

## **PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT PROJECT**

During the mid- to late- 1970s through the early- to mid- 1990s, the Papio-Missouri River Natural Resources District (“NRD”) obtained various parcels of land and/or easement rights along the Missouri River for purposes of constructing certain flood control levees and/or maintaining a public use bike/pedestrian trail as part of the levee. The Prucka Family Partnership lands were impacted by the NRD’s levee and bike/pedestrian trail as follows:

1. A flood control levee separates Tract 9 from Tracts 8 and 10; and
2. A drainage ditch with certain culverts runs between Tracts 8 and 10 and runs through the upper ⅓ of Tract 9.

As part of the levee installation, the NRD obtained a permanent easement and, after installation of the levee, the landowner retained the right to cross the levee at any time using certain project ramps in certain specified locations. Additionally, the original plans allowed the landowners to install additional road ramps in certain locations. The following paragraphs explain the current access rights over the levee and ditch with regard to Tracts 8, 9 and 10, as described by the NRD and certain records related to the NRD’s acquisition of the levee easement.

### **Access Areas Over Levee and/or Ditch**

Attached are six pages showing information about the NRD’s levee and ditch system, which is located on some of the Prucka tracts.

1. Exhibit “A” shows the basic layout of Tracts 6 through 10.
2. Exhibit “B” shows the general location of the NRD’s levee and ditch system, which impacts Tracts 8, 9 and 10.
3. Exhibit “C” is two pages and shows the NRD’s levee system plans for certain ramp locations. The areas shown in orange are ramps which have been constructed. The areas shown in yellow are locations where ramps were approved, but not yet constructed.
4. Exhibit “D” shows the three ramp areas which impact Tracts 8, 9 and 10.
  - a. Exhibit “D” shows a single ramp to access the northeast side of Tract 10 based on the NRD’s information shown on Exhibit “C”. This represents the access ramp shown in orange as Station 170+50R. Based on the yellow marker from the NRD as shown on Exhibit “C”, an additional ramp could be constructed into Tract 9 from this location, but has not been built.
  - b. Exhibit “D” contains a close-up picture of the location where the ditch between Tract 8 and Tract 10 (and which separates Tract 9) intersects with the levee. As you can see, access between Tracts 8 and 10, Tracts 8 and 9, and Tracts 10 and 9 are visibly shown at this location. These access points were intended for farm machinery access among Tracts 8, 9 and 10.

c. On the southern half of Tract 8 and Tract 9, access ramps were constructed as shown. Looking at the larger map on Exhibit "A", these ramps are located along the same general east/west line as the southern portion of Base Lake and just north of the creek running from Tract 8 to Tract 9.

5. Exhibit "E" shows the southern edge of Tract 9 where there are two access locations. One access is from the end of Elbow Bend Road, and the other access is over the creek which runs through Tract 9 and empties out into the Missouri River.

Any questions with regard to access rights over the NRD's ditches and/or levee as described herein should be addressed to Schrader Real Estate & Auction Company, Inc. at (800) 451-2709 (ask for Roger Diehm) or to the NRD's Construction Engineer (ask for Martin Cleveland at (402) 444-6222).

