

25-343

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,  
Plaintiff,

CIV. 877

vs.

0.72 Acres of land, more or less,  
situate in Sarpy County, State of  
Nebraska; Frank M. Prucka, et al.,  
Defendants.

JUDGMENT ON  
DECLARATION OF TAKING

Now on this 2nd day of September, 1950, this cause came on to be heard upon the motion of William C. Spire, United States Attorney for the District of Nebraska, one of the attorneys for the plaintiff herein, to enter a judgment on the Declaration of Taking filed in this cause on the 2nd day of September, 1950, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration of the case and of the condemnation Complaint and Declaration of Taking filed herein and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purpose set out and prayed in said Complaint;

SECOND: That a Complaint in condemnation was filed at the request of the Secretary of the Air Force of the United States, the authority empowered by law to acquire the land and interest therein described in said Complaint, and also under authority of the Attorney General of the United States;

THIRD: That said Complaint and Declaration of Taking state the authority under which and the public use for which said lands and interest therein were taken; that the Secretary of the Air Force of the United States is the person duly authorized and empowered by law to acquire the lands and interest therein, such as are described

12-1-50  
A. M. Eisher, Clerk of Court

25-344

in the Complaint, for use in connection with Offutt Air Force Base, Sarpy County, State of Nebraska, and for such other uses as may be authorized by Congress or by Executive Order;

FOURTH: That a proper description of the land and the interest therein sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the said lands taken for public use;

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for the land and interests taken in the sum of \$1,000.00, and that said sum was deposited in the Registry of the Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of the Secretary of the Air Force of the United States, will be within any limits prescribed by law as the price to be paid therefor.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that upon the filing of the Declaration of Taking herein and the deposit in the Registry of the Court of the estimated amount of just compensation, there vested in the United States of America title as follows:

- (a) a fee simple title to Tract No. 100, more particularly described in Exhibit "A" attached hereto and made a part hereof, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines;
- (b) a perpetual and assignable easement and right of way to locate, construct, operate, maintain, repair, patrol and move a railway and power lines in, upon, over and across Tract No. 100, more particularly described in Exhibit "A" attached hereto

and made a part hereof, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles, within the limits of the right of way, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, reserving, however, to the landowner, his heirs, executors, administrators and assigns all right, title, interest, and privilege as may be exercised and enjoyed without interference with or abridgment of the easement and right hereby taken for said public uses.

That said interests in and to said land are adjudged to have been condemned and taken for the use of the United States of America, and the right to just compensation for said interests taken vested in the persons entitled thereto, and the amount of just compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that possession of the real estate herein described to the extent of the interests therein taken, shall be surrendered to the United States of America and its duly authorized agents hereunto.

IT IS FURTHER ORDERED that this case be held open for such further orders, judgments and decrees as may be necessary in the premises.

BY THE COURT:

/s/ EDWARD B. ...  
COURT CLERK  
UNITED STATES DISTRICT COURT

FILED  
DISTRICT OF NEBRASKA  
SERVING AS  
RICHARD ... CLERK  
BY ... DEPUTY

I hereby certify to be a true copy of  
the original filed in my custody.  
RICHARD ...  
BY ... Deputy Clerk

25-346

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 0.72 acre, more or less, situate in Sarpy County, State of Nebraska. A description of the land taken, together with the name of the purported owner thereof, and a statement of the sum estimated to be just compensation therefor are as follows:

TRACT NO. 100

DESCRIPTION:

A tract of land situated in the SW<sup>1</sup>/<sub>4</sub> of Section 7, Township 13 North, Range 14 East of the Sixth Principal Meridian, Sarpy County, Nebraska, more particularly described as follows: Commencing at the SW corner of said Section 7; thence North along the West line of said Section 7 for a distance of 1091.59 feet; thence East for a distance of 362.00 feet to the point of beginning of said tract of land to be described; thence North for a distance of 15.00 feet; thence East for a distance of 80.00 feet; thence South for a distance of 50.00 feet; thence West for a distance of 80.00 feet; thence North for a distance of 15.00 feet to the point of beginning. The tract of land herein described contains 0.17 acres, more or less.

Estimated Compensation: \$450.00

TRACT NO. 100E

DESCRIPTION:

A tract of land situated in the SW<sup>1</sup>/<sub>4</sub> of Section 7, Township 13 North, Range 14 East of the Sixth Principal Meridian, Sarpy County, Nebraska, more particularly described as follows: Commencing at the Southwest corner of said Section 7; thence North along the West line of said Section 7 for a distance of 1061.59 feet to the point of beginning of said tract to be described; thence continuing North along said West line of said Section 7 for a distance of 66.00 feet; thence East, for a distance of 362.00 feet; thence South for a distance of 66.00 feet; thence West a distance of 362.00 feet to the point of beginning. The tract of land herein described contains 0.55 acres, more or less.

Estimated Compensation: \$550.00

Name and Address of Purported Owner of Tracts Nos. 100 and 100E: Frank H. Prucka, 2615 North 11 Street, Omaha, Nebraska

The gross sum estimated by the acquiring agency to be just compensation for the lands and interests therein hereby taken is \$1,000.00.

28-356

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
9.28 Acres of Land, more or less,  
situate in Sarpy County, State of  
Nebraska, and Frank H. Frank, et  
al.,  
Defendants.

CIV. 01277

JUDGMENT OF  
DECLARATION OF TAKING

Now on this 14<sup>th</sup> day of July, 1961, this cause came on  
to be heard upon the motion of William C. Spiro, United  
States Attorney for the District of Nebraska, one of the attorneys  
for the plaintiff herein, to enter a judgment on the Declaration  
of Taking filed in this cause on the 14<sup>th</sup> day of July, 1961, and  
for an order fixing the date when possession of the property herein  
described is to be surrendered to the United States of America, and  
upon consideration of the case and of the condemnation complaint and  
declaration of taking filed herein and the statutes in such cases  
made and provided, and it appearing to the satisfaction of the Court:

- FIRST: That the United States of America is entitled to  
acquire property by eminent domain for the purpose set out and  
purged in said Complaint;
- SECOND: That a complaint in condemnation was filed at the  
request of the Secretary of the Air Force of the United States of  
America, the authority empowered by law to acquire the land and  
interest therein described in said complaint, and also under  
authority of the Attorney General of the United States;
- THIRD: That said complaint and declaration of taking state  
the authority under which and the public use for which said land and  
interest therein were taken; that the Secretary of the Air Force of  
the United States is the person duly authorized and empowered by law  
to acquire the land and interest therein, such as are described in  
the complaint, for use in connection with Offutt Air Force Base,  
Sarpy County, State of Nebraska, and for such other uses as may be

Entered in Numerical Index and Recorded in the Register of Deeds office in Sarpy County, Nebraska  
16 day July 1961 at 11 A. M. Esther Ruff, County Clerk. 5<sup>28</sup>

authorized by Congress or by Executive Order.

FOURTH: That a proper description of the land and the interest therein sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the said lands taken for public use;

SIXTH: That a plan showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for the land and interest taken, in the sum of \$1,750.00, and that said sum was deposited in the Registry of the Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of the Secretary of the Air Force of the United States of America, will be within any limits prescribed by law as the price to be paid therefor.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that upon the filing of the Declaration of Taking herein and the deposit in the Registry of the Court of the estimated amount of just compensation, there vested in the United States of America title as follows:

(a) The fee simple title to 9.56 acres of land designated in this action as Tracts Nos. 100-1, 100-2, and 101 and more particularly described in Exhibit "A", which is attached hereto and by reference made a part hereof, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

(b) A perpetual and assignable easement for the establishment, maintenance, operation and use for a restricted zone in, on, across and over 2.32 acres of land designated in this action as Tracts Nos. 100E, 101E-1, and 101E-2 and more particularly described in Exhibit "A", which is attached hereto and by reference made a part hereof, consisting of the right to prohibit any use of the ~~land~~

of said land for any purpose other than for livestock grazing and growing of small grain and legume crops; the right to remove, raise, or destroy any buildings, or other structures, regardless of their intended use; the right to cut to ground level and remove trees, bushes, shrubs, or any other perennial growth or undergrowth except small grain and legume crops; the right to post signs indicating the nature and extent of the Government's control; and the right of ingress and egress over and across said land for the purpose of exercising the rights set forth herein; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs, executors, administrators and assigns all right, title, interest and privilege as may be used and enjoyed without interfering with or abridging the rights hereby taken for said public uses.

That said interests in and to said land are adjudged to have been condemned and taken for the use of the United States of America, and the right to just compensation for said interests taken vested in the persons entitled thereto, and the amount of just compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that possession of the real estate herein described to the extent of the interests therein taken, shall be surrendered to the United States of America and its duly authorized agents forthwith.

IT IS FURTHER ORDERED that this cause be held open for such further orders, judgments and decrees as may be necessary in the premises.

BY THE COURT:

/s/ Richard E. Robinson  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

<b>FILED</b>	
DISTRICT OF NEBRASKA	
AT _____	M _____
JUN 14 1961	
<i>Richard E. Peck</i> Clerk	
By _____	Deputy

I certify this to be a true copy of the original record in my custody.  
RICHARD E. PECK, CLERK  
By: *Richard E. Peck*  
Deputy Clerk

28-557

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 9.28 acres, more or less, situate in Sarpy County, State of Nebraska. A description of the land taken, together with the names and addresses of the purported owners thereof, and a statement of the sum estimated to be just compensation therefor, are as follows:

TRACT NOS. 100-1, 100-2 and 100E

TRACT NO. 100-1

DESCRIPTION:

A tract of land situated in the SW $\frac{1}{4}$  of Section 7, Township 13 North, Range 14 East of the Sixth Principal Meridian, Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Section 7; thence North along the West line of said Section 7 for a distance of 1094.59 feet; thence East for a distance of 362.00 feet; thence South for a distance of 45.00 feet; thence East for a distance of 63.393 feet to the point of beginning of said tract of land to be described; thence South 50°27'48" East for a distance of 59.606 feet; thence North 39°32'12" East for a distance of 50.00 feet; thence North 50°27'48" West for a distance of 79.333 feet; thence South for a distance of 51.124 feet; thence West to the point of beginning.

The tract of land herein described contains 0.08 of an acre, more or less.

TRACT NO. 100-2

DESCRIPTION:

A tract of land situated in the SW $\frac{1}{4}$  of Section 7, Township 13 North, Range 14 East of the Sixth Principal Meridian, Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Section 7; thence North along the West line of said Section 7 for a distance of 1395.494 feet to the point of beginning of said tract of land to be described; thence South 50°27'48" East for a distance of 469.388 feet; thence North for a distance of 42.90 feet; thence East for a distance of 26.559 feet; thence North 50°27'48" West to the intersection with the foresaid West line of said Section 7; thence South along said West line to the point of beginning.

The tract of land herein described contains 0.54 of an acre, more or less.



25-360

TRACT NO. 100E

DESCRIPTION:

A tract of land situated in the SW<sup>1</sup> of Section 7, Township 13 North, Range 14 East of the Sixth Principal Meridian, Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Section 7; thence North along the West line of said Section 7 for a distance of 1168.58 feet to the point of beginning of said tract of land to be described; thence South 50°27'48" East for a distance of 562.02 feet; thence North 39°32'12" East for a distance of 100.00 feet; thence North 50°27'48" West to the intersection with the aforesaid West line of said Section 7; thence South along said West line for a distance of 226.91 feet; thence South 50°27'48" East for a distance of 503.838 feet; thence East for a distance of 53.43 feet; thence South for a distance of 38.88 feet; thence South 50°27'48" East for a distance of 79.53 feet; thence South 39°32'12" West for a distance of 50.00 feet; thence North 50°27'48" West for a distance of 59.606 feet; thence West for a distance of 63.393 feet; thence North for a distance of 47.10 feet; thence North 50°27'48" West to the intersection of the aforesaid West line of said Section 7; thence South along said West line to the point of beginning.

