

## MEMORANDUM

TO: Finance, Expenditure and Legal Subcommittee

FROM: Amanda Grint, Water Resources Engineer

SUBJECT: Storm Sewer Easements to North Shore 2 at Portal Recreation Area

DATE: October 7, 2021

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The District recently completed construction of Portal Recreation Area flood control reservoir located at 114<sup>th</sup> and Cornhusker Road. Adjacent development is ongoing and SID 341, North Shore 2, is requesting three permanent storm sewer easements to outlet stormwater basins on their property. See attached map. The easements would allow for the storm sewer to outlet into the water quality basin at Portal Recreation Area. There will be a pipe outlet and rip rap within the easements.

Since construction of the reservoir is complete, any disturbance, for example fence or seeding, will be restored by the SID as stated in the easement documents.

**Staff recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Permanent Storm Sewer and Drainage Easements at Portal Recreation Area to the North Shore 2 SID 341, Sarpy County, Nebraska, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**



Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska

## Notes



0 500 1000  
ft

Map Scale 1: 7962

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



## PERMANENT STORM SEWER AND DRAINAGE EASEMENT

This indenture made this \_\_\_\_ day of \_\_\_\_\_ 2021, by and between Papio-Missouri River Natural Resources District (the "Grantor"), and Sanitary & Improvement District No. 341, Sarpy County, Nebraska, a body politic (the "Grantee").

### WITNESSETH:

That Grantor in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, does hereby grant and convey to Grantee the following:

A perpetual non-exclusive Easement for the installation, replacement, operation, repair and maintenance of a storm sewer and drainage (the "Easement") upon, under, above and across portions of Outlot E, North Shore 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows:

A twenty foot (20.00) wide permanent storm sewer and drainage easement over that part of Outlot E, North Shore 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska:

Commencing at the northwest corner of Outlot B, North Shore 2; thence North 80°25'51" West (bearings referenced to the final plat of North Shore 2) for 16.13 feet on the extended North line of said Outlot B to the East line of said Outlot E; thence South 09°34'09" West for 32.06 feet on the East line of said Outlot E to the true point of beginning; thence South 09°34'09" West for 20.02 feet continuing on said East line; thence North 77°56'03" West for 70.21 feet; thence North 18°12'20" West for 108.38 feet; thence North 71°47'40" East for 20.00 feet; thence South 18°12'20" East for 96.89 feet; thence South 77°56'03" East for 57.86 feet to the point of beginning

(the "Property")

To have and to hold said Easement unto said Grantee, its heirs, successors, and assigns, in perpetuity. This Easement shall run with the land and shall be binding upon Grantor's and Grantee's heirs, successors and assigns. Said Easement is depicted on the survey attached hereto as Exhibit "1".

**Record & Return to: Adams & Sullivan, P.C., L.L.O., 1246 Golden Gate Drive, Suite 1, Papillion, NE 68046**



If any terms and provisions contained within the Easement differ from the attachment, the Easement shall prevail and supercede the attachment.

Grantee shall restore the Property, as near as possible, to the condition as existing on the date it commences its construction activities on the Property, except for grading and other changes authorized herein.

Grantee shall repair, replace and maintain the storm sewer in good working order and condition and shall keep it in good repair so that no unreasonable damage will result therefrom to Grantor.

That Grantor covenants and agrees that they are the owners in fee of the above described Property; that they have legal right and lawful authority to convey the same; that said Property is free of liens and encumbrances; and that they will warrant and defend the title thereto against the claims and demands of all persons whomsoever.

This Easement shall be effective upon acceptance by Grantee.

IN WITNESS WHEREOF, the parties have caused this Easement to be signed on the day and year first above written.

PAPIO-MISSOURI RIVER NATURAL  
RESOURCES DISTRICT

By: \_\_\_\_\_,  
\_\_\_\_\_, It's General Manger

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF SARPY     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2021, by \_\_\_\_\_, General Manager of the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT.