EXHIBIT A

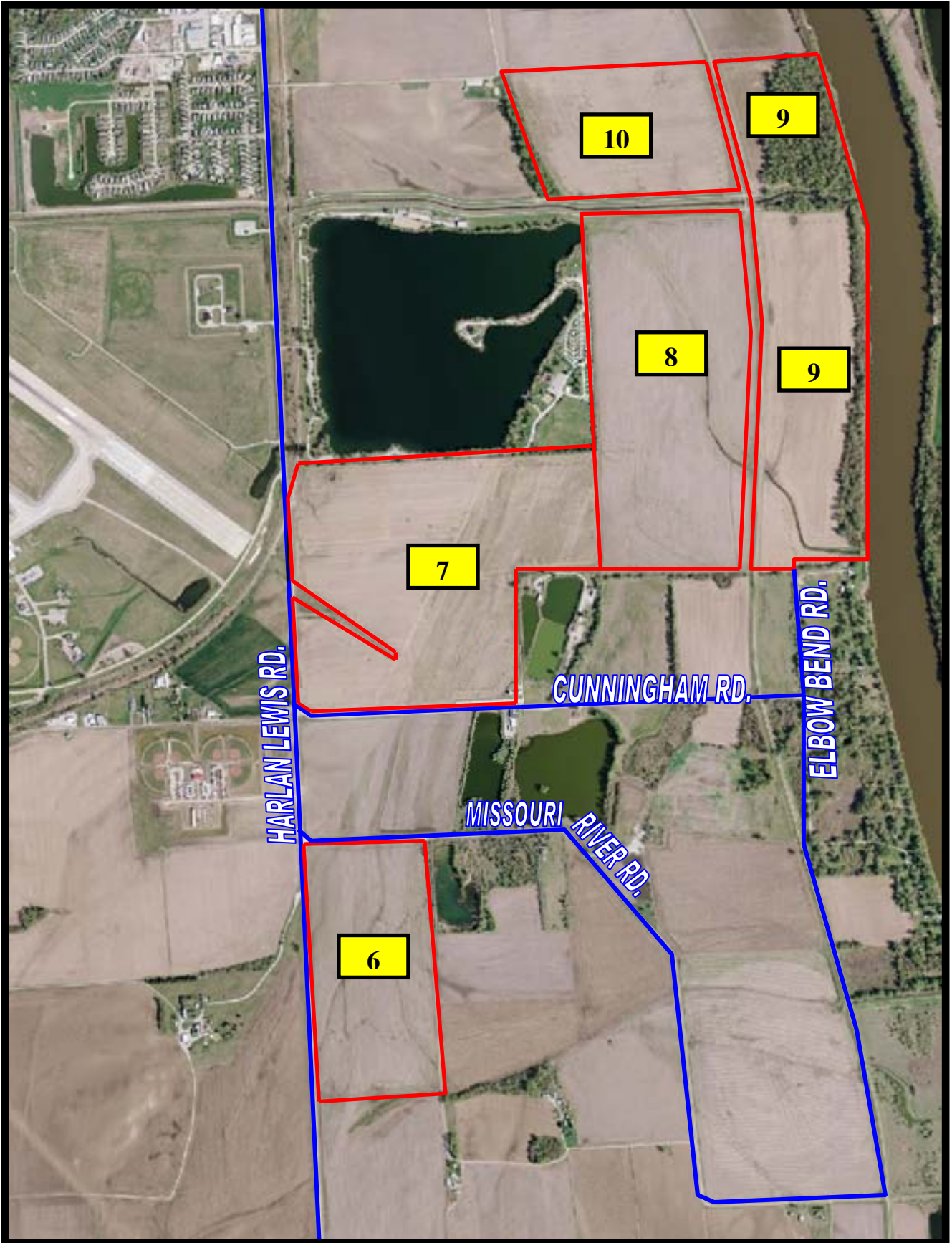