The tract of land herein described contains 5.89 acres, more or less.

Name and Address of Purported Owner of Tract Nos. 100-1, 100-2 and 100E:	Frank H. Prucka 2815 North 11th Street Omaha, Nebraska
Estimated Compensation for Tract Nos. 100-1, 100-2 and 100E:	\$1,115.00

TRACT NOS. 101, 101E-1 and 101E-2

TRACT NO. 101

DESCRIPTION:

A strip of land 50.00 feet in width situated in the SE<sup>1</sup> of Section 12, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska, lying 25.00 feet on each side of the following described center line:

Commencing at the Southeast corner of said Section 12; thence North along the East line of said Section 12 for a distance of 1127.91 feet to the point of beginning of said center line to be described; thence North 50°27'48" West to the Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad.

The exterior boundaries of the tract are lengthened or shortened, as the case may be, to coincide with the aforesaid East line of said Section 12 on the East and said Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad on the Northwest.

The tract of land herein described contains 0.34 of an acre, more or less.

28-361

TRACT NO. 101E-1

DESCRIPTION:

A strip of land 175.00 feet in width situated in the SE $\frac{1}{4}$  of Section 12, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska, lying 87.50 feet on each side of the following described center line:

Commencing at the Southeast corner of said Section 12; thence North along the East line of said Section 12 for a distance of 1573.78 feet to the point of beginning of said center line to be described; thence North 50°27'48" West to the Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad.

The exterior boundaries of the easement are lengthened or shortened, as the case may be, to coincide with the aforesaid East line of said Section 12 on the East and the said Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad on the Northwest.

The tract of land herein described contains 0.94 of an acre, more or less.

TRACT NO. 101E-2

DESCRIPTION:

A strip of land 175.00 feet in width situated in the SE $\frac{1}{4}$  of Section 12, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska, lying 87.50 feet on each side of the following described center line:

Commencing at the Southeast corner of said Section 12; thence North along the East line of said Section 12 for a distance of 1282.04 feet to the point of beginning of said center line to be described; thence North 50°27'48" West to the Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad.

The exterior boundaries of the easement are lengthened or shortened, as the case may be, to coincide with the aforesaid East line of said Section 12 on the East and the said Southerly Right of Way line of the Chicago, Burlington and Quincy Railroad on the Northwest.

The tract of land herein described contains 1.49 acres, more or less.

Name and Address of Purported Owner of Tract Nos. 101, 101E-1 and 101E-2:

Mary S. Danna  
479 West 4th Avenue Place  
Broomfield, Colorado

Estimated Compensation for Tract Nos. 101, 101E-1 and 101E-2:

\$635.00

The gross sum estimated to be just compensation for the land hereby taken is \$1,750.00.

EASEMENT

R/W \$

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, the undersigned owner(s) of the real estate hereinafter described, his/their heirs, executors, administrators, successors and assigns, hereinafter called "Grantor," hereby grant and convey to OMAHA PUBLIC POWER DISTRICT, its successors and assigns, hereinafter called "District," a right-of-way with the perpetual right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate thereon, electric transmission lines consisting of poles, pole foundations, towers, tower foundations, down guys, anchors, insulators, wires, underground cables, supports and other necessary fixtures and equipment over, above, along, under, in and across the following described real estate situated in SARPY County, State of Nebraska, to wit:

Part of the West One-half of the Southwest Quarter (1/2 SW 1/4) of Section Seven (7), Township Thirteen (13) North, Range Fourteen (14), East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORD 2-17-72 AT 8:00 P.M. IN BOOK 45 OF Third Read PAGE 63 Carl L. Hilleber REGISTER OF DEEDS, SARPY COUNTY NEB. 625

the area of the above described real estate to be covered by this easement shall be as follows:

A strip of land Ten feet (10') in width, being Five feet (5') on each side of and parallel to the following described centerline: Beginning at a point on the West line of said Section Seven (7), One Thousand Six Hundred One and One-tenth feet (1,601.1') North of the Southwest corner of said Section Seven (7); thence in a Northeasterly direction to a point on the centerline of the existing Omaha Public Power District transmission line, said point being Four Hundred Sixty-eight and Seventy-five Hundredths feet (468.75') East of and Two Thousand Five Hundred Twenty-three and Seventy-five Hundredths feet (2,523.75') North of the aforesaid Southwest corner. Also a strip of land Fifty feet (50') in width, being Twenty-five feet (25') on each side of a parallel to the following described centerline: Beginning at the last described point and extending in a Southeasterly direction along said existing centerline a distance of Fifty feet (50').

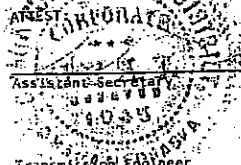
- 1. District shall have the right of ingress and egress across the Grantor's property for any purpose hereinafter granted. Such ingress and egress shall be exercised in a reasonable manner.
2. District shall have the right to trim or remove all trees and brush on said right-of-way as may be necessary to efficiently exercise any of the hereinbefore granted rights, together with the express provision that any and all trees which, in falling, would come within 15 feet of the nearest electric line conductor may be topped or removed. All refuse from such tree cutting or trimming shall be disposed of by the District.
3. District hereby agrees to pay the Grantor or Lessee, as their interests may appear, for all damages to growing crops, fences and buildings on said land which may be caused by the exercise of the hereinbefore granted rights.
4. Grantor may cultivate, use and enjoy the land within the right-of-way provided that such use shall not, in the judgment of the District, endanger or be a hazard to or interfere with the rights hereinbefore granted, and provided further, that the Grantor shall not allow any buildings, structures, combustible material or property to remain or be placed upon the above described easement area, or change or alter the grade of the right-of-way herein described without prior written approval from the District.
5. It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 20th day of January, 1972

OMAHA PUBLIC POWER DISTRICT
Assistant General Manager
Rachael Shaw

Frank H. Prucka
Grantor

Margaret D. Prucka
Grantor



Transmission Engineer Date 1-24-72
Engineering Dept. Date 1-26-72
Accounting Dept. Date 2-5-72

Approved
C. & S. Engineer Date 1-21-72
Legal Department Date 2/1/72

45-63A

APPD.

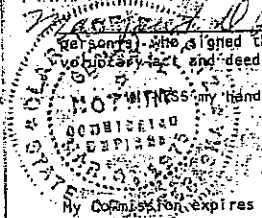
CERTIFICATE OF ACKNOWLEDGEMENT - Individual

STATE OF NEBRASKA )  
COUNTY OF Logan ) ss.

On this 20 day of January, 1972, before me, the undersigned, a Notary

Public in and for said County and State, personally appeared Frank H. Prucha and

MacDonald D. Prucha Husband and wife to me known personally to be the identical persons who signed the foregoing instrument and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.



WITNESS my hand and Notarial Seal the date above written.

James E. Gyles  
Notary Public

My Commission expires on the 4 day of March, 1975.

CERTIFICATE OF ACKNOWLEDGEMENT - Corporation

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public

in and for said County and State, appeared \_\_\_\_\_ and

\_\_\_\_\_ to me personally known, who being by me duly sworn, did say that they are \_\_\_\_\_ President and \_\_\_\_\_ Secretary respectively of \_\_\_\_\_

\_\_\_\_\_ (a Corporation), that the Seal affixed to said instrument is the Seal of said Corporation and that said instrument was signed and sealed on behalf of said Corporation and acknowledged execution thereof to be the voluntary act and deed of said Corporation, by it voluntarily executed.

WITNESS my hand and Notarial Seal the date above written.

\_\_\_\_\_  
Notary Public

My Commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

CONSENT BY LESSEE OR OTHER PERSON IN INTEREST TO EASEMENT FOR TRANSMISSION LINE

In consideration of the payments made and agreed to be made to or for the account of the foregoing Grantor, and the division thereof according to the separate agreement of the Grantor and the undersigned to their mutual satisfaction, and in the case of a lessee, in consideration of the terms stated above by the Grantee as to crop damage as the interest of Grantor and Lessee may appear, the undersigned, being the lessee or otherwise in, or entitled to the, possession of the property described in the foregoing right-of-way easement, or otherwise possessing an interest in the property described in the foregoing right-of-way easement, hereby consent(s) to the survey for and construction of the electric transmission line or lines across the property therein described, in accordance with the terms of the said right-of-way easement, and insofar as the interest of the undersigned is affected by the said electric transmission line or lines, the undersigned does hereby waive any and all objections thereto and does hereby consent to all the terms of said right-of-way easement, and hereby expressly subordinates such interest to the rights granted to the Grantee by such right-of-way easement.

IN WITNESS WHEREOF, the said undersigned has executed this instrument or caused the due execution thereof this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public

in and for said County and State, personally appeared \_\_\_\_\_

to me known personally to be the identical person(s) who signed the foregoing instrument and who acknowledged the execution thereof to be \_\_\_\_\_ voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

\_\_\_\_\_  
Notary Public

My Commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

51-587

FILED FOR RECORD 9-5-78 AT 11:00 AM IN BOOK 51 OF *Final Rev.* 8550  
PAGE 527 Carl S. Hillier REGISTER OF DEEDS, SARPY COUNTY, NEB. JUN 26 - 6 11:00 25

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

PAPIO NATURAL RESOURCES DISTRICT, ) DOC. M3 PAGE 170.  
Petitioner, )  
vs. )

DONALD J. DAWSON and MINA PREIFLEY DAWSON, )  
husband and wife; FRANK H. PRUCKA, SR., )  
and MARGARET PRUCKA, husband and wife; M. )  
GORDON CLARKE and CLARKE, his )  
wife, if married, first real and true )  
name unknown; OTTO KAISER and )  
KAISER, his wife, if married, first real )  
and true name unknown; SORENSEN CONSTRUC- )  
TION, INC., a corporation; CLIFFORD W. )  
SCOTT and SCOTT, his wife, if )  
married, first real and true name unknown; )  
JCSEPH HOFSTATTER and )  
HOFSTATTER, his wife, if married, first real )  
and true name unknown; RUDY A. HOLUB and )  
MARGARET L. HOLUB, husband and wife; )  
KATHLEEN INGRAM, SARPY COUNTY TREAS- )  
URER; JOHN R. POORE; HENRY SEFFRON, )  
WILBERT E. SHARPLES; BILL PALMER; and )  
BRAIN WHEELER, and REUBEN E. BATES, )  
Condemness. )

REPORT OF APPRAISERS

Now on this <sup>14</sup>5 day of July, 1978 the undersigned, being the duly appointed, qualified, and acting appraisers in the above entitled matter, do hereby make and file this report, showing unto the Court:

1. The undersigned were duly appointed appraisers in the above entitled matter by "Order Appointing Appraisers" of this Court.
2. Before entering upon the duties as appraisers in the above entitled matter, the undersigned duly took and subscribed an oath to support the Constitutions of the United States and of the State of Nebraska and to faithfully and impartially discharge their duties as required by law.
3. The undersigned appraisers carefully inspected and viewed the real estate herein sought to be taken, and also any other property of the condemnees damaged thereby, and heard all parties interested therein as to the amount of damages while so inspecting and viewing the property. Those persons appearing were:  
Donald J. Dawson, Frank H. Prucka, Sr. Clifford W. Scott, Rudy A. Holub, Harry Sorenson, Tom Rowan, Paul Peters, J. G. Strawn,

Red 08561

9/1/78

James W. Warren, Bill Palmer, Brian Wheeler, John R. Poore,  
Henry Seffron, R. J. Wilson, Frank Kirby, Frank Voss

4. Said appraisers did meet on the 26th day of June, 1978,  
at 2:00 o'clock, P.M. and on June 27, 1978 at 1:30 P.M.; and on  
July 5, 1978 at 9:00 A.M., to assess the damages that the condemnees  
sustain by the taking of the hereinafter specified property by  
the condemner, Papio Natural Resources District, at which time  
said appraisers did receive evidence relative to the amount of  
damages that will be sustained by the owners of said real estate.