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



### ACCEPTANCE

The Grantee herein accepts the conveyance herein and agrees to abide by the terms herein.

Sanitary and Improvement District No. 341,  
Sarpy County, Nebraska, Grantee

By: \_\_\_\_\_  
Gerald L. Torczon, Its Chairperson

By: \_\_\_\_\_  
Doris Nicholson, Its Clerk

# EASEMENT EXHIBIT

## LEGAL DESCRIPTION

A PERMANENT 20.00 FEET WIDE STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF OUTLOT E, NORTH SHORE 2, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT B, NORTH SHORE 2;

THENCE NORTH 80°25'51" WEST (BEARINGS REFERENCED TO THE FINAL PLAT OF NORTH SHORE 2) FOR 16.13 FEET ON THE EXTENDED NORTH LINE OF SAID OUTLOT B TO THE EAST LINE OF SAID OUTLOT E;

THENCE SOUTH 09°34'09" WEST FOR 32.06 FEET ON THE EAST LINE OF SAID OUTLOT E TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 09°34'09" WEST FOR 20.02 FEET CONTINUING ON SAID EAST LINE;

THENCE NORTH 77°56'03" WEST FOR 70.21 FEET;

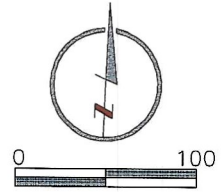
THENCE NORTH 18°12'20" WEST FOR 108.38 FEET;

THENCE NORTH 71°47'40" EAST FOR 20.00 FEET;

THENCE SOUTH 18°12'20" EAST FOR 96.89 FEET;

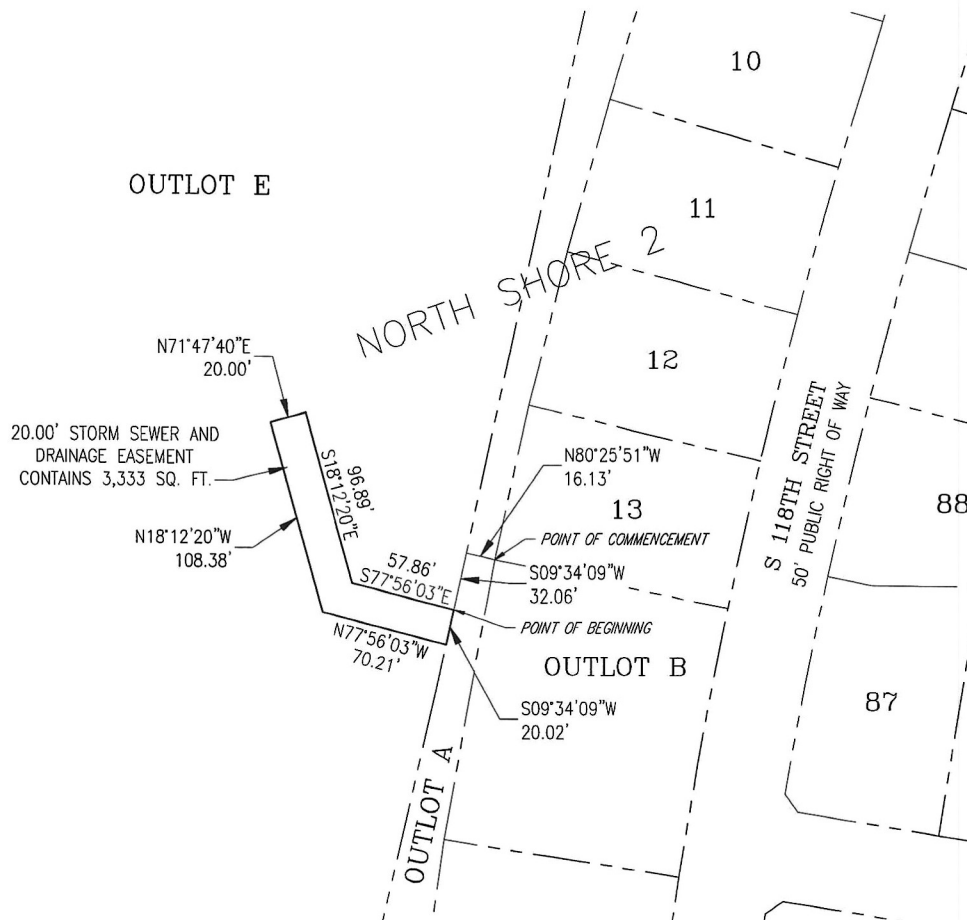
THENCE SOUTH 77°56'03" EAST FOR 57.86 FEET TO THE POINT OF BEGINNING.

