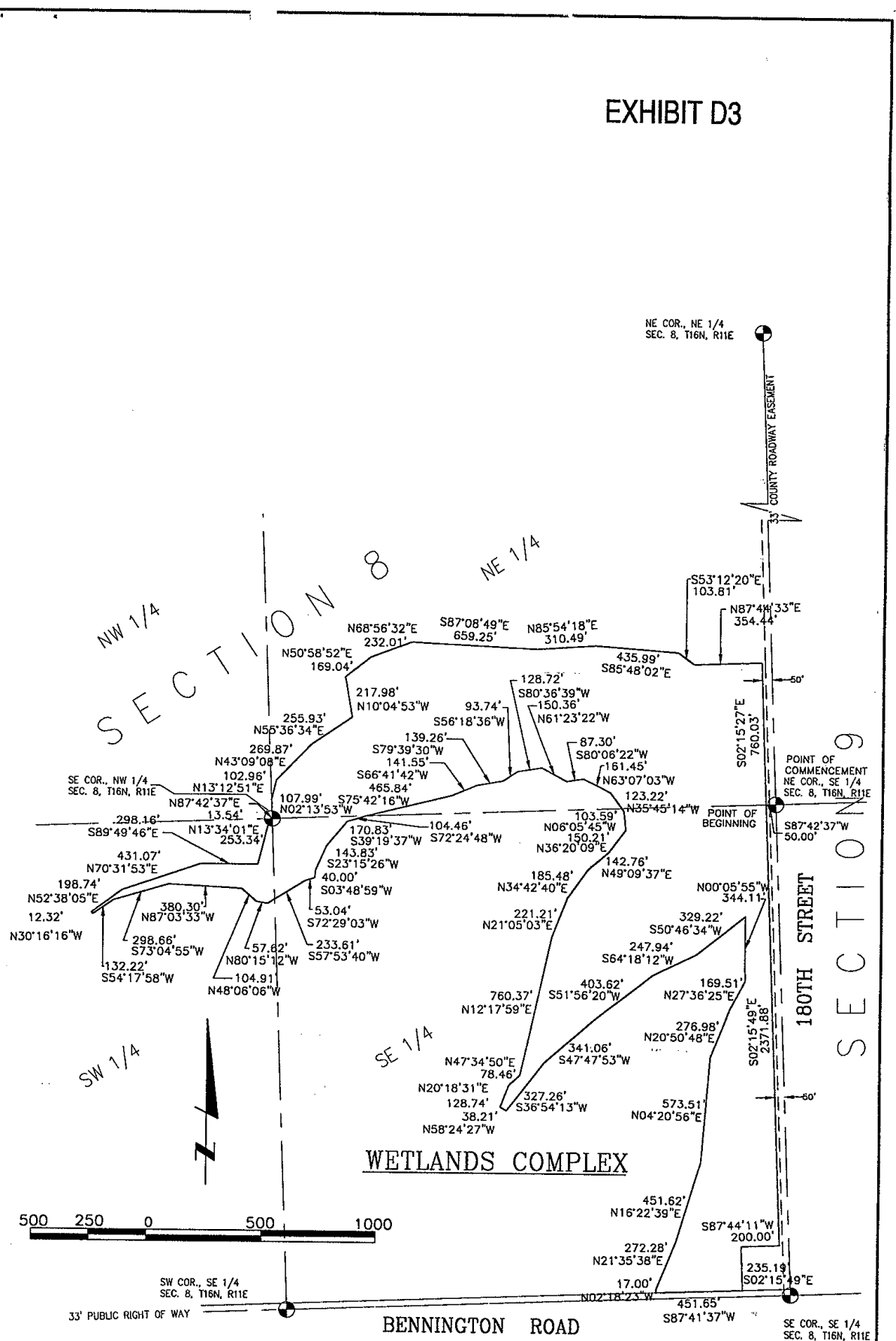
14710 west dodge road, suite 100 omaha, nebraska 68154-2029 ph 402-496-2498 fax 402-496-2730