Those persons appearing were:

Donald J. Dawson; Mina Dawson; Bill Palmer; Brian Wheeler; Frank H.  
Prucka, Sr.; Harry Sorenson; Rudy A. Holub; Margaret Holub; Pat  
Holub; Steve Schippers; J. G. Strawn, James W. Warren, Paul Peters;  
Frank Voss; R. J. Wilson; Larry F. Fugit; Frank Kirby; Marlin  
Petermann; Ester Seffron; Whitey Sheller; Eva Benak; Robert McMann,  
Sara Campbell, Fred Krambeck.

5. The amount of damages that will be sustained by the  
persons having interests in said real estate by reason of the  
taking thereof by the condemnor is as hereinafter found and assessed.

NOW, THEREFORE, the undersigned appraisers do hereby find  
and assess the damages that will be suffered by reason of the  
taking of the real estate by the condemnor as follows:

The legal descriptions and tract maps corresponding to the  
aforesaid tract numbers, as set forth in the Petition for Appoint-  
ment of Appraisers, and as amended and corrected by the Second  
Amendment to the Petition for Appointment of Appraisers, filed in  
this action are attached hereto and incorporated in this Report of  
Appraisers by reference as though set forth verbatim herein.

Dated this 5<sup>th</sup> day of JULY, 1978.

*Michael M. Kirby*  
*Patricia A. Grande*  
*Quentin D. ...*

APPRAISERS

<u>TRACT NOS.</u>	<u>CONDEMNEE</u>	<u>DAMAGES</u>
B-12, L-10, L-12 & T-3	Donald J. Dawson & Mina Pfeifley Dawson, husband and wife	\$305,210.00
	Bill Palmer & Brian Wheeler-crop damage Sarpy County Treasurer	\$ 15,210.00 0
B-9, B-10, B-11, L-5, D-5, D-6 & D-7	Frank H. Prucka, Sr. & Margaret Prucka, husband & wife	\$113,120.00
	Frank H. Prucka, Sr. & Margaret Prucka, husband and wife-crop damage	\$ 3,270.40
	John R. Poore-crop damage	\$ 3,270.40
	M. Gordon Clarke, Clarke, wife of M. Gordon Clarke	0
	Sarpy County Treasurer	0
B-4 & L-4	Otto Kaiser, Kaiser, wife of Otto Kaiser	0
	Sorensen Construction, Inc. Sarpy County Treasurer Wilbert E. Sharples Reuben E. Bates	\$ 13,900.00 0 0 0
B-3	Clifford W. Scott, Scott, wife of Clifford W. Scott Sarpy County Treasurer	\$ 7,200.00 0
L-7	Joseph Hofstatter, Hofstatter, wife of Joseph Hofstatter	\$ 350.00
B-1, B-2, L-1, T-1, D-2 & T-7	Rudy A. Holub and Margaret Holub, husband and wife	\$ 97,475.00
	Rudy A. Holub and Margaret Holub, husband and wife, crop damage	\$ 2,255.04
	Henry Seffron-crop damage Sarpy County Treasurer	\$ 3,382.56 0

The legal descriptions corresponding to the aforesaid Tract Nos. as set forth in the Petition for Appointment of Appraisers, as amended and corrected by the Second Amendment to the Petition for Appointment of Appraisers filed in this action, are incorporated in this Report of Appraisers by reference, as though set forth herein verbatim.

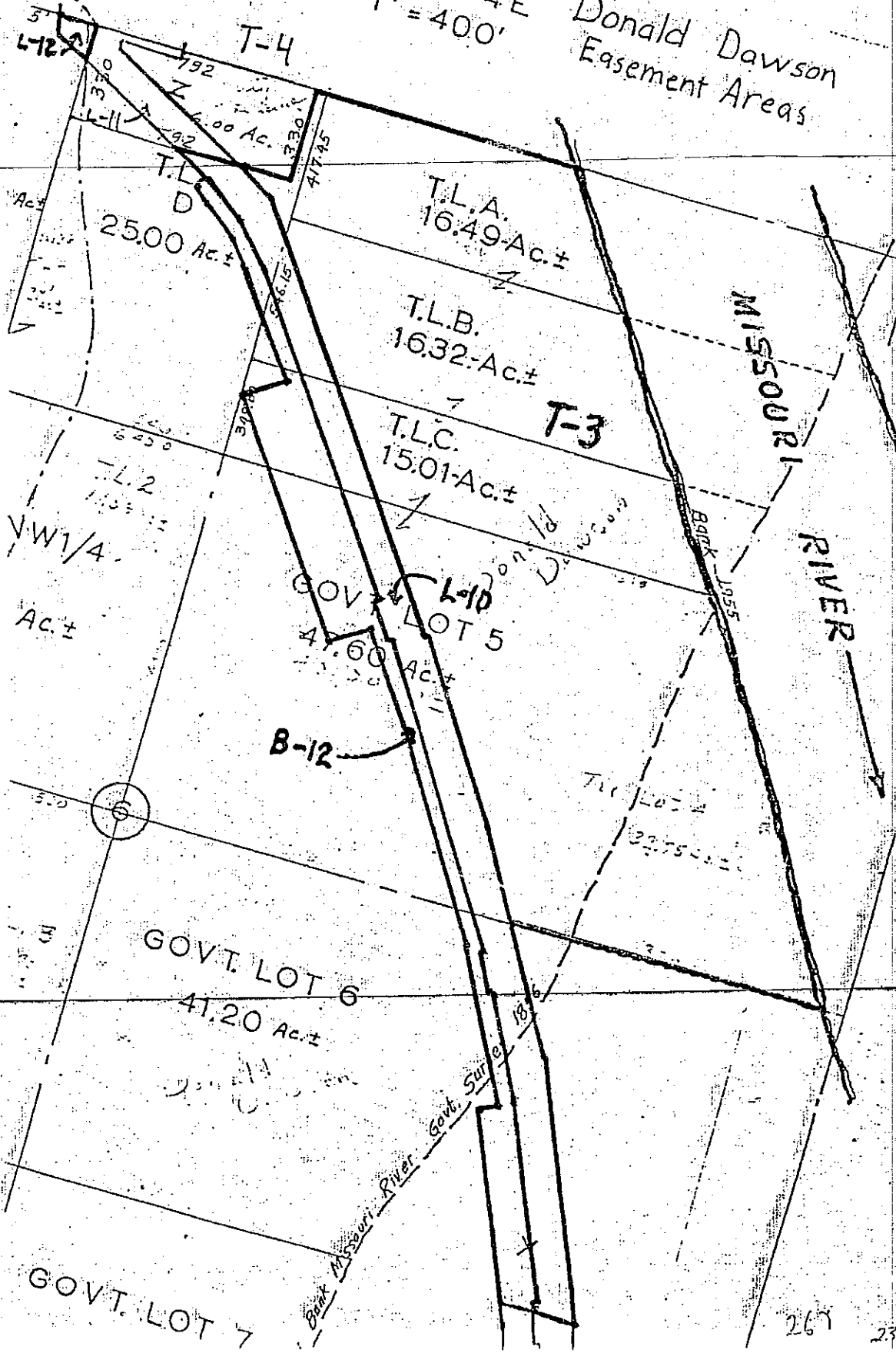
DATED this 5<sup>th</sup> day of JULY 1978.

*Alfred W. Huber*  
*Patricia A. Huber*  
*Quint D. Huber*  
APPRAISERS

51-587C

SEC. 6-T13N-R14E  
SCALE: 1" = 400'

Donald Dawson  
Easement Areas





AMENDED

Donald Dawson  
B-12

## Permanent Berm Easement

A parcel located in the northwest, northeast and southeast quarters of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is 1,315 feet north and 736 feet west of the southeast corner of said southeast quarter; thence northwesterly a distance of 52 feet to a point, which is 1,364 feet north and 753 feet west of the southeast corner of the southeast quarter of said Section 6; thence northeasterly a distance of 15 feet to a point, which is 1,370 feet north and 739 feet west of said southeast corner; thence northwesterly a distance of 717 feet to a point, which is 1,005 feet west and 600 feet south of the northeast corner of the southeast quarter (SE $\frac{1}{4}$ ) of said Section 6; thence northwesterly a distance of 421 feet to a point, which is 1,198 feet west and 226 feet south of the said northeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,211 feet west and 233 feet south of said northeast corner; thence northwesterly a distance of 150 feet to a point which is 1,280 feet west and 100 feet south of said northeast corner; thence northeasterly a distance of 15 feet to a point, which is 1,267 feet west and 93 feet south of said northeast corner; thence northwesterly a distance of 110 feet to a point on the north line of the said southeast quarter, which is 1,326 feet west of the said northeast corner; thence northwesterly a distance of 732 feet to a point, which is 1,717 feet west and 618 feet north of the northeast corner of the southeast quarter of said Section 6; thence northwesterly a distance of 302 feet to a point, which is 1,893 feet west and 864 feet north of said northeast corner; thence southwesterly a distance of 10 feet to a point which is 1,901 feet west and 858 feet north of said northeast corner; thence northwesterly at a right angle to the last described portion a distance of 150 feet to a point; thence northeasterly at a right angle to the last described portion a distance of 15 feet to a point, which is 1,976 feet west and 988 feet north of said northeast corner; thence northwesterly a distance of 1,163 feet to a point on the west line of the said northeast quarter which is 712 feet south of its northwest corner; thence northwesterly a distance of 94 feet to a point, which is 635 feet south and 54 feet west of the northwest corner of the northeast quarter of said Section 6; thence northwesterly a distance of 177 feet to a point, which is 504 feet south and 173 feet west of said northwest corner; thence northwesterly a distance of 177 feet to a point, which is 407 feet south and 321 feet west of said northwest corner; thence southwesterly a distance of 45 feet to a point, which is 447 feet south and 343 feet west of said northwest corner; thence southeasterly a distance of 166 feet to a point, which is 542 feet south and 206 feet west of said northwest corner; thence southeasterly a distance of 166 feet to a point, which is 664 feet south and 95 feet west of said northwest corner; thence southeasterly a distance of 164 feet to a point on the east line of said northwest quarter; thence southeasterly a distance of 268 feet to a point which is 1,016 feet south and 155 feet east of the northwest corner of the northeast quarter of said Section 6; thence southwesterly a distance of 160 feet to a point which is 1,109 feet south and 25 feet east of the said northwest corner; thence southeasterly a distance of 897 feet to a point, which is 2,103 feet west and 805 feet north of the said northeast corner; thence northeasterly a distance of 160 feet to a point, which is 1,973 feet west and 898 feet north of the said northeast corner; thence southeasterly a distance of 377 feet to a point, which is 1,754 feet west and 592 feet north of said northeast corner; thence southeasterly a distance of 697 feet to a point, which is on the south line of the said northeast quarter and 1,386 feet west of the east line of said Section 6; thence southeasterly a distance of 115 feet to a point, which is 1,325 feet west and 97 feet south of the northeast corner of said southeast quarter; thence southeasterly a distance of 591 feet to a point, which is 1,055 feet west and 623 feet south of said northeast corner; thence southwesterly a distance of 70 feet to a point, which is 1,119 feet west and 653 feet south of said northeast corner; thence southeasterly a distance of 720 feet to a point, which is 851 feet west and 1,315 feet north of the southeast corner of said southeast quarter; thence easterly a distance of 115 feet to the point of beginning. An area of approximately 9.5 acres located within the southeast, northeast and northwest quarters of Section 6, T13N, R14E all in Sarpy County, Nebraska.

