

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
June 11, 2015**

***Agenda Item 4 - Agenda**

BE IT RESOLVED that the agenda be adopted.

***Agenda Item 5 – Consent Agenda**

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A.:

BE IT RESOLVED that the absence of the following Director(s) from the June 11, 2015, Board of Directors Meeting are excused:

None to date.

Agenda Item 7. A.:

BE IT RESOLVED that the May 14, 2015 Papio-Missouri River NRD Board meeting minutes are approved as printed.

***Agenda Item 9.A. – Personnel, Legislative and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the June 9, 2015, meeting of the Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Extension of the Government Relations Contract with Husch Blackwell – Recommendation that the General Manager be authorized to execute the proposed contract for a two year period, from July 1, 2015 through June 30, 2017, with Husch Blackwell, LLP, for the provision of intergovernmental and professional lobbying services per the terms and conditions outlined in the agreement, in the form as presented to the Subcommittee, subject to changes deemed necessary by the General Manager.

***Agenda Item 9.B. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the June 9, 2015, meeting of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Take from the Table the Ashland Area Pilot Groundwater Model Update and Report

Motion: Take from the table the Ashland Area Pilot Groundwater Model Update and Report.

Recommendation that the Board of Directors remove item from the table which would authorize the General Manager to execute the proposed Joint Funding Agreement with the USGS for a maximum contribution amount of \$223,200 and the proposed Interlocal Agreement with Lower Platte South and Lower Platte North NRDs for the Ashland Area Pilot Groundwater Model Update and Report, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

2. Changes to District Program 17.41 – Stormwater Best Management Practices Program – Recommendation that the proposed changes to District Program 17.41 – Stormwater Best Management Practices be approved and incorporated into the District’s Policy Manual.
3. FY 2016 Equipment Requirements – Recommendation that the FY 2016 Equipment Requirements be approved, as presented to the Subcommittee, subject to funding in the FY 2016 Budget.
4. La Vista Thompson Creek Urban Drainageway Project Interlocal Agreement – Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of La Vista, as presented to the Subcommittee, for cost share reimbursement in a not-to-exceed amount of \$712,000, for the Thompson Creek Urban Drainageway project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
5. Sarpy County Southern Ridge Wastewater Treatment Study Interlocal Agreement – Recommendation that the General Manager be authorized to execute the Interlocal Agreement with Sarpy County, as presented to the Subcommittee, for reimbursement in a not-to-exceed amount of \$25,000, for the Southern Ridge Wastewater Treatment Study, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

***Agenda Item 9.C. – Finance, Expenditures and Legal Subcommittee**

BE IT RESOLVED that the minutes of the June 9, 2015, meeting of the Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Lower Platte River Corridor Alliance FY 2016 Budget – Recommendation that the Fiscal Year 2016 Budget for the Lower Platte River Corridor Alliance in the amount of \$184,429 be approved, subject to funds being included in the District’s FY 2016 budget.
2. 1% Increase to the Budgeted Restricted Funds for Lid Calculation for FY 2016 – Recommendation that the following resolution be adopted:

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total Restricted Funds Authority, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

3. Sale of Prairie Queen Land – Recommendation that the General Manager be authorized to execute an agreement with Farmers National for sale by auction with reserve of the surplus land identified at Prairie Queen Recreation Area.
4. King Lake Purchase Agreement – Recommendation that the General Manager be authorized to execute for and on behalf of the District the Purchase Agreement in the form as presented to this meeting providing for the purchase by the District from William and Debra Huser, of property located at 5930 North 246th Street for the purchase price of \$50,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

***Agenda Item 10. A.-I. - Financials**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the May, 2015 financial report; and, (2) any claims made prior to the next Board meeting for (a) earned salaries of District employees, (b) withholding taxes, (c) social security payments, (d) retirement program contributions, (e) utilities, (f) registration fees and expenses for upcoming meetings and conferences, (g) certified completed CAP and Special Project Area applications, (h) invoices which offer a credit or discount for payment made prior to the next Board meeting, (i) postage, and, (j) building and grounds contract expenses.

BE IT FURTHER RESOLVED that the Treasurer is authorized to pay, from the respective operating accounts of the Dakota County, Thurston County and Washington County Rural Water Supply System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the May, 2015, financial report, and future claims for project utilities.