LEGAL DESCRIPTION

That part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:
Commencing at the southeast corner of the Northeast Quarter of Section 9;
Thence South 87°34'41" West (assumed bearings) for 50.00 feet along the south line of the said Northeast Quarter of Section 9 to the TRUE POINT OF BEGINNING;
Thence North 02°39'59" West for 258.14 feet parallel with and 50.00 feet west of the east line of the Northeast Quarter of Section 9;
Thence along a curve to the right (having a radius of 458.27 feet and a long chord bearing North 53°15'47" West for 392.83 feet) for an arc length of 405.98 feet;
Thence North 27°57'14" West for 107.82 feet;
Thence along a curve to the right (having a radius of 507.10 feet and a long chord bearing North 03°33'01" West for 420.79 feet) for an arc length of 433.90 feet;
Thence North 20°51'13" East for 53.77 feet;
Thence along a curve to the left (having a radius of 737.47 feet and a long chord bearing North 14°26'25" West for 856.07 feet) for an arc length of 913.33 feet;
Thence North 49°44'03" West for 711.19 feet;
Thence along a curve to the right (having a radius of 260.15 feet and a long chord bearing North 41°18'12" West for 75.94 feet) for an arc length of 76.22 feet;
Thence South 72°24'26" West for 336.57 feet;
Thence South 04°20'49" East for 75.00 feet;
Thence South 50°21'51" East for 459.03 feet;
Thence along a curve to the right (having a radius of 1050.00 feet and a long chord bearing South 26°32'43" East for 848.08 feet) for an arc length of 873.01 feet;
Thence South 02°43'36" East for 413.57 feet;
Thence along a curve to the left (having a radius of 850.00 feet and a long chord bearing South 23°29'25" East for 602.69 feet) for an arc length of 616.09 feet;
Thence South 44°15'17" East for 285.73 feet;
Thence South 18°39'34" East for 37.91 feet;
Thence South 37°16'06" East for 101.73 feet;
Thence South 61°59'37" East for 37.60 feet;
Thence along a curve to the right (having a radius of 850.00 feet and a long chord bearing South 26°43'52" East for 350.12 feet) for an arc length of 352.64 feet;
Thence North 87°19'44" East for 70.00 feet;
Thence North 02°40'16" West for 438.92 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 9 to the Point of Beginning.
Contains 25.06 acres.

NW }
NE } NE
SE } NESE

EXHIBIT D3



96009\9608L103 V1 PAGE 1 OF 3

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400

SECTION 17

lamp, rynearson & associates, inc.
engineers surveyors planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2029

ph 402-496-2498
fax 402-496-2730

LEGAL DESCRIPTION

That part of the Southeast Quarter, Southwest Quarter AND Northeast Quarter of Section 8, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northeast corner of the said Southeast Quarter of Section 8;

Thence South 87°42'37" West (assumed bearings) for 50.00 feet along the north line of the said Southeast Quarter of Section 8 to the TRUE POINT OF BEGINNING;

Thence South 02°15'49" East for 2371.88 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 8;

Thence South 87°44'11" West for 200.00 feet;

Thence South 02°15'49" East for 235.19 feet to the north right of way line of Bennington Road;

Thence South 87°41'37" West for 451.65 feet along said north right of way line parallel with and 33.00 feet north of the south line of the said Southeast Quarter of Section 8;

Thence North 02°18'23" West for 17.00 feet;

Thence North 21°35'38" East for 272.28 feet;

Thence North 16°22'39" East for 451.62 feet;

Thence North 04°20'56" East for 573.51 feet;

Thence North 20°50'48" East for 276.98 feet;

Thence North 27°36'25" East for 169.51 feet;

Thence North 00°05'55" West for 344.11 feet;

Thence South 50°46'34" West for 329.22 feet;

Thence South 64°18'12" West for 247.94 feet;

Thence South 51°56'20" West for 403.62 feet;

Thence South 47°47'53" West for 341.06 feet;

Thence South 36°54'13" West for 327.26 feet;

Thence North 58°24'27" West for 38.21 feet;

Thence North 20°18'31" East for 128.74 feet;

Thence North 47°34'50" East for 78.46 feet;

Thence North 12°17'59" East for 760.37 feet;

Thence North 21°05'03" East for 221.21 feet;

Thence North 34°42'40" East for 185.48 feet;

Thence North 49°09'37" East for 142.76 feet;

Thence North 36°20'09" East for 150.21 feet;

Thence North 06°05'45" West for 103.59 feet;

Thence North 35°45'14" West for 123.22 feet;

Thence North 63°07'03" West for 161.45 feet;

Thence South 80°06'22" West for 87.30 feet;

Thence North 61°23'22" West for 150.36 feet;

Thence South 80°36'39" West for 128.72 feet;

Thence South 56°18'36" West for 93.74 feet;

Thence South 79°39'30" West for 139.26 feet;