AMENDED

L-10

Permanent Levee Easement

A parcel located in the northwest, northeast and southeast quarters of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is 1,315 feet north and 736 feet west of the southeast corner of said southeast quarter; thence due east a distance of 153 feet to a point, thence northwesterly a distance of 138 feet to a point, which is 1,447 feet north and 622 feet west of said southeast corner; thence northwesterly a distance of 851 feet to a point, which is 2,231 feet north and 952 feet west of said southeast corner; thence northwesterly a distance of 465 feet to a point, which is on the north line of the southeast quarter of said Section 6, and is 1,178 feet west of the northeast corner of said southeast quarter; thence northwesterly a distance of 390 feet to a point, which is 1,370 feet west and 340 feet north of the northeast corner of said southeast quarter; thence northwesterly a distance of 702 feet to a point, which is 1,779 feet west and 911 feet north of said northeast corner; thence southwesterly a distance of 5 feet to a point, which is 1,783 feet west and 908 feet north of the said northeast corner; thence northwesterly a distance of 1,491 feet to a point, on the west line of the said northeast quarter (NE-1/4) which is 522 feet south of the northwest corner of the said northeast quarter; thence northwesterly a distance of 146 feet to a point, which is 403 feet south and 85 feet west of the northwest corner of said northeast quarter; thence northwesterly a distance of 157 feet to a point, which is 224 feet west and 330 feet south of said northwest corner; thence due west a distance of 244 feet to a point, thence southeasterly a distance of 166 feet to a point, which is 407 feet south and 321 feet west of the said northwest corner; thence southeasterly a distance of 177 feet to a point, which is 504 feet south and 173 feet west of said northwest corner; thence southeasterly a distance of 177 feet to a point, which is 635 feet south and 54 feet west of the said northwest corner; thence southeasterly a distance of 94 feet to a point on the east line of the said northwest quarter; thence southeasterly a distance of 1,160 feet to a point, which is 1,976 feet west and 988 feet north of the northeast corner of said southeast quarter; thence southwesterly a distance of 15 feet to a point which is 1,988 feet west and 980 feet north of the said northeast corner; thence southeasterly at a right angle to the last described portion a distance of 150 feet to a point; thence northeasterly at a right angle to the last described portion, a distance of 10 feet to a point, which is 1,893 feet west and 864 feet north of the said northeast corner; thence southeasterly a distance of 302 feet to a point, which is 1,717 feet west and 618 feet north of the said northeast corner; thence southeasterly a distance of 732 feet to a point on the south line of the said northeast quarter; thence southeasterly a distance of 110 feet to a point, which is 1,267 feet west and 93 feet south of said northeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,280 feet west and 100 feet south of said northeast corner; thence southeasterly at a right angle to the last described portion a distance of 150 feet to a point; thence northeasterly at a right angle to the last described portion a distance of 15 feet to a point, which is 1,198 feet west and 226 feet south of said northeast corner; thence southeasterly a distance of 421 feet to a point, which is 1,005 feet west and 600 feet south of said northeast corner; thence southeasterly a distance of 717 feet to a point, which is 1,370 feet north and 739 feet west of the said southeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,364 feet north and 753 feet west of said southeast corner; thence southeasterly at a right angle to the last described portion a distance of 52 feet to the point of beginning. An area of approximately 12.1 acres located in the northeast, northwest and southeast quarters of Section 6, T13N, R14E all in Sarpy County, Nebraska.

## L-12

## Permanent Levee Easement

A parcel located in the Northwest Quarter of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is on the North line and 832.48 feet West of the Northeast corner of said Northwest Quarter; thence South a distance of 139 feet to a point; thence Northwesterly a distance of 119 feet to a point, which is 84 feet South and 939 feet West of said Northeast corner; thence Northwesterly a distance of 87 feet to a point on the North line of said Northwest Quarter, which is 960 feet West of said Northeast Quarter; thence easterly along said North line a distance of 127 feet to the point of beginning. An area of approximately 0.3 acres located within the Northwest Quarter of Section 6, T13N, R14E, Sarpy County, Nebraska.

AMENDED

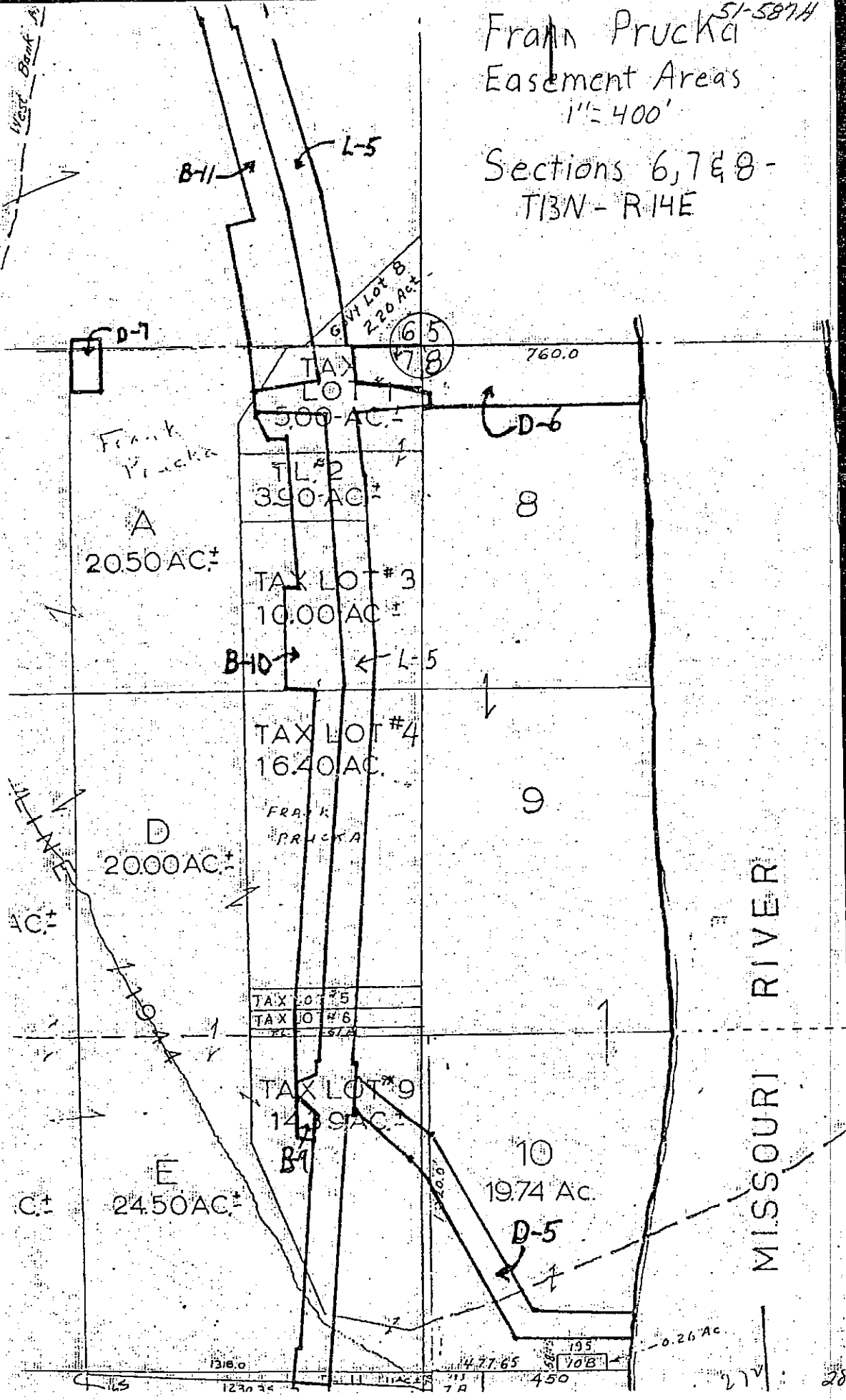
T-3  
Fee Title

And also,

A parcel located in the northwest and northeast quarters of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the south line of the northeast quarter of Section 6, which is 1,178 feet west of the southeast corner of said northeast quarter; thence northwesterly a distance of 390 feet to a point, which is 340 feet north and 1,370 feet west of said southeast corner; thence northwesterly a distance of 702 feet to a point, which is 911 feet north and 1,779 feet west of said southeast corner; thence southwesterly a distance of five feet to a point, which is 908 feet north and 1,783 feet west of said southeast corner; thence northwesterly a distance of 1,491 feet to a point, which is on the west line of said northeast quarter (NE $\frac{1}{4}$ ), which is 522 feet south of the northwest corner of said northeast quarter; thence northwesterly a distance of 146 feet to a point, which is 403 feet south and 85 feet west of the northeast corner of the northwest quarter of said Section 6; thence northwesterly a distance of 157 feet to a point, which is 330 feet south and 224 feet west of said northeast corner; thence easterly a distance of 183 feet to a point; thence northerly a distance of 330 feet to a point on the north line of said northwest quarter, which is 41 feet west of said northeast corner; thence east along the north line of said section a distance of approximately 944 feet to a point on the high bank of the Missouri River; thence southeasterly along said bank a distance of approximately 3,100 feet to a point, which is approximately at the southeast corner of the northeast quarter of said Section 6; thence west along the south line of said section a distance of approximately 1,180 feet to the point of beginning, an area of approximately 78.8 acres located in the northeast quarter of Section 6, T13N, R14E and approximately .7 acres located within the northwest quarter of Section 6, T13N, R14E, all in Sarpy County, Nebraska.

51-5874  
 Frank Prucka  
 Easement Areas  
 1" = 400'

Sections 6, 7 & 8 -  
 T13N - R14E



Frank Prucka  
 A  
 20.50 AC±

D  
 20.00 AC±

E  
 24.50 AC±

TAX LOT #1  
 5.00 AC±

TAX LOT #2  
 3.90 AC±

TAX LOT #3  
 10.00 AC±

TAX LOT #4  
 16.40 AC±

TAX LOT #5  
 TAX LOT #6  
 57.2

TAX LOT #9  
 14.00 AC±

760.0

10  
 19.74 AC

MISSOURI RIVER

1316.0

477.65

195

0.26 AC

1230.34

1111.11 AC±

711 711 450

108

277

28

51-587I

Frank Prucka  
B-9

Permanent Berm Easement

A parcel located in the southeast quarter of Section 7, T13N, R14E, Sarpy County, Nebraska. Beginning at a point which is 2,183 feet north and 431 feet west of the southeast corner of Section 7, Township 13N, Range 14E, thence northwesterly a distance of 55 feet to a point, which is 2,187 feet north and 486 feet west of said southeast corner; thence northwesterly a distance of 170 feet to a point, which is 2,357 feet north and 486 feet west of said southeast corner; thence southeasterly a distance of 89 feet to a point, which is 2,297 feet north and 421 feet west of said southeast corner; thence southwesterly a distance of 114 feet to the point of beginning. An area of approximately 0.2 acres all within the southeast quarter (SE $\frac{1}{4}$ ) of Section 7, T13N, R14E, all in Sarpy County, Nebraska.