BE IT FURTHER RESOLVED that the financial reports be affixed to and made a part of the minutes.

***Agenda Item 11. Papio Creek Structure W-3 – Rehabilitation Project Permanent Dam/Reservoir Easement & Permanent Access Easement**

Papio Creek Structure W-3 – Rehabilitation Project Permanent Dam/Reservoir Easement & Permanent Access Easement – Management recommends that the following resolution be adopted:

RESOLUTION

WHEREAS, on its own motion, the Papio-Missouri River Natural Resources District (“the DISTRICT”) has rehabilitated the works and improvements comprising the DISTRICT’S Public Law-566 Dam Site W-3 (the “PROJECT”); and,

WHEREAS, the PROJECT was and continues to be a plan, facility, work and program within the contemplation of Neb. Rev. Stat. § 2-3229, which provides as follows, to-wit:

2-3229 Districts; purposes. The purposes of natural resources districts shall be to develop and execute, through the exercise of powers and authorities granted by law, plans, facilities, works, and programs relating to (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial uses, (6) development, management, utilization, and conservation of ground water and surface water, (7)

pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management.

****.

and,

WHEREAS, the Board of Directors of the DISTRICT does hereby find and determine as follows, to-wit:

A. The PROJECT was reasonable and feasible and was and will be of predominantly general benefit to the DISTRICT, with only incidental special benefit, within the contemplation of Neb. Rev. Stat. § 2-3252; and, the PROJECT was carried out with any available funds of the DISTRICT; and,

B. The DISTRICT has identified certain permanent easements (hereinafter referred to as the "PERMANENT EASEMENTS"), hereinafter described, in, on, over and across lands owned by JOHN CAMDEN AND MARY CAMDEN, HUSBAND AND WIFE, AS JOINT TENANTS ("CONDEMNES") in the SE 1/4, Section 27, T18N, R11E, Washington County, Nebraska, that are necessary for the PROJECT; and,

C. The DISTRICT previously negotiated in good faith with CONDEMNES in that: the DISTRICT offered to CONDEMNES an amount of money equal to the full fair market value of the appraised damages, as appraised previously by a duly appointed Board of Appraisers, that would be sustained by CONDEMNES as a result of the DISTRICT'S acquisition of the EASEMENTS; and, the DISTRICT'S representatives made reasonable efforts to induce CONDEMNES to accept the DISTRICT'S offer, but such offer was implicitly rejected by CONDEMNES, who failed to respond to the DISTRICT'S offer, leaving the negotiations at an impasse.

D. Economic and physical feasibility necessitated that the PROJECT be constructed in the location of the PERMANENT EASEMENTS.

E. Approvals by other agencies are not required; and,

F. It is necessary that the DISTRICT exercise the right of eminent domain, granted to it by Neb. Rev. Stat. § 2-3234, in order to acquire for the PROJECT the PERMANENT EASEMENTS, evidenced and described in Exhibits A-C attached hereto, conditioned as follows, to-wit:

PERMANENT GRADE STABILIZATION AND RESERVOIR EASEMENT. The DISTRICT, and its officers, agents, employees, and contractors, shall have the permanent and exclusive rights to construct, reconstruct, operate, maintain, repair, manage and regulate the PL 566 Project Site W-3 grade stabilization structure (hereinafter referred to as the "DAM") and the reservoir (hereinafter referred to as the "RESERVOIR") thereby impounded in, on, under, over and across the tract of land in the SE 1/4, Section 27, T18N, R11E, Washington County, Nebraska, referred to and described as the PERMANENT EASEMENTS in the legal description and diagram, attached hereto and incorporated herein by reference as Exhibits "A" through "C," for the permanent rights to:

(1) a non-exclusive right to have vehicular, equipment, and pedestrian ingress and egress to and from the DAM and RESERVOIR over and across all portions of the PERMANENT EASEMENTS, including without limitation, vehicular maneuvering, parking and servicing, and equipment storage;

(2) an exclusive right to use the PERMANENT EASEMENTS for excavation, borrow and spoil of earthen materials;