EXHIBIT B

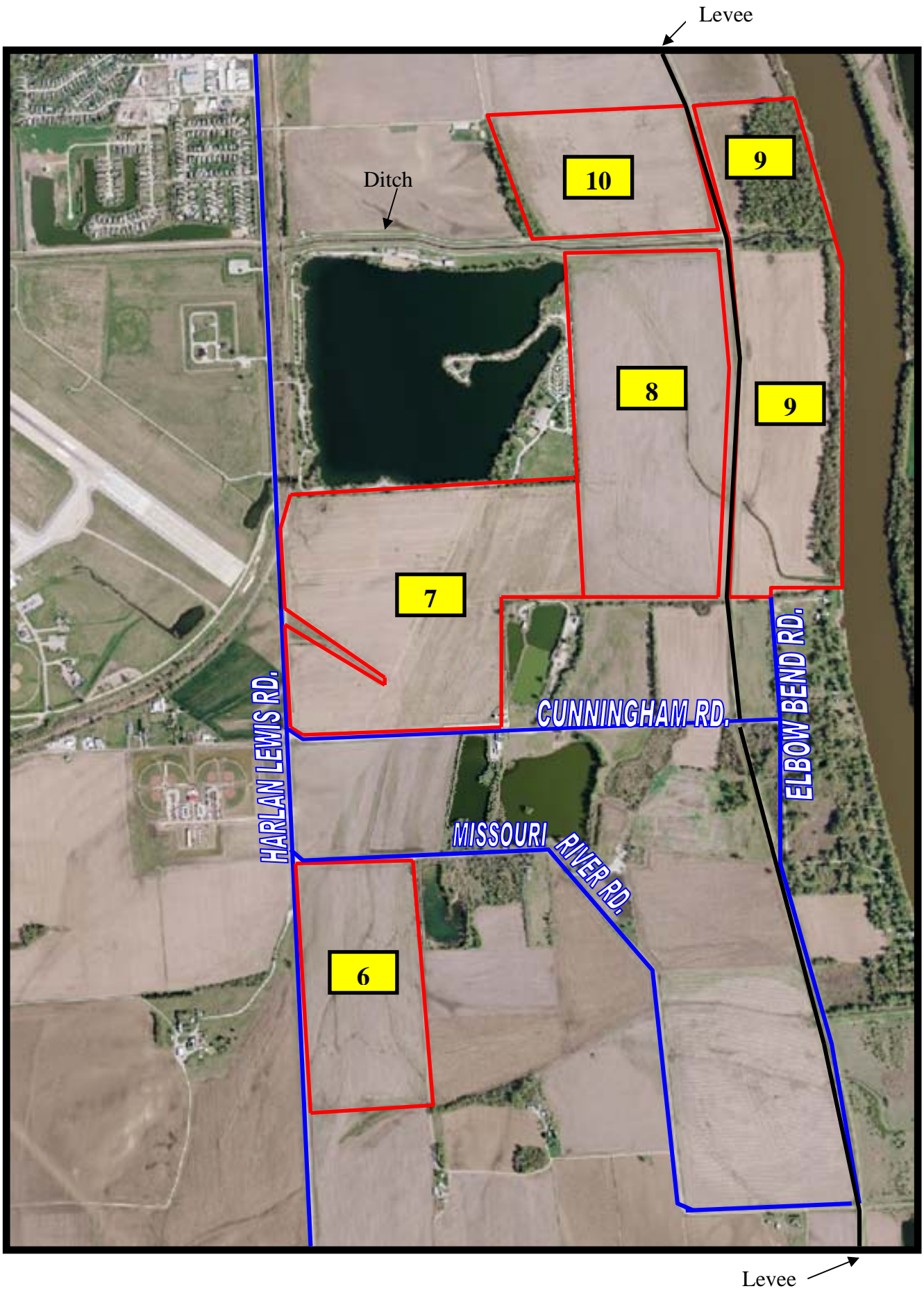