AMENDED

B-10

Permanent Berm Easement

A parcel located in Section 7, T13N, R14E, Sarpy County, Nebraska. Beginning at a point which is 620 feet west and 245 feet south of the northeast corner of Section 7, Township 13, Range 14; thence southeasterly a distance of 133 feet to a point, which is 369 feet south and 569 feet west of said northeast corner; thence northeasterly a distance of 70 feet to a point, which is 361 feet south and 500 feet west of said northeast corner; thence southeasterly a distance of 583 feet to a point which is 943 feet south and 458 feet west of said northeast corner; thence southwesterly a distance of 60 feet to a point, which is 945 feet south and 518 feet west of said northeast corner; thence southeasterly a distance of 386 feet to a point, which is 1,331 feet south and 516 feet west of said northeast corner; thence southeasterly a distance of 110 feet to a point, which is 1,333 feet south and 406 feet west of said northeast corner; thence southwesterly a distance of 440 feet to a point, which is 1,773 feet south and 428 feet west of said northeast corner; thence southwesterly a distance of 850 feet to a point, which is 2,620 feet south and 496 feet west of said northeast corner; thence southeasterly a distance of approximately 35 feet to a point on the south line of the northeast quarter of said Section 7, which is 494 feet west of the southeast corner of said northwest quarter; thence southeasterly a distance of 249 feet to a point, which is 248 feet south and 483 feet west of said southeast corner; thence northeasterly a distance of 71 feet to a point, which is 207 feet south and 424 feet west of said southeast corner; thence northeasterly a distance of 50 feet to a point which is 157 feet south and 421 feet west of said southeast corner; thence southeasterly a distance of 15 feet to a point, which is 158 feet south and 406 feet west of said southeast corner; thence northeasterly a distance of 158 feet to a point on the south line of said northwest quarter, which is 393 feet west of said southeast corner; thence northeasterly a distance of 877 feet to a point, which is 1,781 feet south and 323 feet west of the northeast corner of said northeast quarter; thence northeasterly a distance of 447 feet to a point which is 1,335 feet south and 301 feet west of said northeast corner; thence northwesterly a distance of 397 feet to a point, which is 938 feet south and 303 feet west of said northeast corner; thence northwesterly a distance of 596 feet to a point, which is 344 feet south and 345 feet west of said northeast corner; thence northwesterly a distance of 74 feet to a point, which is 270 feet south and 357 feet west of said northeast corner; thence northwesterly a distance of 264 feet to the point of beginning. An area of approximately 0.4 acres located within the southwest quarter and 7.6 acres located in the northeast quarter of Section 7, T13N, R14E, Sarpy County, Nebraska.

B-11

Permanent Berm Easement

A parcel located in the northeast quarter of Section 7, T13N, R14E, and the southeast quarter of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the south line of said Section 6, which is 403 feet west of the southeast corner of said Section 6; thence northwesterly a distance of 545 feet to a point, which is 537 feet north and 494 feet west of said southeast corner; thence northwesterly a distance of 719 feet to a point, which is 1,228 feet north and 690 feet west of said southeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,224 feet north and 705 feet west of said southeast corner; thence northwesterly a distance of approximately 96 feet to a point on the east west centerline of said southeast quarter, which is approximately 1,315 feet north and 736 feet west of said southeast corner; thence westerly along said centerline a distance of 115 feet to a point; thence southeasterly a distance of 59 feet to a point, which is 1,260 feet north and 829 feet west of said southeast corner; thence southeasterly a distance of 781 feet to a point, which is 509 feet north and 616 feet west of the said southeast corner; thence southwesterly a distance of 100 feet to a point, which is 487 feet north and 714 feet west of said southeast corner; thence southeasterly a distance of 495 feet to a point on the south line of said Section 6, which is 631 feet west of said southeast corner; thence southeasterly a distance of 175 feet to a point, which is 175 feet south and 620 feet west of the northeast corner of the northeast quarter of said Section 7; thence northeasterly a distance of 244 feet to a point, which is 150 feet south and 378 feet west of said northeast corner; thence northwesterly a distance of 152 feet to the point of beginning. An area of approximately 0.8 acres located in the northeast quarter of Section 7, T13N, R14E, and approximately 4.9 acres located within the southeast quarter of Section 6, T13N, R14E, Sarpy County, Nebraska.

AMENDED

L-5

## Permanent Levee Easement

A parcel located in the northwest quarter of Section 8, T13N, R14E, the northeast and southeast quarters of Section 7, T13N, R14E and in the southeast quarter of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the south line of tax lot 11 in the southeast quarter of said Section 7, which is approximately 1,286 feet north and 387 feet west of the southeast corner of the southeast quarter of said Section 7; thence northwesterly along said south line a distance of approximately 130 feet to a point, which is approximately 1,290 feet north and 517 feet west of said southeast corner, thence northeasterly a distance of 70 feet to a point, which is 1,361 feet north and 511 feet west of said southeast corner; thence southeasterly a distance of 15 feet to a point, which is 1,360 feet north and 496 feet west of said southeast corner; thence northeasterly a distance of 939 feet to a point, which is 2,297 feet north and 421 feet west of said southeast corner; thence northwesterly a distance of 89 feet to a point, which is 2,357 feet north and 486 feet west of said southeast corner; thence northeasterly a distance of 50 feet to a point, which is 2,407 feet north and 483 feet west of said southeast corner; thence northeasterly a distance of 71 feet to a point, which is 2,448 feet north and 424 feet west of said southeast corner; thence northeasterly a distance of 50 feet to a point, which is 2,498 feet north and 421 feet west of said southeast corner; thence southeasterly a distance of 15 feet to a point, which is 2,497 feet north and 406 feet west of said southeast corner; thence northeasterly a distance of 1,035 feet to a point, which is 1,781 feet south and 323 feet west of the northeast corner of the northeast quarter of said Section 7; thence northeasterly a distance of 447 feet to a point, which is 1,335 feet south and 301 feet west of said northeast corner; thence northwesterly a distance of 397 feet to a point, which is 938 feet south and 303 feet west of said northeast corner; thence northwesterly a distance of 596 feet to a point, which is 344 feet south and 345 feet west of said northeast corner; thence northwesterly a distance of 75 feet to a point, which is 270 feet south and 357 feet west of said northeast corner; thence northwesterly a distance of 264 feet to a point, which is 245 feet south and 620 feet west of said northeast corner; thence north a distance of 70 feet to a point, which is 175 feet south and 620 feet west of said northeast corner; thence northeasterly a distance of 244 feet to a point, which is 150 feet south and 378 feet west of said northeast corner; thence northwesterly a distance of 152 feet to a point on the north line of said Section 7, which is 403 feet west of said northeast corner; thence continuing northwesterly into Section 6, T13N, R14E, Sarpy County, Nebraska, a distance of 545 feet to a point, which is 537 feet north and 494 feet west of said northeast corner; thence northwesterly a distance of 719 feet to a point, which is 1,228 feet north and 690 feet west of said northeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,224 feet north and 705 feet west of said northeast corner; thence northwesterly a distance of approximately 96 feet to a point on the north line of the south half of the southwest quarter of said Section 6, which is approximately 1,315 feet north and 714 feet west of said northeast corner; thence easterly a distance of 3 feet to a point, thence southeasterly



## Tract L-5 (continued)

a distance of 727 feet to a point, which is 617 feet north and 378 feet west of said northeast corner; thence southeasterly a distance of 461 feet to a point, which is 163 feet north and 297 feet west of said northeast corner; thence southeasterly a distance of 166 feet to a point on the south line of said Section 6, which is 268 feet west of said northeast corner; thence east along the south line of said Section 6 a distance of 25 feet to a point; thence southeasterly into Section 7, T13N, R14E, a distance of 154 feet to a point, which is 153 feet south and 222 feet west of the northeast corner of the northeast quarter of said Section 7; thence southeasterly a distance of 223 feet to a point on the east line of said Section 7, which is 175 feet south of said northeast corner; thence east at a right angle to said east line a distance of 33 feet into Section 8, T13N, R14E, thence south at a right angle to the last described portion a distance of 70 feet to a point; thence west at a right angle to the last described portion a distance of 33 feet to a point on the east line of said Section 7; thence southwesterly a distance of 233 feet to a point, which is 270 feet south and 231 feet west of said northeast corner; thence southeasterly a distance of 218 feet to a point, which is 486 feet south and 204 feet west of said northeast corner; thence southeasterly a distance of 650 feet to a point, which is 1,136 feet south and 172 feet west of said northeast corner; thence southwesterly a distance of 656 feet to a point, which is 1,791 feet south and 204 feet west of said northeast corner; thence southwesterly a distance of 867 feet to a point, which is 273 feet west of the southwest corner of the northwest quarter of said Section 8, and is on the south line of the northeast quarter of said Section 7; thence southwesterly a distance of 168 feet to a point, which is 286 feet west and 2,487 feet north of the southeast corner of the southeast quarter of said Section 7; thence southeasterly a distance of 15 feet to a point, which is 2,486 feet north and 271 feet west of said southeast corner; thence southwesterly a distance of 36 feet to a point, which is 2,450 feet north and 274 feet west of said southeast corner; thence southwesterly a distance of 128 feet to a point, which is 2,322 feet north and 284 feet west of said southeast corner; thence southwesterly a distance of 36 feet to a point, which is 2,286 feet north and 287 feet west of said southeast corner; thence northwesterly a distance of 20 feet to a point, which is 2,288 feet north and 307 feet west of said southeast corner; thence southwesterly a distance of approximately 1004 feet to the point of beginning. An area of approximately 16.9 acres located with Tax Lots A, 1, 2, 3, 4, 5, 6, 7, 9 and 11 of Section 7, T13N, R14E, Government Lots 7 and 8 of Section 6, T13N, R14E, and Tax Lot 8, Section 8, T13N, R14E, Sarpy County, Nebraska.

D-5

Permanent Drainway Easement

A parcel in Tax Lot 9 in the southeast quarter of Section 7, T13N, R14E and Tax Lot 10A in the southwest quarter of Section 8, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the east line of said Section 7, which is 2,019 feet north of the southeast corner of the southeast quarter of said section 7; thence northwesterly a distance of 86 feet to a point, which is 2,095 feet north and 40 feet west of said southeast corner; thence northwesterly a distance of 334 feet to a point, which is 2,322 feet north and 284 feet west of said southeast corner; thence northeasterly a distance of 128 feet to a point, which is 2,450 feet north and 274 feet west of said southeast corner; thence southeasterly a distance of 430 feet to a point, which is 2,156 feet north and 41 feet east of the southwest corner of the southwest quarter of said Section 8; thence southeasterly a distance of 734 feet to a point, which is 1,506 feet north and 381 feet east of said southwest corner; thence southeasterly a distance of 281 feet to a point, which is 1,495 feet north and 662 feet east of said southwest corner; thence easterly a distance of approximately 50 feet to a point on the high bank of the Missouri River; thence southeasterly along said bank for a distance of approximately 100 feet to a point; thence westerly a distance of approximately 60 feet to a point, which is 1,395 feet north and 658 feet east of said southeast corner; thence northwesterly a distance of 338 feet to a point, which is 1,409 feet north and 320 feet east of said southeast corner; thence northwesterly a distance of 689 feet to the point of beginning. An area of approximately 3.4 acres located within Tax Lot 9 in the Southeast quarter of Section 7, T13N, R14E, and Tax Lot 10A in the southwest quarter of Section 8, T13N, R14E, Sarpy County, Nebraska.

D-6

Permanent Drainway Easement

A parcel in Tax Lot 1, Section 7, T13N, R14E, and Tax Lot 8, Section 8, T13N, R14E, Sarpy County, Nebraska. Beginning at the northwest corner of the northwest quarter of said Section 8; thence easterly along the north line of said section a distance of approximately 770 feet to a point on the high bank of the Missouri River; thence southeasterly along said high bank a distance of approximately 245 feet to a point; thence westerly a distance of approximately 740 feet to a point, which is 245 feet south and 33 feet east of said northwest corner; thence north a distance of 70 feet to a point; thence west a distance of 33 feet to a point on the west line of said Section 8, which is 175 feet south of said northwest corner; thence northwesterly a distance of 223 feet to a point, which is 153 feet south and 222 feet west of the northeast corner of the northeast quarter of said Section 7; thence northwesterly a distance of 154 feet to a point on the north line of said Section 7; thence easterly on said north line a distance of 243 feet to the point of beginning. An area of approximately 3.4 acres located within Tax Lot 1, Section 7, T13N, R14E, and Tax Lot 8, Section 8, T13N, R14E, Sarpy County, Nebraska.