NW }
NE }
SW } SE
SE }
NE }
SW }
SE }
NE }
SW }
SE }

EXHIBIT D 3

Thence South 66°41'42" West for 141.55 feet;
Thence South 75°42'16" West for 465.84 feet;
Thence South 72°24'48" West for 104.46 feet;
Thence South 39°19'37" West for 170.83 feet;
Thence South 23°15'26" West for 143.83 feet;
Thence South 03°48'59" West for 40.00 feet;
Thence South 72°29'03" West for 53.04 feet;
Thence South 57°53'40" West for 233.61 feet;
Thence North 80°15'12" West for 57.62 feet;
Thence North 48°06'06" West for 104.91 feet;
Thence North 87°03'33" West for 380.30 feet;
Thence South 73°04'55" West for 298.66 feet;
Thence South 54°17'58" West for 132.22 feet;
Thence North 30°16'16" West for 12.32 feet;
Thence North 52°38'05" East for 198.74 feet;
Thence North 70°31'53" East for 431.07 feet;
Thence South 89°49'46" East for 298.16 feet;
Thence North 13°34'01" East for 253.34 feet to the north line of the said Southwest Quarter of Section 8;
Thence North 87°42'37" East for 13.54 feet to the northeast corner of the said Southwest Quarter of Section 8;
Thence North 02°13'53" West for 107.99 feet along the west line of the said Northeast Quarter of Section 8;
Thence North 13°12'51" East for 102.96 feet;
Thence North 43°09'08" East for 269.87 feet;
Thence North 55°36'34" East for 255.93 feet;
Thence North 10°04'53" West for 217.98 feet;
Thence North 50°58'52" East for 169.04 feet;
Thence North 68°56'32" East for 232.01 feet ;
Thence South 87°08'49" East for 659.25 feet;
Thence North 85°54'18" East for 310.49 feet;
Thence South 85°48'02" East for 435.99 feet;
Thence South 53°12'20" East for 103.81 feet;
Thence North 87°44'33" East for 354.44 feet;
Thence South 02°15'27" East for 760.03 feet parallel with and 50.00 feet west of the east line of the Northeast Quarter of Section 8 to the Point of Beginning.
Contains 84.24 acres.

EXHIBIT D4A

NW COR, NE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.

HIGHWAY 36

NE COR, NE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.

324.23'
S06°34'08"E

POINT OF TERMINUS

577.95'
N88°40'12"W R=950.00'
R=200.00' N68°54'42"W
N89°57'50"W C=610.99'
C=9.03' A=622.05'
A=9.03'

295.11'
N68°44'03"W

R=950.00'
N21°14'03"W
C=906.60'
A=945.09'

20' PERPETUAL
TRAIL EASEMENT

R=1075.00'
N21°42'45"W
C=1041.63'
A=1087.40'

168TH STREET

NE COR, SE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.

R=1000.00'
N26°41'14"W
C=813.59'
A=837.88'



M. 20.14 ZON
58°018

POINT OF
BEGINNING #2

20.00'
S87°18'58"W

S87°18'58"W
10.00'

N38°56'29"W
372.04'

POINT OF
BEGINNING #1

300.00'
S02°41'02"E

50.00'

S87°19'44"W

20.00'
S87°18'58"W

410.02'
N10°34'58"W

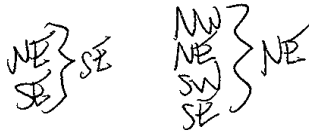
787.67'
N02°40'16"W

PERPETUAL
TRAIL EASEMENT

SE COR, SE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.

POINT OF
COMMENCEMENT





LEGAL DESCRIPTION

That part of the Southeast Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

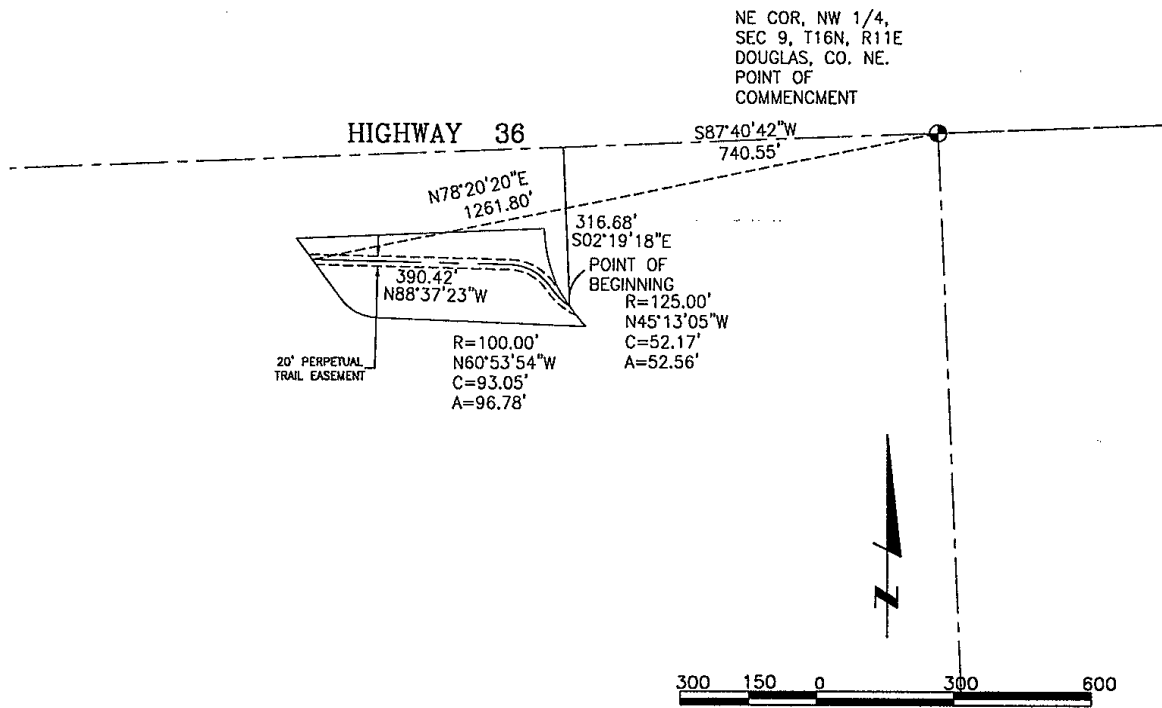
Commencing at the southeast corner of the Southeast Quarter of Section 9;
 Thence North 02°40'16" West for 787.67 feet along the east line of the Southeast Quarter of Section 9;
 Thence South 87°19'44" West for 50.00 feet to the TRUE POINT OF BEGINNING;
 Thence North 38°56'29" West for 372.04 feet;
 Thence South 87°18'58" West for 20.00 feet;
 Thence South 02°41'02" East for 300.00 feet;
 Thence North 87°18'58" East for 20.00 feet;
 Thence South 10°34'58" East for 410.02 feet;
 Thence North 87°19'44" East for 163.59 feet;
 Thence North 02°40'16" West for 406.17 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 9 to the Point of Beginning.