(3) an exclusive right to flow and conduct into the creek immediately downstream of the DAM any waters or water-borne silts and sediments that originate, flow, emanate, discharge, seep or spill from the DAM, its principal or auxiliary emergency spillways, or from the RESERVOIR, including, without limitation, those that appear as surface or subsurface flow, seepage, percolation or springs; and,

(4) an exclusive right to forbid all others from:

(i) constructing, re-constructing, operating, or maintaining in the PERMANENT EASEMENT any structures or fixtures, or other non-portable improvements that could be damaged by the DISTRICT'S authorized activities in the PERMANENT EASEMENTS;

(ii) introducing or permitting the introduction of grazing livestock, trees, woody vegetation, herbicide or other chemicals or materials on the DAM, or introduce or permit in the PERMANENT EASEMENT any other practices or instrumentalities that could, in the discretion of the DISTRICT, promote, or result in, loss of vegetative cover, structural weakness or weakening, deterioration or erosion of the DAM; and,

(iii) depositing or excavating earthen or other material in, on or from the DAM, the RESERVOIR or other portion of the PERMANENT EASEMENT; provided, however, landowner(s) shall be entitled to the accumulated silts and sediments dredged or otherwise excavated by the DISTRICT from the floor of the RESERVOIR from time to time, provided that, with thirty (30) days after notice by the DISTRICT to landowner(s) of the DISTRICT'S intent to perform such excavation(s), landowner(s) shall designate and make available to the DISTRICT, for the duration of such excavation, a tract of land abutting the PERMANENT EASEMENT sufficient for the DISTRICT'S temporary use as a spoil area or stilling basin to facilitate the DISTRICT'S delivery and landowner(s) reception of such silts and sediments.

G. It is necessary that the DISTRICT exercise the right of eminent domain, granted to it by Neb. Rev. Stat. § 2-3234, in order to acquire for the PROJECT the PERMANENT EASEMENT, evidenced and described in Exhibit D attached hereto, conditioned as follows, to wit:

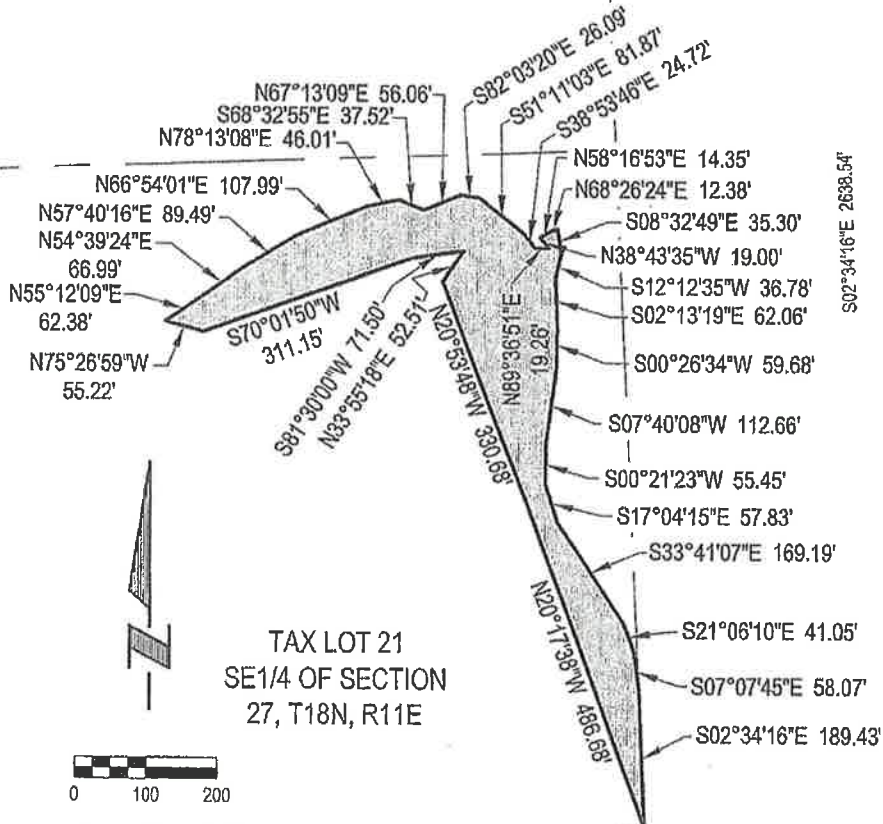
PERMANENT INGRESS AND EGRESS EASEMENT. The DISTRICT, and its officers, agents, employees, and contractors, shall have the permanent and non-exclusive right to use the dirt road in the tract of land in the SE 1/4, Section 27, T18N, R11E, Washington County Nebraska, referred to and described as the "PERMANENT ACCESS EASEMENT" in the legal description and diagram, attached hereto and incorporated herein by reference as Exhibit "D," for vehicular, equipment and pedestrian ingress and egress between the location of other