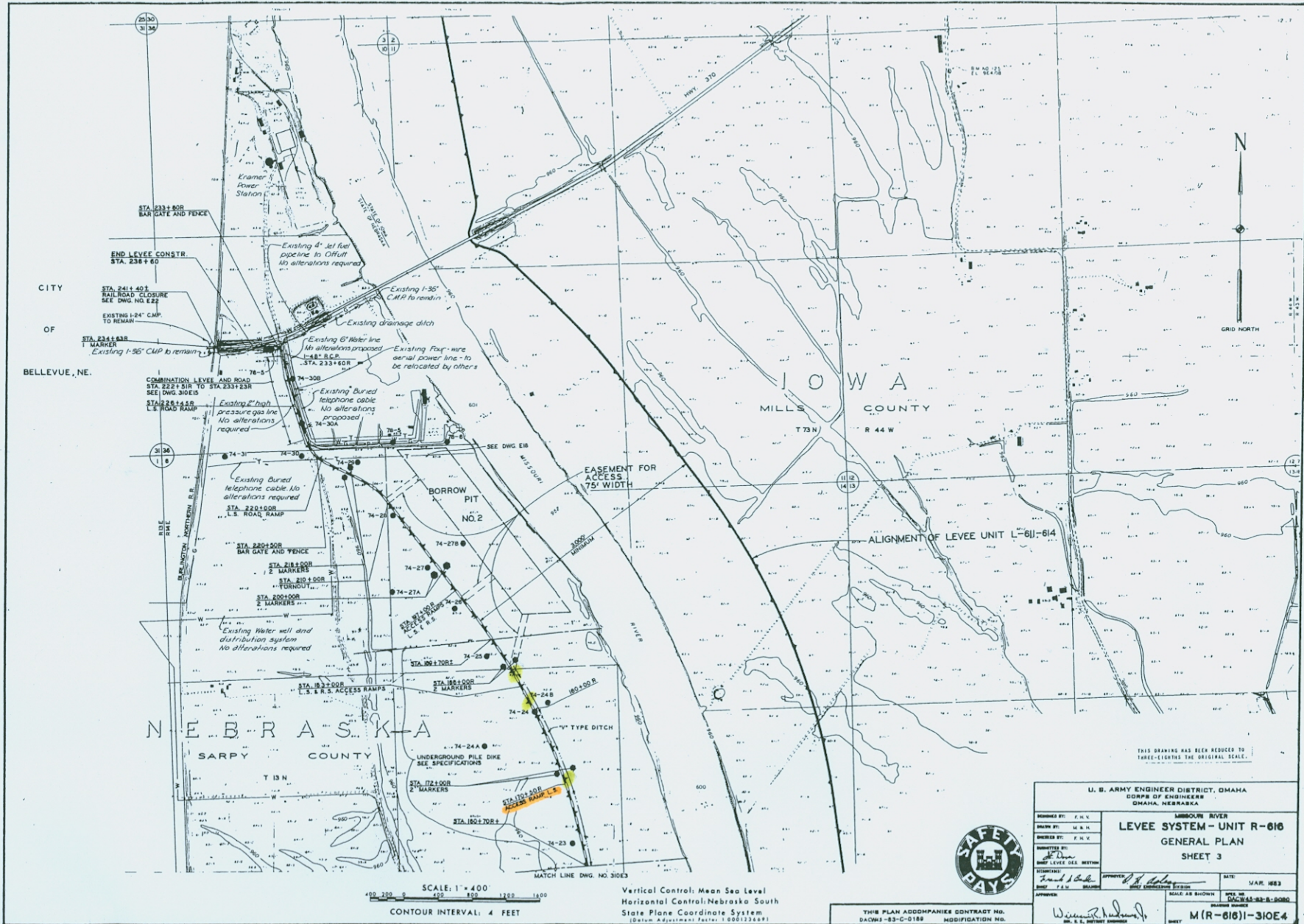