TOGETHER WITH

LEGAL DESCRIPTION

A twenty foot (20') wide strip over that part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:


Commencing at the southeast corner of the Southeast Quarter of Section 9;
 Thence North 02°40'16" West for 787.67 feet along the east line of the Southeast Quarter of Section 9;
 Thence South 87°19'44" West for 50.00 feet;
 Thence North 38°56'29" West for 372.04 feet;
 Thence South 87°18'58" West for 10.00 feet to the centerline of said twenty foot (20.00') strip easement and the TRUE POINT OF BEGINNING;
 Thence North 02°41'02" West for 810.95 feet;
 Thence along a curve to the left (having a radius of 1000.00 feet and a long chord bearing North 26°41'14" West for 813.59 feet) for an arc length of 837.88 feet;
 Thence along a curve to the right (having a radius of 1075.00 feet and a long chord bearing North 21°42'45" West for 1041.63 feet) for an arc length of 1087.40 feet;
 Thence along a curve to the left (having a radius of 950.00 feet and a long chord bearing North 21°14'03" West for 906.00 feet) for an arc length of 945.09 feet;
 Thence North 49°44'03" West for 295.14 feet;
 Thence along a curve to the left (having a radius of 950.00 feet and a long chord bearing North 69°12'07" West for 633.23 feet) for an arc length of 645.58 feet;
 Thence North 88°40'12" West for 577.95 feet;
 Thence along a curve to the left (having a radius of 200.00 feet and a long chord bearing North 89°57'50" West for 9.03 feet) for an arc length of 9.03 feet to the POINT OF TERMINUS;
 Said Point of Terminus lying South 06°34'08" East for 324.23 feet from the northwest corner of the Northeast Quarter of Section 9.



96009\9609L102 V3

PAGE 1 OF 2

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400


lamp, rynearson & associates, inc.
 engineers surveyors planners

14710 west dodge road, suite 100
 omaha, nebraska 68154-2029

ph 402-498-2498
 fax 402-498-2730

LEGAL DESCRIPTION

A twenty foot (20') wide strip over that part of the Northwest Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the northeast corner of the Northwest Quarter of Section 9;

Thence South $87^{\circ}40'42''$ West (assumed bearings) for 740.55 feet along the north line of the Northwest Quarter of Section 9;

Thence South $02^{\circ}19'18''$ East for 316.68 feet to the TRUE POINT OF BEGINNING;

Thence along a curve to the right (having a radius of 125.00 feet and a long chord bearing North $45^{\circ}13'05''$ West for 52.17 feet) for an arc length of 52.56 feet along said centerline;

Thence along a curve to the left (having a radius of 100.00 feet and a long chord bearing North $60^{\circ}53'54''$ West for 93.05 feet) for an arc length of 96.78 feet along said centerline;

Thence North $88^{\circ}37'23''$ West for 390.42 feet along said centerline to the Point of Terminus;

Said Terminus Point lies South $78^{\circ}20'19''$ West for 1261.80 feet from the said northeast corner of the Northwest Quarter of Section 9.