easements acquired for the PROJECT and the public roads rights-of-way. In the event that the dirt road ceases to be used by the landowner(s), their employees, agents, leasees, or tenants, as an access route for the parcel, the DISTRICT shall negotiate with the landowner to relocate this permanent ingress and egress easement to a location suiting to the landowner and that permits the DISTRICT a reasonable and efficient access route for its vehicles, equipment, and personnel from the public roads rights-of-way to the DISTRICT'S other easements for the purposes of operation, maintenance, construction, reconstruction, repair, management, and/or regulation of the DISTRICT'S Public Law-566 Dam Site W-3.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the DISTRICT that the foregoing findings and determinations should be and are hereby made and adopted; and that, in the absence of voluntary conveyances of the PERMANENT EASEMENTS, the DISTRICT'S Legal Counsel should be, and is hereby, authorized and directed to initiate the filing of a petition in the County Court of Washington County, Nebraska, on behalf of the DISTRICT, pursuant to the procedures governing eminent domain provided by Neb. Rev. Stat. § 76-701, *et seq.*, for the appointment of appraisers to ascertain and determine the damages that will be sustained by the respective landowners from the DISTRICT'S acquisition of the PERMANENT EASEMENTS.

EXHIBIT "A"

NORTHEAST CORNER OF THE SE1/4 OF SECTION 27, T18N, R11E



TAX LOT 21
SE1/4 OF SECTION
27, T18N, R11E



Scale: 1" = 200'

SOUTHWEST CORNER OF THE SE1/4 OF SECTION 27, T18N, R11E

COMMENCING POINT

SOUTHEAST CORNER OF SECTION 27, T18N, R11E

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
300 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 935-6700

PERMANENT EASEMENT
TAX LOT 21 OF THE SE1/4 OF SECTION 27, T18N, R11E
WASHINGTON COUNTY, NEBRASKA

Drawn by: DAS Chkd by: Chkd by:
Job No.: P2009.227.001 Date: 05/14/2009 Book No.: 1336

EXHIBIT "A"

LEGAL DESCRIPTION:

A PERMANENT EASEMENT LOCATED IN TAX LOT 21 OF THE SE1/4 OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 11 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TAX LOT 21, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 27; THENCE N02°34'16"W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID TAX LOT 21, SAID LINE ALSO BEING THE EAST LINE OF SAID SE1/4 OF SECTION 27, A DISTANCE OF 365.00 FEET TO THE POINT OF BEGINNING; THENCE N20°17'38"W, A DISTANCE OF 486.68 FEET; THENCE N20°53'48"W, A DISTANCE OF 330.68 FEET; THENCE N33°55'18"E, A DISTANCE OF 52.51 FEET; THENCE S81°30'00"W, A DISTANCE OF 71.50 FEET; THENCE S70°01'50"W, A DISTANCE OF 311.15 FEET; THENCE N76°26'59"W, A DISTANCE OF 55.22 FEET; THENCE N55°12'09"E, A DISTANCE OF 62.38 FEET; THENCE N54°39'24"E, A DISTANCE OF 66.99 FEET; THENCE N57°40'16"E, A DISTANCE OF 89.49 FEET; THENCE N66°54'01"E, A DISTANCE OF 107.99 FEET; THENCE N78°13'08"E, A DISTANCE OF 46.01 FEET; THENCE S68°32'55"E, A DISTANCE OF 37.52 FEET; THENCE N67°13'09"E, A DISTANCE OF 56.06 FEET; THENCE S62°03'20"E, A DISTANCE OF 26.09 FEET; THENCE S51°11'03"E, A DISTANCE OF 81.87 FEET; THENCE S38°53'46"E, A DISTANCE OF 24.72 FEET; THENCE N89°38'51"E, A DISTANCE OF 19.26 FEET; THENCE N38°43'35"W, A DISTANCE OF 19.00 FEET; THENCE N58°16'53"E, A DISTANCE OF 14.35 FEET; THENCE N68°28'24"E, A DISTANCE OF 12.38 FEET; THENCE S08°32'49"E, A DISTANCE OF 35.30 FEET; THENCE S12°12'35"W, A DISTANCE OF 36.78 FEET; THENCE S02°13'19"E, A DISTANCE OF 62.06 FEET; THENCE S00°26'34"W, A DISTANCE OF 59.68 FEET; THENCE S07°40'08"W, A DISTANCE OF 112.66 FEET; THENCE S00°21'23"W, A DISTANCE OF 55.45 FEET; THENCE S17°04'15"E, A DISTANCE OF 57.83 FEET; THENCE S33°41'07"E, A DISTANCE OF 169.19 FEET; THENCE S21°06'10"E, A DISTANCE OF 41.05 FEET; THENCE S07°07'45"E, A DISTANCE OF 58.07 FEET TO A POINT ON SAID EAST LINE OF TAX LOT 21, SAID LINE ALSO BEING SAID EAST LINE OF THE SE1/4 OF SECTION 27; THENCE S02°34'16"E ALONG SAID EAST LINE OF TAX LOT 21, SAID LINE ALSO BEING SAID EAST LINE OF THE SE1/4 OF SECTION 27, A DISTANCE OF 189.43 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS AN AREA OF 93,571 SQUARE FEET OR 2.148 ACRES, MORE OR LESS.

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR DRAWING

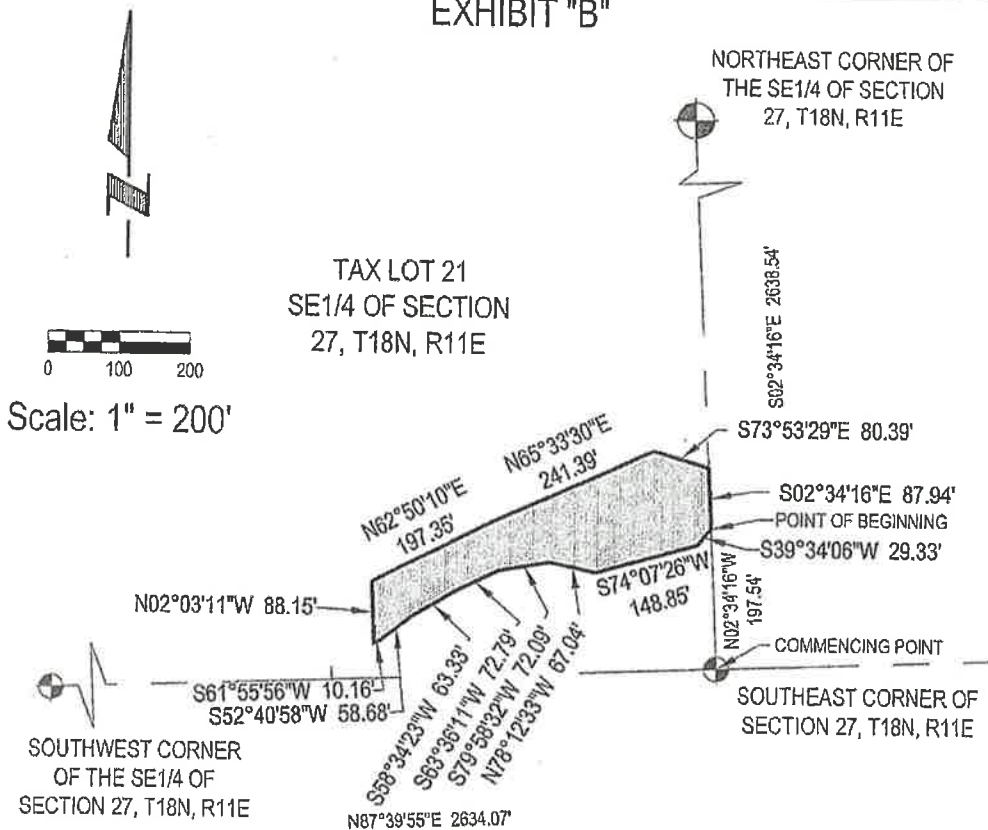


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Drawn by: DAS Chkd by: _____ Chkd by: _____
Job No.: P2009.227.001 Date: 05/14/2009 Book No.: 1336