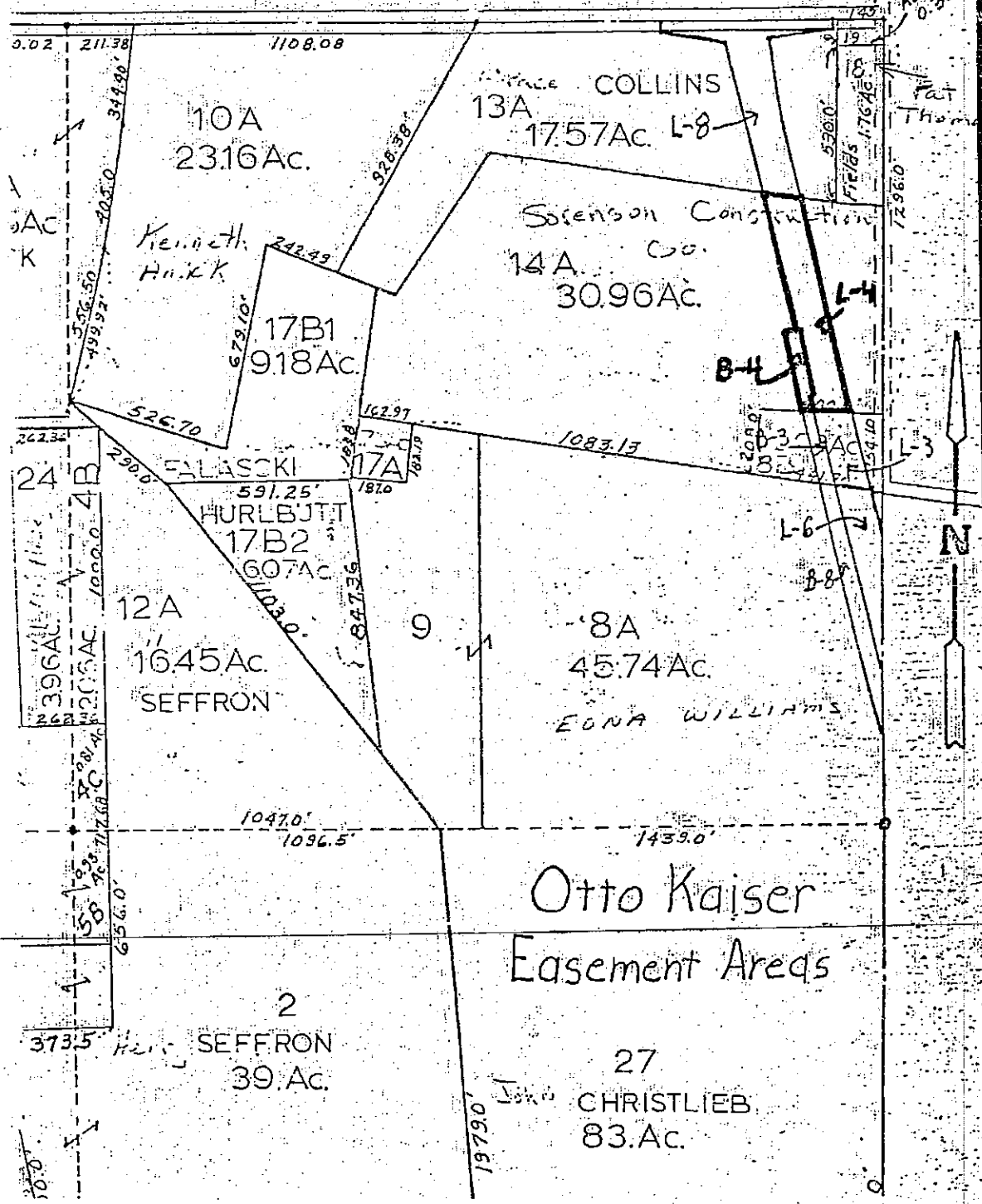
D-7

Permanent Drainway Easement

A parcel located in Tax Lot A, Section 7, T13N, R14E and Government Lot 7, Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the south line of said Section 6, which is 1,200 feet west of the southeast corner of the southeast quarter of said Section 6; thence north at a right angle to the said south line a distance of 33 feet to a point; thence west at a right angle to the last described portion a distance of 100 feet to a point; thence south at a right angle to the last described portion a distance of 183 feet to a point; thence east at a right angle to the last described portion a distance of 100 feet to a point; thence north at a right angle to the last described portion, a distance of 150 feet to the point of beginning. An area of approximately 1.4 acres total of which approximately 1.3 acres is located in the northeast quarter of Section 7, T13N, R14E, and approximately 0.1 acres is located in the southeast quarter of Section 6, T13N, R14E, all in Sarpy County, Nebraska.

1" = 400'

# Sec. 18-T13N-R14E



Trace COLLINS  
 0.30 Ac.  
 Fat  
 Thoma



AMENDED

Otto Kaiser  
B-4

Permanent Berm Easement

A parcel located in Tax Lot 14A in the northeast quarter (NE-1/4) of Section 18, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is 1,003 feet south and 284 feet west of the northeast corner of the northeast quarter of said Section 18; thence southeasterly a distance of 225 feet to a point, which is 1,222 feet south and 232 feet west of said northeast corner; thence southwesterly a distance of 15 feet to a point, which is 1,225 feet south and 247 feet west of said northeast corner; thence southeasterly a distance of approximately 61 feet to a point on the south line of said Tax Lot 14A, which is approximately 1,285 feet south and 233 feet west of said northeast corner; thence northwesterly along the south line of said Tax Lot 14A a distance of 42 feet to a point, which is approximately 1,282 feet south and 275 feet west of said northeast corner; thence northwesterly a distance of approximately 274 feet to a point, which is 1,016 feet south and 338 feet west of said northeast corner; thence northeasterly a distance of 61 feet to the point of beginning. An area of approximately 0.2 acres located within the northeast quarter (NE-1/4) of Section 18, T13N, R14E, Sarpy County, Nebraska.

AMENDED

Sorensen/Kaiser  
L-4

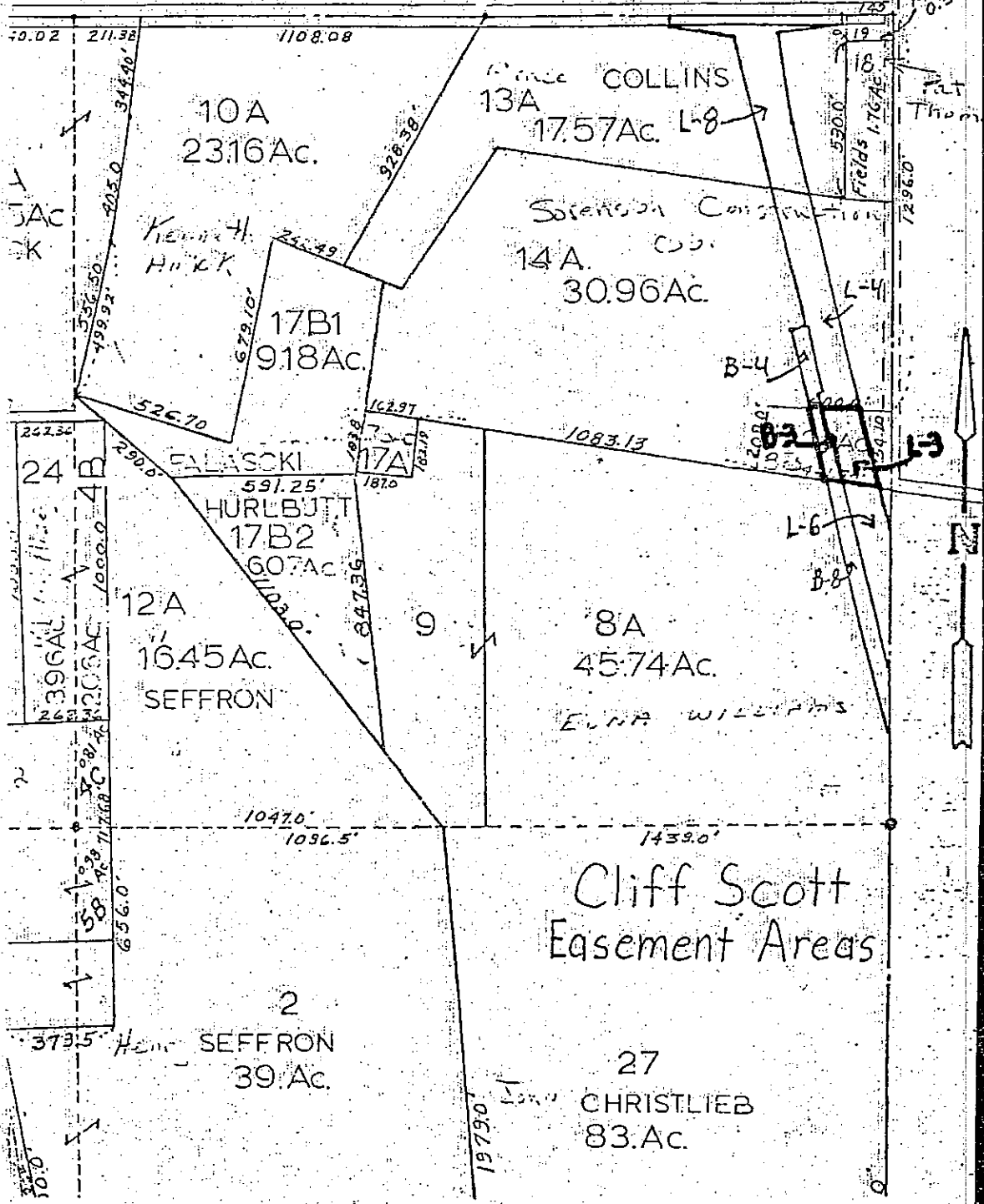
Permanent Levee Easement

A parcel located in Tax Lot 14A in the northeast quarter (NE-1/4) of Section 18, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, on the north line of said Tax Lot 14A, which is approximately 603 feet south and 266 feet west of the northeast corner of the northeast quarter (NE-1/4) of said Section 18, thence southeasterly a distance of approximately 708 feet to a point on the south line of said Tax Lot 14A, which is approximately 1,291 feet south and 102 feet west of said northeast corner; thence northwesterly along the south line of said Tax Lot 14A a distance of 131 feet to a point, which is approximately 1,285 feet south and 232 feet west of said northeast corner; thence northwesterly a distance of approximately 61 feet to a point, which is 1,225 feet south and 247 feet west of said northeast corner; thence northeasterly a distance of 15 feet to a point, which is 1,222 feet south and 232 feet west of said northeast corner; thence northwesterly a distance of 225 feet to a point, which is 1,002 feet south and 279 feet west of said northeast corner; thence southwesterly a distance of 5 feet to the point, which is 1,003 feet south and 284 feet west of said northeast corner; thence northwesterly a distance of approximately 438 feet to a point on the north line of said Tax Lot 14A, which is approximately 581 feet south and 399 feet west of said northeast corner; thence southeasterly along said north line a distance of approximately 135 feet to the point of beginning. An area of approximately 1.8 acres located within the northeast quarter (NE-1/4) of Section 18, T13N, R14E, Sarpy County, Nebraska.