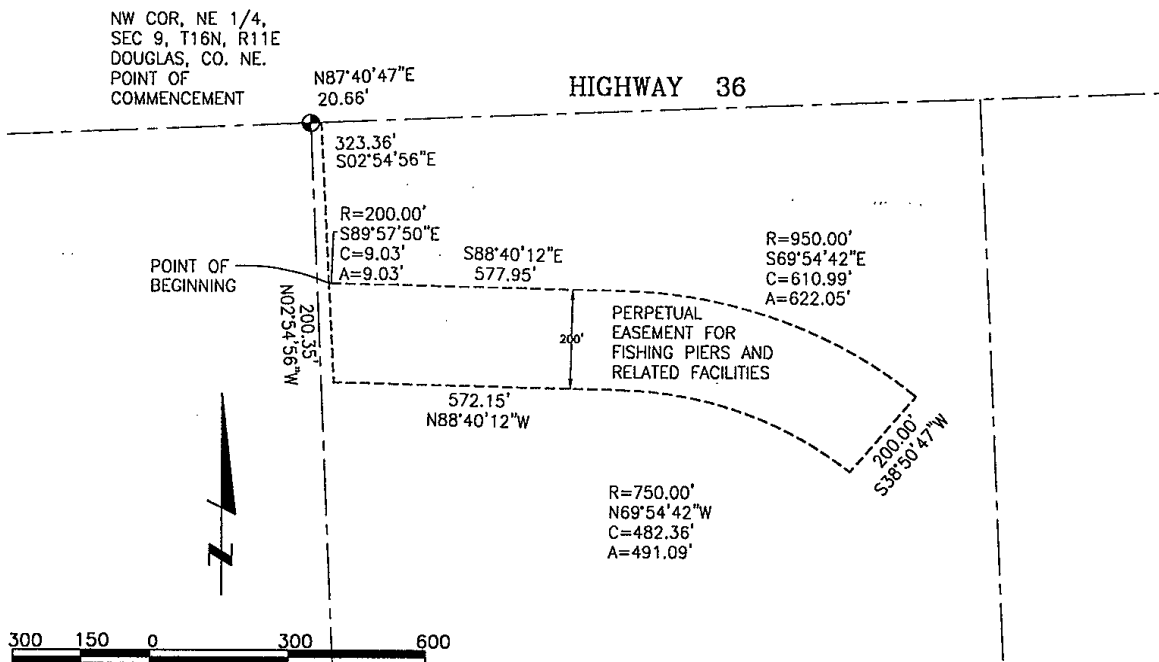
NE1/4

June 29, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.

96009

(20' trail over Dam in NW 1/4, 9-16-11, Granted by P/MR NRD)




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 engineers surveyors planners

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LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northwest corner of the said Northeast Quarter of Section 9;

Thence North 87°40'47" East (assumed bearings) for 20.66 feet along the north line of the said Northeast Quarter of Section 9;

Thence South 02°54'56" East for 323.36 feet to the TRUE POINT OF BEGINNING;

Thence along a curve to the right (having a radius of 200.00 feet and a long chord bearing South 89°57'50" East for 9.03 feet) for an arc length of 9.03 feet;

Thence South 88°40'12" East for 577.95 feet;

Thence along a curve to the right (having a radius of 950.00 feet and a long chord bearing South 69°54'42" East for 610.99 feet) for an arc length of 622.05 feet;

Thence South 38°50'47" West for 200.00 feet;

Thence along a curve to the left (having a radius of 750.00 feet and a long chord bearing North 69°54'42" West for 482.36 feet) for an arc length of 491.09 feet;

Thence North 88°40'12" West for 572.15 feet;

Thence North 02°54'56" West for 200.35 feet to the Point of Beginning.

Contains 5.22 acres.