CONTAINS 3,333 SQUARE FEET.



## LEGEND

- EASEMENT LINE
- - - LOT LINE
- - - SECTION LINE



**LAMP  
RYNEARSON**

14710 W. DODGE RD, STE. 100  
OMAHA, NE 68154  
402.496.2498  
LampRynearson.com

### DESIGNER / DRAFTER

RACHEL E. RENNECKER

### REVIEWER

TODD L. WHITFIELD

### PROJECT NUMBER

0118048.01-003

### DATE

7/20/2021

### SURFACE LOCATION

### BOOK AND PAGE

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A twenty foot (20.00) wide permanent storm sewer and drainage easement over that part of Outlot E, North Shore 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska:

Commencing at the northeast corner of Outlot A, North Shore 2; thence South 26°01'50" West (bearings referenced to the final plat of North Shore 2) for 17.71 feet on the East line of said Outlot E to the true point of beginning; thence South 26°01'50" West for 21.32 feet continuing on said East line; thence North 84°15'09" West for 61.93 feet; thence North 05°44'51" East for 20.00 feet; thence South 84°15'09" East for 69.32 feet to the point of beginning

(the "Property")

To have and to hold said Easement unto said Grantee, its heirs, successors, and assigns, in perpetuity. This Easement shall run with the land and shall be binding upon Grantor's and Grantee's heirs, successors and assigns. Said Easement is depicted on the survey attached hereto as Exhibit "1".

**Record & Return to: Adams & Sullivan, P.C., L.L.O., 1246 Golden Gate Drive, Suite 1, Papillion, NE 68046**



Notary Public

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Sanitary and Improvement District No. 341,  
Sarpy County, Nebraska, Grantee

By: \_\_\_\_\_  
Gerald L. Torczon, Its Chairperson

By: \_\_\_\_\_  
Doris Nicholson, Its Clerk

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COMMENCING AT THE NORTHEAST CORNER OF OUTLOT A, NORTH SHORE 2;  
THENCE SOUTH 26°01'50" WEST (BEARINGS REFERENCED TO THE FINAL PLAT OF NORTH SHORE 2) FOR 17.71 FEET ON THE EAST LINE OF OUTLOT E TO THE TRUE POINT OF BEGINNING;

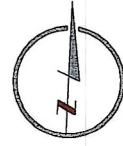
THENCE SOUTH 26°01'50" WEST FOR 21.32 FEET CONTINUING ON SAID EAST LINE;

THENCE NORTH 84°15'09" WEST FOR 61.93 FEET;

THENCE NORTH 05°44'51" EAST FOR 20.00 FEET;

THENCE SOUTH 84°15'09" EAST FOR 69.32 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,312 SQUARE FEET.



## LEGEND

- EASEMENT LINE
- - - - LOT LINE
- - - - SECTION LINE

SW 1/4 SECTION 20, T14N, R12E

CORNHUSKER ROAD

100' PUBLIC RIGHT OF WAY

OUTLOT E

NORTH SHORE 2

20.00' STORM SEWER AND  
DRAINAGE EASEMENT  
CONTAINS 1,312 SQ. FT.