51-587 Q

1" = 400'

Sec. 18-T13N-R14E

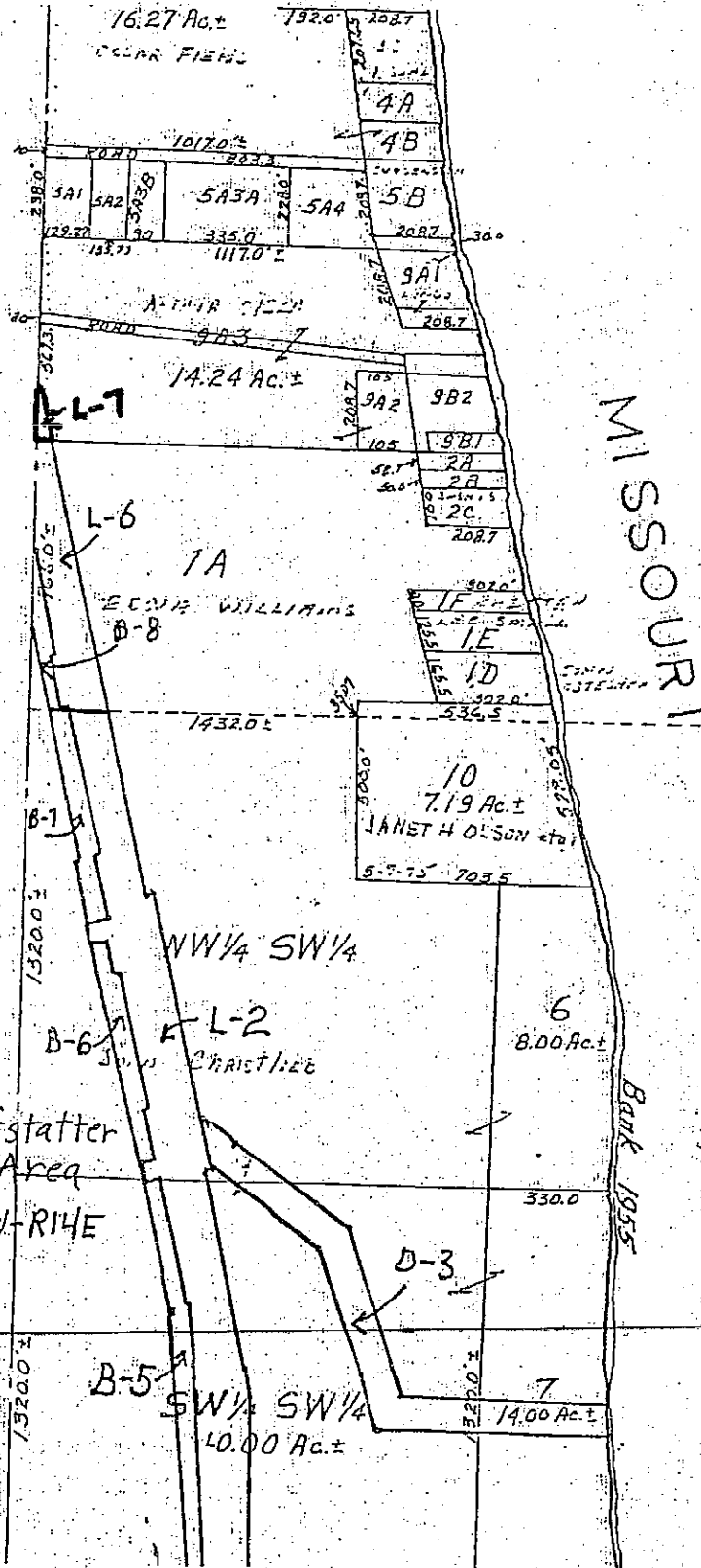


Cliff Scott  
B-3  
Permanent Berm Easement

A parcel in Tax Lot 8B of Section 18, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the north line of said tax lot 8B, which is approximately 1,285 feet south and 233 feet west of the northeast corner of the northeast quarter of said Section 18; thence southeasterly a distance of approximately 89 feet to a point, which is 1,370 feet south and 212 feet west of said northeast corner; thence northeasterly a distance of 15 feet to a point, which is 1,367 feet south and 198 feet west of said northeast corner; thence southeasterly a distance of approximately 161 feet to a point on the south line of said tax lot 8B, which is approximately 1,527 feet south and 161 feet west of said northeast corner; thence northwesterly along said south line a distance of 58 feet to a point, which is approximately 1,518 feet south and 219 feet west of said northeast corner; thence northwesterly a distance of approximately 242 feet to a point on the north line of said tax lot 8B, which is approximately 1,283 feet south and 275 feet west of said northeast corner; thence southeasterly along said north line a distance of approximately 42 feet to the point of beginning. An area of approximately .3 acres located within Tax Lot 8B, Section 18, T13N, R14E, Sarpy County, Nebraska.

Cliff Scott  
L-3  
Permanent Levee Easement

A parcel in Tax Lot 8B of Section 18, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the north line of said Tax Lot 8B, which is approximately 1,291 feet south and 102 feet west of the northeast corner of the northeast quarter (NE $\frac{1}{4}$ ) of said Section 18; thence northwesterly along said north line a distance of approximately 131 feet to a point, which is approximately 1,285 feet south and 233 feet west of said northeast corner; thence southeasterly a distance of 89 feet to a point, which is 212 feet west and 1,370 feet south of said northeast corner; thence northeasterly a distance of 15 feet to a point which is 1,367 feet south and 198 feet west of said northeast corner; thence southeasterly a distance of approximately 161 feet to a point on the south line of said Tax Lot 8B, which is 161 feet west and approximately 1,527 feet south of said northeast corner; thence southeasterly along said south line a distance of approximately 120 feet to a point, which is 42 feet east and approximately 1,544 feet south of said northeast corner; thence northwesterly a distance of approximately 260 feet to the point of beginning. An area of approximately .6 acres located within Tax Lot 8B, Section 18, T13N, R14E, Sarpy County, Nebraska.



MISSOURI RIVER



51-5877

AMENDED

Joseph Hofstatter

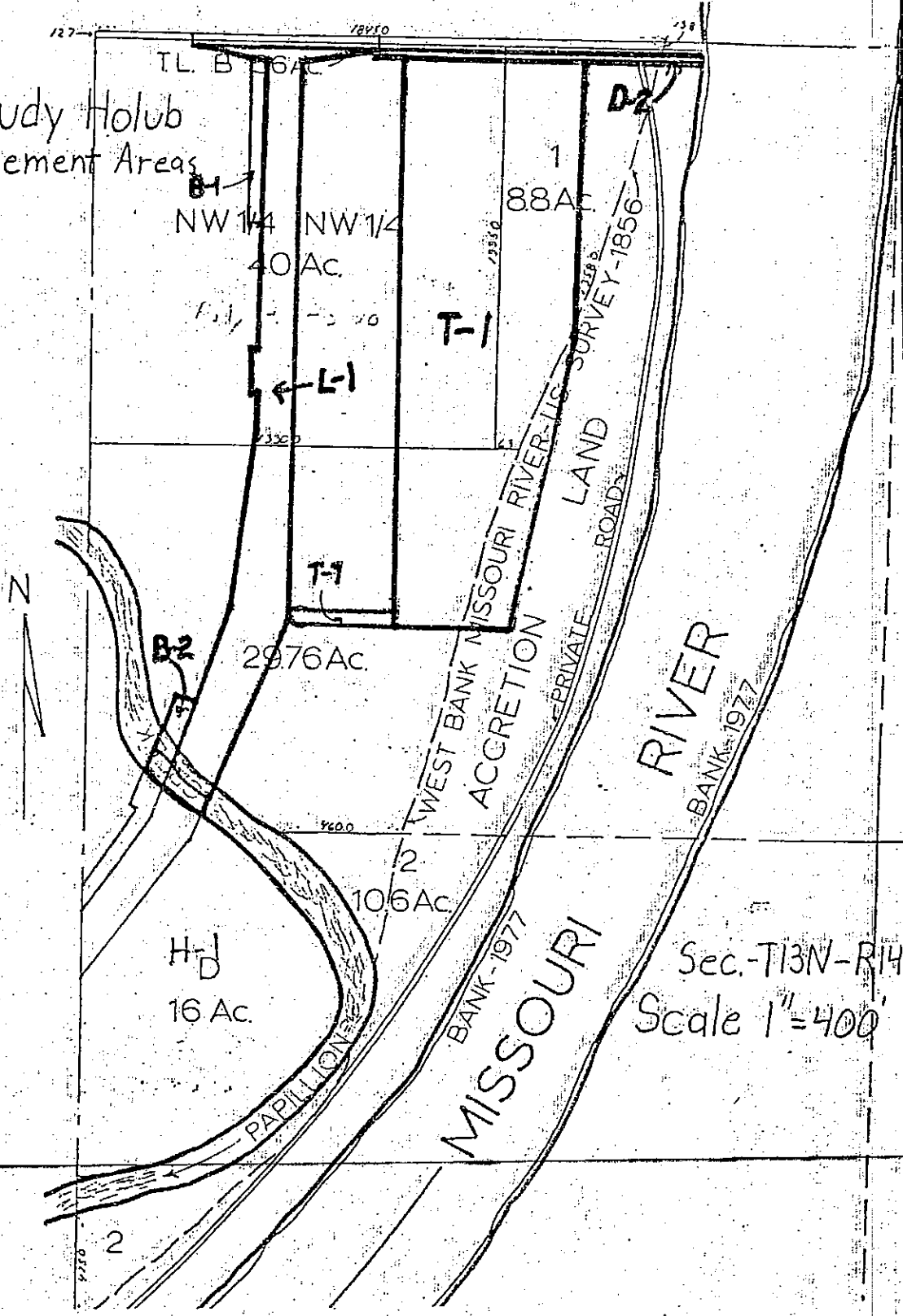
L-7

Permanent Levee Easement

A parcel located in Tax Lot 9A4 in the northwest quarter of Section 17, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is on the east line of said northwest quarter and 1,722 feet south of the northwest corner of said northwest quarter; thence south along said east line a distance of 171 feet to a point at the southwest corner of said Tax Lot 9A4; thence easterly along said south line a distance of 41 feet to a point; thence northwesterly a distance of approximately 176 feet to the point of beginning. An area of approximately .1 acres located within Tax Lot 9A4 in the northwest quarter of Section 17, T13N, R14E, Sarpy County, Nebraska.

288

# Rudy Holub Easement Areas



Sec. -T13N-R14  
Scale 1"=400'

Rudy Holub

B-1

Permanent Berm Easement

A parcel in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 20, T13N, R14E, Sarpy County, Nebraska. Beginning at a point which is 612 feet south and 513 feet east of the northwest corner of the northwest quarter; thence northeasterly a distance of 542 feet to a point, which is 514 feet east and 71 feet south of said northwest corner; thence southeasterly a distance of 51 feet to a point, which is 564 feet east and 80 feet south of said northwest corner; thence southwesterly a distance of 533 feet to a point, which is 612 feet south and 563 feet east of said northwest corner; thence west a distance of 50 feet to the point of beginning. An area of approximately 0.5 acres located within the NW $\frac{1}{4}$  of Section 20, T13N, R14E, of Sarpy County, Nebraska.

B-2

Permanent Berm Easement

A parcel in Tax Lot C, Section 20, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is 2,189 feet south and 305 feet east of the northwest corner of the northwest quarter of said Section 20; thence southeasterly a distance of 75 feet to a point, which is 2,215 feet south and 376 feet east of said northwest corner; thence southwesterly a distance of approximately 350 feet to a point on the southwest bank of the old channel of the Papillion Creek; thence northwesterly a distance of approximately 90 feet along the southwest bank of said channel to a point, which is 2,480 feet south and 198 feet east of said northwest corner; thence northeasterly a distance of 310 feet to the point of beginning. An area of approximately 0.6 acres located within Tax Lot C, Section 20, T13N, R14E, Sarpy County, Nebraska.