PERMANENT EASEMENT
SE1/4 OF SECTION 27, T18N, R11E
WASHINGTON COUNTY, NEBRASKA

EXHIBIT "B"



LEGAL DESCRIPTION:

A PERMANENT EASEMENT LOCATED IN TAX LOT 21 OF THE SE1/4 OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 11 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TAX LOT 21, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE N02°34'16"W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID TAX LOT 21, SAID LINE ALSO BEING THE EAST LINE OF SAID SE1/4 OF SECTION 27, A DISTANCE OF 197.54 FEET TO THE POINT OF BEGINNING; THENCE S39°34'06"W, A DISTANCE OF 29.33 FEET; THENCE S74°07'26"W, A DISTANCE OF 148.85 FEET; THENCE N78°12'33"W, A DISTANCE OF 67.04 FEET; THENCE S79°58'32"W, A DISTANCE OF 72.09 FEET; THENCE S58°34'23"W, A DISTANCE OF 63.33 FEET; THENCE S52°40'58"W, A DISTANCE OF 58.68 FEET; THENCE S61°55'56"W, A DISTANCE OF 10.16 FEET; THENCE N02°03'11"W, A DISTANCE OF 88.15 FEET; THENCE N62°50'10"E, A DISTANCE OF 197.35 FEET; THENCE N65°33'30"E, A DISTANCE OF 241.39 FEET; THENCE S73°53'29"E, A DISTANCE OF 80.39 FEET TO A POINT ON SAID EAST LINE OF TAX LOT 21, SAID LINE ALSO BEING SAID EAST LINE OF THE SE1/4 OF SECTION 27; THENCE S02°34'16"E ALONG SAID EAST LINE OF TAX LOT 21, SAID LINE ALSO BEING SAID EAST LINE OF THE SE1/4 OF SECTION 27, A DISTANCE OF 87.94 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS AN AREA OF 48,754 SQUARE FEET OR 1.119 ACRES, MORE OR LESS.

SHEET 1 OF 1



E&A CONSULTING GROUP, INC.

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300 NORTH 117TH STREET, OMAHA, NE 68154 PHONE (402) 855-4100

Drawn by: DAS Chkd by: Chkd by:

Job No.: P2009.227.001 Date: 05/14/2009 Book No.: 1336

PERMANENT EASEMENT
TAX LOT 21 OF THE SE1/4 OF
SECTION 27, T18N, R11E
WASHINGTON COUNTY, NEBRASKA

EXHIBIT "C"