EXHIBIT C-1



|  |                                     |   |                                |
|--|-------------------------------------|---|--------------------------------|
| U. S. ARMY ENGINEER DISTRICT, OMAHA<br>CORPS OF ENGINEERS<br>OMAHA, NEBRASKA |                                     | MISSOURI RIVER<br><b>LEVEE SYSTEM - UNIT R-616</b><br>GENERAL PLAN<br>SHEET 3 |                                |
| DESIGNED BY: F. H. V.  | DRAWN BY: M. H. N.                  | APPROVED BY: <i>[Signature]</i>   | DATE: MAR. 1953                |
| CHECKED BY: F. H. V.   | INVESTIGATED BY: <i>[Signature]</i> | SCALE AS SHOWN  | PLATE NO. <b>OM-616-310E-4</b> |
| APPROVED BY: <i>[Signature]</i>  | DATE: MAR. 1953                     | PROJECT NUMBER  | SHEET                          |
| THIS PLAN ADDENDUMS CONTRACT NO. D-4061-83-C-018                             |                                     | MODIFICATION NO.  |                                |

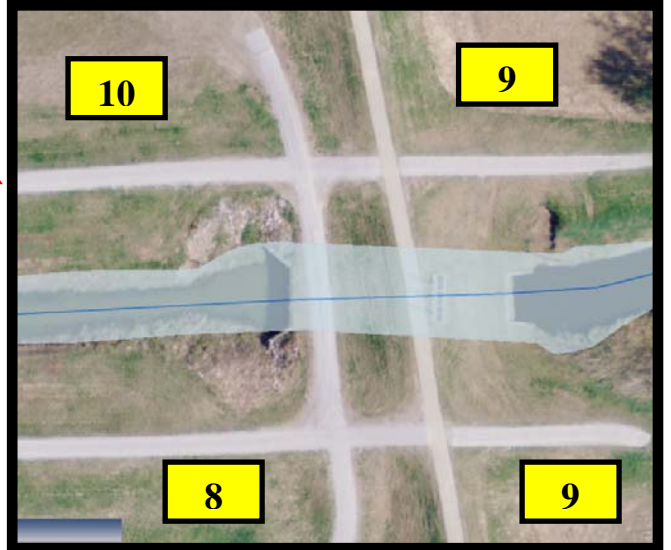
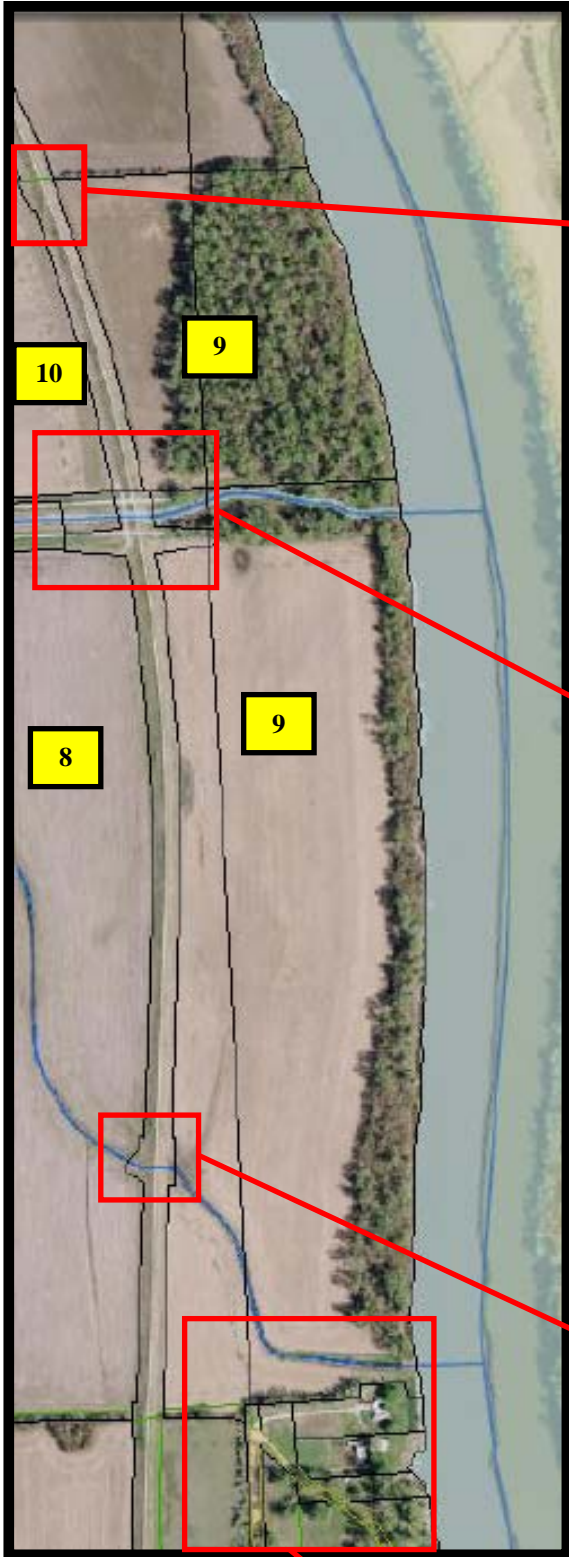
EXHIBIT C-2



|  |   |   |  |
|--|---|---|--|
| U. S. ARMY ENGINEER DISTRICT, DEMAHA<br>CORPS OF ENGINEERS<br>DEMAHA, NEBRASKA   |   | MISSOURI RIVER<br><b>LEVEE SYSTEM - UNIT R-816</b><br>GENERAL PLAN<br>SHEET 2 |  |
| DESIGNED BY: R.H.V.<br>DRAWN BY:<br>CHECKED BY: R.H.V.<br>IN CHARGE: J.L. [Signature]<br>DIST. LEVEE DIST. SECTION<br>TITLE: | APPROVED: [Signature]<br>DIST. ENGINEER DISTRICT<br>DATE: JUL 1983<br>SCALE AS SHOWN<br>SHEET NO. 1<br>DRAWING NO. DACW45-83-B-0020<br>SHEET NUMBER | THIS PLAN ACCOMPANIES CONTRACT NO. DACW31-83-C-0188<br>MODIFICATION NO.       |  |



EXHIBIT D



SEE NEXT PAGE

EXHIBIT E