NW } NE
NE }

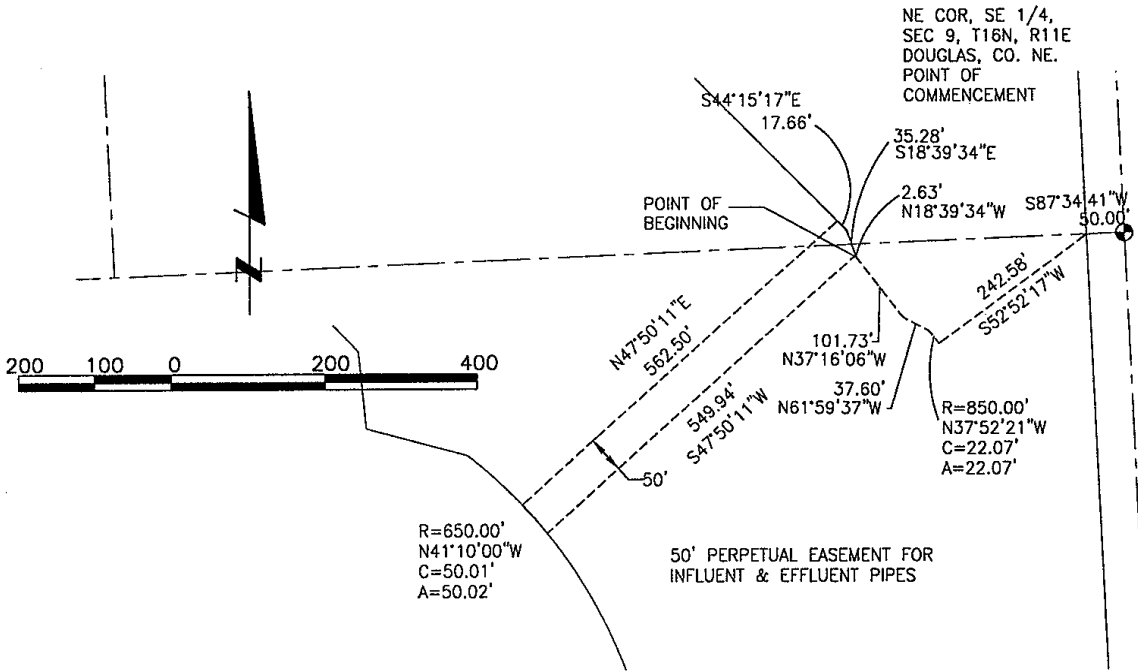
June 29, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.

96009

(Pier Easement over part of NE4, 9-16-11, Granted by P/MR NRD)


EXHIBIT D6



96009\9609L102 V5

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Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400


lamp, rynearson & associates, inc.
 engineers surveyors planners

14710 west dodge road, suite 100
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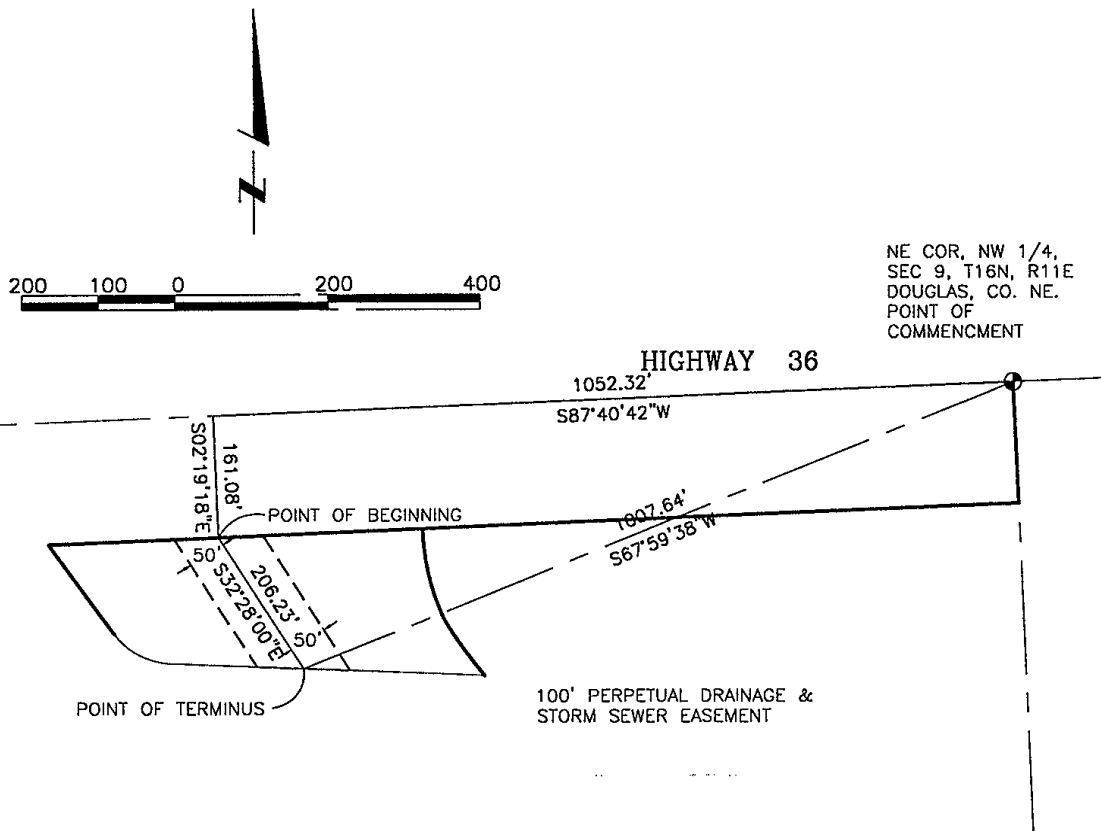
ph 402-498-2498
 fax 402-498-2730