L-1

Permanent Levee Easement

A parcel in Tax Lot C and the NW-1/4 of the NW-1/4 of Section 20, T13N, R14E, Sarpy County, Nebraska. Beginning at a point, which is 304 feet east and 33 feet south of the northwest corner of the northwest quarter (NW-1/4) of said Section 20, thence southeasterly a distance of 265 feet to a point, which is 564 feet east and 80 feet south of said northwest corner; thence southwesterly a distance of 533 feet to a point, which is 563 feet east and 612 feet south of said northwest corner, thence west a distance of 10 feet to a point; thence southwesterly a distance of 425 feet to a point which is 552 feet east and 1,037 feet south of said northwest corner, thence west a distance of 15 feet to a point; thence south a distance of 150 feet to a point; thence east a distance of 15 feet to a point; thence south a distance of 95 feet to a point, which is 552 feet east and 1,282 feet south of said northwest corner; thence southwesterly a distance of 609 feet to a point, which is 486 feet east and 1,887 feet south of said northwest corner; thence southwesterly a distance of approximately 696 feet to a point on the approximate south high bank line of the old channel of the Papillion Creek, which is 2,544 feet south and 255 feet east of said northwest corner; thence southeasterly along said approximate south high bank line for a distance of approximately 170 feet to a point, which is 2,667 feet south and 365 feet east of said northwest corner; thence northeasterly a distance of 800 feet to a point, which is 1,928 feet south and 672 feet east of said northwest corner; thence northeasterly a distance of 1,849 feet to a point, which is 80 feet south and 674 feet east of said northwest corner; thence northeasterly a distance of 255 feet to a point, which is 924 feet east and 33 feet south of said northwest corner; thence west a distance of 620 feet to the point of beginning. An area of approximately 8.8 acres all located within Section 20, T13N, R14E, Sarpy County, Nebraska.

AMENDED

T-1

Temporary Borrow Easement

A parcel in the northwest quarter (NW- $\frac{1}{4}$ ) of Section 20, T13N, R14E. Beginning at a point which is 1,005 feet east and 50 feet south of the northwest corner of the northwest quarter (NW- $\frac{1}{4}$ ) of said Section 20; thence southeasterly a distance of 1,200 feet to a point, which is 1,011 feet east and 1,950 feet south of said northwest corner; thence east a distance of 400 feet to a point which is 1,411 feet east and 1,950 feet south of said northwest corner; thence northeast a distance of 961 feet to a point, which is 1,608 feet east and 1,010 feet south of said northwest corner; thence northwesterly 960 feet to a point which is 1,605 feet east and 50 feet south of said northwest corner; thence west a distance of approximately 600 feet to the point of beginning. An area of approximately 24.1 acres all located in the northwest quarter (NW- $\frac{1}{4}$ ) of Section 20, Township 13, Range 14, in Sarpy County, Nebraska.

D-2

Permanent Drainway Easement

A parcel in Tax Lot 1 and the north half of the northwest quarter of Section 20, T13N, R14E, Sarpy County, Nebraska. Beginning at a point which is 924 feet east and 33 feet south of the northwest corner of the northwest quarter of said Section 20; thence southwesterly a distance of 91 feet to a point, which is 30 feet south and 835 feet east of said northwest corner; thence easterly a distance of 1,080 feet more or less to a point on the west high bank line of the Missouri River, which is 50 feet south and approximately 1,915 feet east of said northwest corner; thence northerly a distance of 17 feet to a point; thence westerly a distance of approximately 991 feet to the point of beginning. An area of approximately 0.4 acres located within Tax Lot 1 and the northwest quarter of the northwest quarter of Section 20, T13N, R14E, Sarpy County, Nebraska.

AMENDED

Holub

T-7

## Temporary Ingress and Egress Permit

A parcel located in the northwest quarter of Section 20, T13N, R14E Sarpy County, Nebraska. Beginning at a point, which is 1,900 feet south and 672 feet east of the northwest corner of said northwest quarter; thence south a distance of 28 feet to a point, thence southwesterly a distance of 24 feet to a point, which is 1,950 feet south and 663 feet east of said northwest corner; thence easterly a distance of 354 feet to a point; thence northwesterly a distance of 50 feet to a point, which is 1,900 feet south and 1,115 feet east of said northwest corner; thence westerly a distance of 343 feet to the point of beginning. An area of approximately .4 acres all in Section 20, T13N, R14E, Sarpy County, Nebraska.

51-587AA

PAPILLION TIMES PRINT

IN THE COUNTY COURT, OF THE COUNTY OF SARPY, STATE OF NEBRASKA  
(Certified Copy of Record)

STATE OF NEBRASKA }  
County of Sarpy } ss.

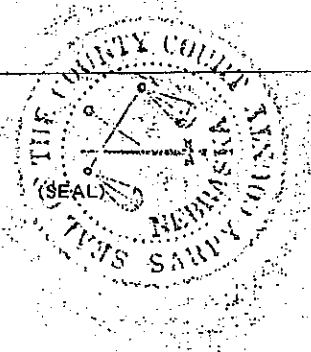
EUGENE T. ATKINSON ..... Judge of the County Court of the County of Sarpy,  
State of Nebraska, do hereby certify that I have compared the foregoing copies of

proceedings had and done in the case entitled:

PATIO NATURAL RESOURCES DISTRICT )  
vs ) Doc M3 No 170  
DONALD J. DAWSON, et al )

with the original records thereof, now remaining in said Court; that the same are correct transcripts thereof, and of the whole of said original records.

In Witness Whereof I have hereunto set my hand and affixed the seal of said County Court in Papillion, County of Sarpy, State of Nebraska, on this 5th day of September A.D. 1978



EUGENE T. ATKINSON  
Judge of the County Court

By [Signature]  
Clerk of the County Court



58-2315  
70100-

EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Margaret D. Prucka, widow; Margaret D. Prucka, personal representative of the Estate of Frank H. Prucka, Deceased; and, John Poore, tenant, herein called the Grantors, do hereby grant, convey and release unto the Papio Natural Resources District, Nebraska, easements as follows:

I

Permanent Easement

A permanent easement over and upon the following described land situated in the County of Sarpy, State of Nebraska (the "permanent easement area"), to-wit:

A parcel located in the southeast quarter of Section 6, T13N, R14E, Sarpy County, Nebraska. Beginning at a point on the south line of said quarter, which is 268 feet west of the southeast corner of said quarter; thence northwesterly a distance of 166 feet to a point which is 163 feet north and 297 feet west of said southeast corner; thence northwesterly 461 feet to a point which is 617 feet north and 378 feet west of said southeast corner; thence northwesterly a distance of 727 feet to a point on the east-west centerline of said quarter which is 1315 feet north and 583 feet west of said southeast corner; thence easterly a distance of 8 feet to a point; thence southeasterly a distance of 727 feet to a point which is 617 feet north and 370 feet west of said southeast corner; thence southeasterly 461 feet to a point which is 163 feet north and 289 feet west of said southeast corner; thence southeasterly a distance of 166 feet to a point on the south line of said southeast quarter which is 260 feet west of said southeast corner; thence westerly 8 feet to the point of beginning. An area of approximately 0.3 acres located within Government lots 7 and 8 in the southeast quarter of Section 6, T13N, R14E, Sarpy County, Nebraska.

25  
FILED SARPY CO., NE  
BOOK 58 OF *Min Rec*  
PAGE 2315

1995 OCT 25 PM 2:46

*Carl R. Hildebrand*  
REGISTER OF DEEDS

*13459*

58-2315A

Pursuant to this permanent easement, the Grantee and its successors and assigns shall have the permanent, full and free right, liberty and authority to enter upon such land and therein and thereon construct, maintain, repair, operate, patrol, modify and replace existing or new drainage ditches, drainage swales and drainways, all for the purpose of draining the landside toe of Missouri River Levee Unit R-616 and lands adjacent thereto.

After construction of the drainage improvements pursuant hereto, the Grantors shall have the right to make all uses of the afore-described permanent easement area which are not inconsistent with the permanent easement herein granted, such reservation and preservation of right to include but not be limited to the right of the Grantors to fence and till such easement area or construct, operate, maintain and use, in, over or under the easement area bridges, roads, railroads, gas or electrical lines, oil pipelines, water and sewer mains or other crossings which do not restrict or impede the flow of water through the drainage improvements or prevent access thereto by the Grantee; such reservation and preservation of right to include the right to perform periodic cleanout and removal of silt and debris from the drainage ditch in the easement area so long as the resulting excavation does not exceed the dimensions of such ditch as originally constructed or as may be modified from time to time by the District.

## II

### Temporary Construction Easement

A temporary construction easement over and upon the following described land situated in the County of Sarpy, State of Nebraska

(the "temporary construction easement area"), to-wit:

A corridor of land twenty feet (20') in width abutting and paralleling the Easterly boundary of the aforescribed permanent easement and consisting of all the Grantors' land lying within a distance of twenty feet (20') East of the Easterly boundary of the aforescribed permanent easement area.

Pursuant to this temporary construction easement, the Grantee and its successors and assigns shall have the temporary, full and free right, liberty and authority to enter upon such temporary construction easement area and use such land for the movement and storage of machinery, for the temporary deposit of earth fill, spoil and waste material, and for such other temporary uses and purposes as to the Grantee may be necessary or convenient in aid of the original construction of the drainage ditches, drainage swales and drainways to be constructed pursuant to the aforescribed permanent easement. After completion of the original construction of the drainage ditches, drainage swales and drainways to be constructed pursuant to the aforescribed permanent easement this temporary construction easement shall terminate, provided, however, in any event this temporary construction easement shall terminate on January 1, 1986, if such construction is not earlier completed.

### III

1. The consideration recited herein shall constitute payment in full for all damages sustained by the Grantors by reason of the exercise of any of the rights or privileges described or granted by the above (except reimbursement for damages to growing crops

58-2315C

and to fences); and the Grantors further waive the statutory procedure for arriving at damages by reason of changes in grade, and the statutory procedure for acquiring private property for public use. (Sec. 25-2501 to 25-2506 R.S.S. 1974 as amended).

2. The Grantors shall not be responsible for operating and maintaining the above-described works of improvements.

3. This Easement shall not pass nor shall the same be construed to pass, to the Grantee, any fee simple interest or title to the above-described lands.

DATED this 15 day of October, 1985.

Margaret D. Prucka  
Margaret D. Prucka

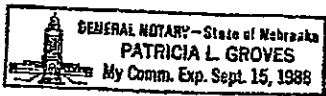
Margaret D. Prucka  
Margaret D. Prucka, Personal Representative of the Estate of Frank H. Prucka, Deceased

John Poore  
John Poore, Tenant

STATE OF NEBRASKA )  
COUNTY OF Douglas ) SS.

The foregoing instrument was acknowledged before me this 15th day of October, 1985, by Margaret D. Prucka.

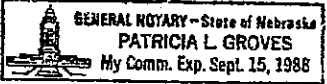
Patricia L. Groves  
Notary Public



58-2315D

STATE OF NEBRASKA )  
COUNTY OF Douglas ) SS.

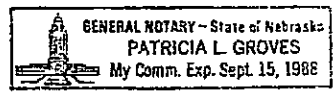
The foregoing instrument was acknowledged before me this 15  
day of October, 1985, by Margaret D. Prucka, Personal  
Representative of the Estate of Frank H. Prucka, Deceased.



Patricia L. Groves  
Notary Public

STATE OF NEBRASKA )  
COUNTY OF Douglas ) SS.

The foregoing instrument was acknowledged before me this 15  
day of October, 1985, by John Poore, tenant.



Patricia L. Groves  
Notary Public