S26°01'50"W  
17.71'

S84°15'09"E  
69.32'

N05°44'51"E  
20.00'

N84°15'09"W  
61.93'

OUTLOT A

POINT OF COMMENCEMENT

POINT OF BEGINNING

S26°01'50"W  
21.32'

S 118TH STREET  
50' PUBLIC RIGHT OF WAY

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DESIGNER / DRAFTER  
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Commencing at the northwest corner of Outlot C, North Shore 2; thence South 05°01'41" West (bearings referenced to the final plat of North Shore 2) for 24.53 feet on the East line of Outlot E to the true point of beginning; thence South 05°01'41" West for 20.04 feet continuing on said East line; thence North 88°25'16" West for 49.06 feet; thence North 01°34'44" East for 20.00 feet; thence South 88°25'16" East for 50.27 feet to the point of beginning

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By: \_\_\_\_\_  
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STATE OF NEBRASKA   )  
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Gerald L. Torczon, Its Chairperson

By:

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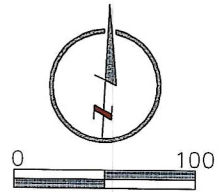
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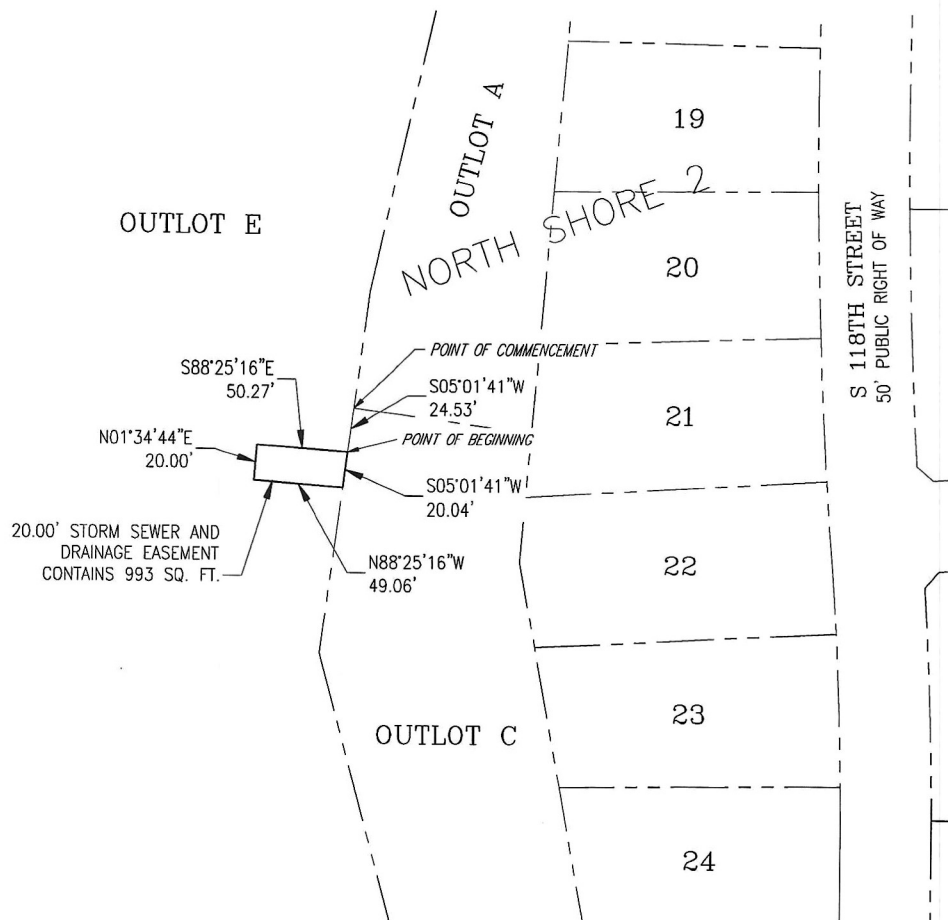
THENCE SOUTH 88°25'16" EAST FOR 50.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 993 SQUARE FEET.



## LEGEND

- EASEMENT LINE
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