LEGAL DESCRIPTION

That part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:
Commencing at the southeast corner of the Northeast Quarter of Section 9;
Thence South 87°34'41" West (assumed bearings) for 50.00 feet;
Thence South 52°52'17" West for 242.58 feet radial to the following curve;
Thence along a curve to the left (having a radius of 850.00 feet and a long chord bearing North 37°52'21" West for 22.07 feet) for an arc length of 22.07 feet;
Thence North 61°59'37" West for 37.60 feet;
Thence North 37°16'06" West for 101.73 feet;
Thence North 18°39'34" West for 2.63 feet to the TRUE POINT OF BEGINNING;
Thence South 47°50'11" West for 549.94 feet;
Thence along a curve to the left (having a radius of 650.00 feet and a long chord bearing North 41°10'00" West for 50.01 feet) for an arc length of 50.02 feet;
Thence North 47°50'11" East for 562.50 feet parallel with and 50.00 feet northwest of the penultimate line;
Thence South 44°15'17" East for 17.66 feet;
Thence South 18°39'34" East for 35.28 feet to the Point of Beginning.
Contains 0.64 acre.

SE NE
NE SE

EXHIBIT D7



NE COR, NW 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.
POINT OF
COMMENCEMENT

96009\9609L104 V5

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Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400



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engineers surveyors planners

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LEGAL DESCRIPTION

A one hundred foot (100.00') wide strip over that part of the Northwest Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the northeast corner of the said Northwest Quarter of Section 9;

Thence South 87°40'42" West (assumed bearings) for 1052.32 feet along the north line of the said Northwest Quarter of Section 9;

Thence South 02°19'18" East for 161.08 feet to the TRUE POINT OF BEGINNING on the centerline of said one hundred foot strip easement;

Thence South 32°28'00" East for 206.23 feet along said centerline to the POINT OF TERMINUS;

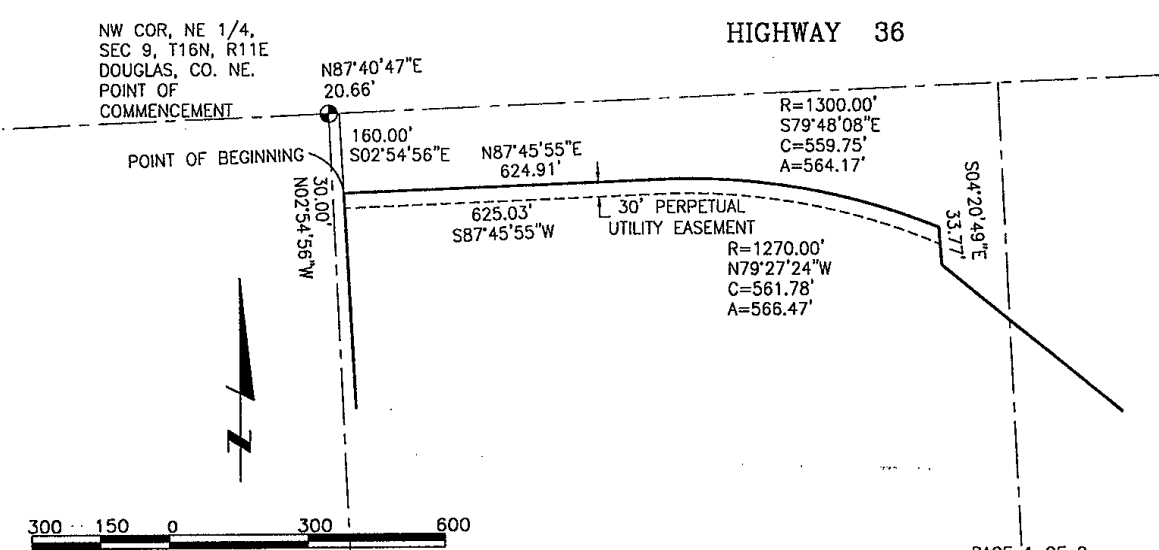
Said Point of Terminus lies South 67°59'38" West for 1007.64 feet from the said northeast corner of the Northwest Quarter of Section 9.

NENW

June 29, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.

96009 (Drainage & Storm Sewer Easement over part of NW4. 9-16-11 granted by P/MR NRD)



NW COR, NE 1/4,
 SEC 9, T16N, R11E
 DOUGLAS, CO. NE.
 POINT OF
 COMMENCEMENT

HIGHWAY 36

N87°40'47"E
 20.66'

160.00'
 S02°54'56"E N87°45'55"E
 624.91'

R=1300.00'
 S79°48'08"E
 C=559.75'
 A=564.17'

POINT OF BEGINNING
 30.00'
 N02°54'56"W

625.03'
 S87°45'55"W

30' PERPETUAL
 UTILITY EASEMENT

R=1270.00'
 N79°27'24"W
 C=561.78'
 A=566.47'

304°20'49"E
 33.77'



96009\9609L102 V7

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400


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 engineers surveyors planners
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 omaha, nebraska 68154-2029 fax 402-498-2730

LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northwest corner of the said Northeast Quarter of Section 9;

Thence North 87°40'47" East (assumed bearings) for 24.02 feet along the north line of the said Northeast Quarter of Section 9;

Thence South 01°42'46" East for 160.03 feet to the TRUE POINT OF BEGINNING;

Thence North 87°45'55" East for 624.91 feet;

Thence along a curve to the right (having a radius of 1300.00 feet and a long chord bearing South 79°48'08" East for 559.75 feet) for an arc length of 564.17 feet;

Thence South 04°20'49" East for 33.77 feet;

Thence along a curve to the left (having a radius of 1270.00 feet and a long chord bearing North 79°27'24" West for 561.78 feet) for an arc length of 566.47 feet;

Thence South 87°45'55" West for 625.03 feet;

Thence North 02°00'10" West for 30.00 feet to the Point of Beginning.

Contains 0.82 acres.

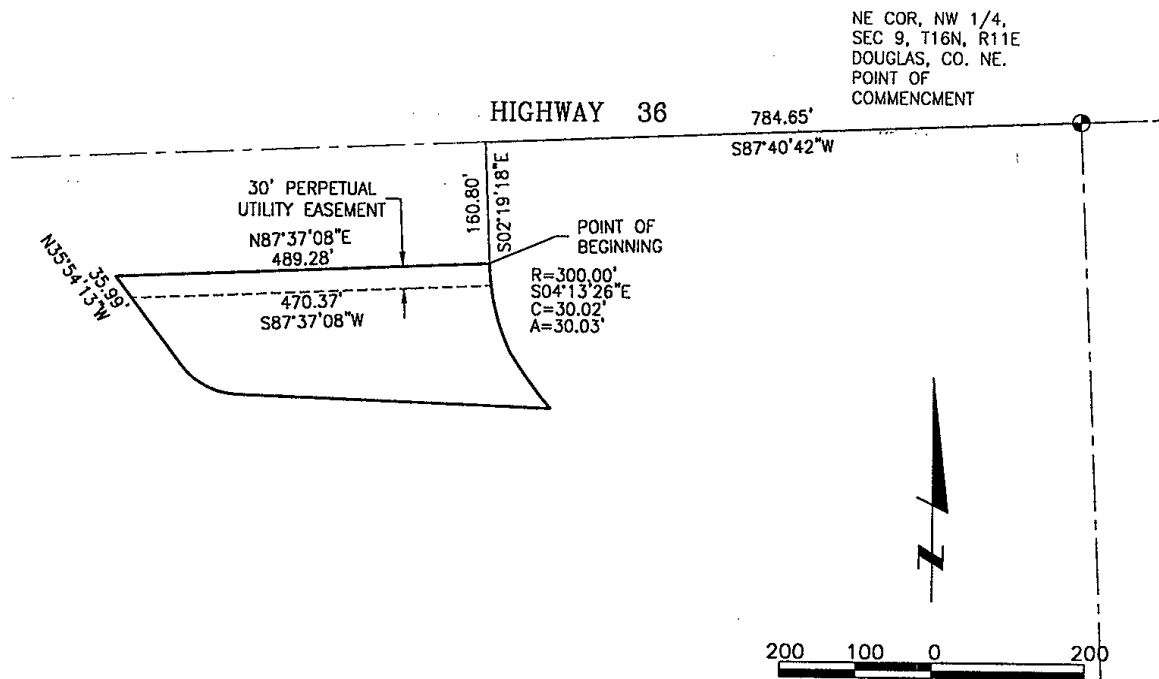
NW 3
NE 3 NE

June 29, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.

96009 (Drainage & Storm Sewer Easement over part of NW4. 9-16-11 granted by P/MR NRD)

EXHIBIT D8B



96009\9609L102 V6

PAGE 1 OF 2

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400

 **lamp, ryneason & associates, inc.**
engineers surveyors planners

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fax 402-496-2730

LEGAL DESCRIPTION

That part of the Northwest Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northeast corner of the said Northwest Quarter of Section 9;

Thence South 87°40'42" West (assumed bearings) for 784.65 feet along the north line of the said Northwest Quarter of Section 9;

Thence South 02°19'18" East for 160.80 feet to the TRUE POINT OF BEGINNING;

Thence along a curve to the left (having a radius of 300.00 feet and a long chord bearing South 04°13'26" East for 30.02 feet) for an arc length of 30.03 feet;

Thence South 87°37'08" West for 470.37 feet;

Thence North 35°54'13" West for 35.99 feet;

Thence North 87°37'08" East for 489.28 feet to the Point of Beginning.

Contains 0.33 acre.

NE NW

June 29, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.

96009

(Utility Easement over part of NW4. 9-16-11 granted by P/MR NRD)