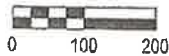
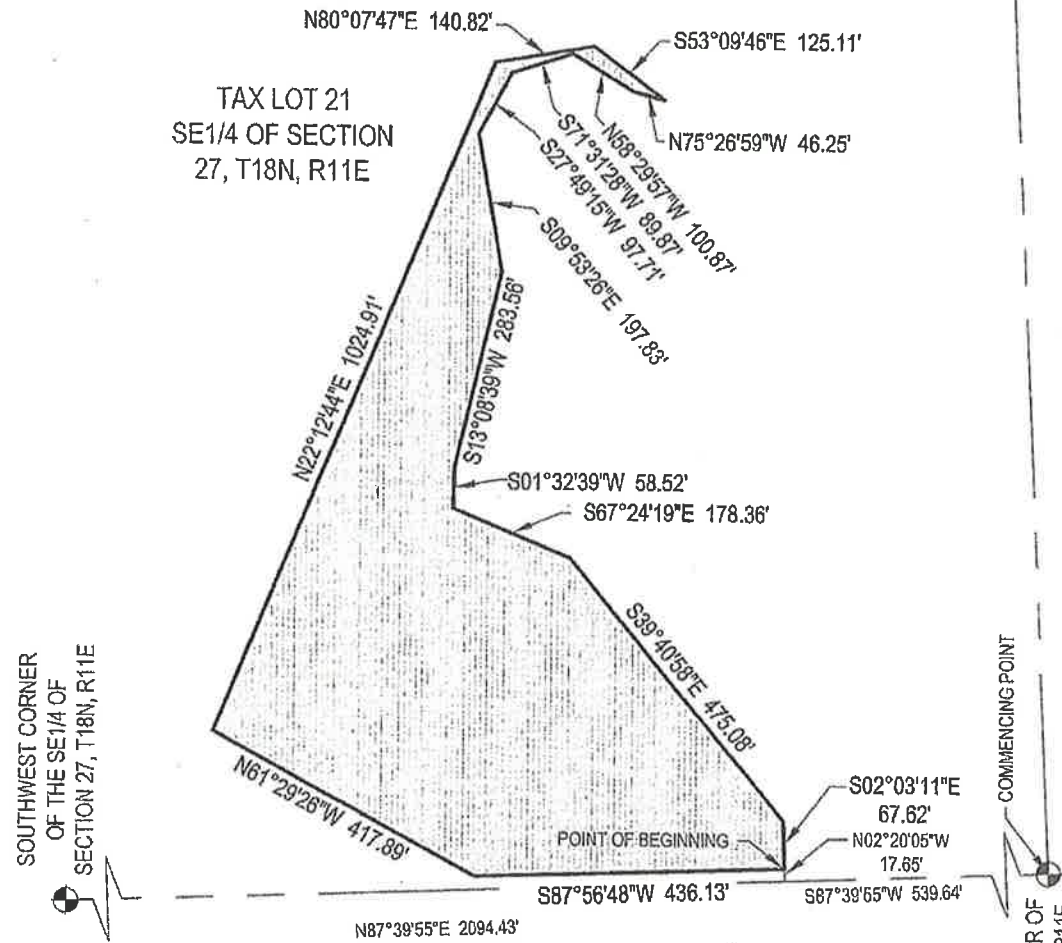
NORTHEAST CORNER OF THE SE1/4 OF SECTION 27, T18N, R11E

TAX LOT 21
SE1/4 OF SECTION
27, T18N, R11E

SOUTHWEST CORNER
OF THE SE1/4 OF
SECTION 27, T18N, R11E

COMMENCING POINT

SOUTHEAST CORNER OF
SECTION 27, T18N, R11E



Scale: 1" = 200'

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION



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Drawn by: DAS Chkd by: Chkd by:
Job No.: P2009.227.001 Date: 05/14/2009 Book No.: 1336

PERMANENT EASEMENT
TAX LOT 21 OF THE SE1/4 OF
SECTION 27, T18N, R11E
WASHINGTON COUNTY, NEBRASKA

EXHIBIT "C"

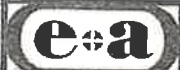
LEGAL DESCRIPTION:

A PERMANENT EASEMENT LOCATED IN TAX LOT 21 OF THE SE1/4 OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 11 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TAX LOT 21, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE S87°39'55"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID TAX LOT 21, SAID LINE ALSO BEING THE SOUTH LINE OF SAID SE1/4 OF SECTION 27, A DISTANCE OF 539.64 FEET; THENCE N02°20'05"W, A DISTANCE OF 17.65 FEET TO THE POINT OF BEGINNING; THENCE S87°56'48"W, A DISTANCE OF 436.13 FEET; THENCE N61°29'26"W, A DISTANCE OF 417.89 FEET; THENCE N22°12'44"E, A DISTANCE OF 1024.91 FEET; THENCE N80°07'47"E, A DISTANCE OF 140.82 FEET; THENCE S53°09'46"E, A DISTANCE OF 126.11 FEET; THENCE N75°26'59"W, A DISTANCE OF 46.25 FEET; THENCE N58°29'57"W, A DISTANCE OF 100.87 FEET; THENCE S71°31'28"W, A DISTANCE OF 89.87 FEET; THENCE S27°49'15"W, A DISTANCE OF 97.71 FEET; THENCE S09°53'26"E, A DISTANCE OF 197.83 FEET; THENCE S13°08'39"W, A DISTANCE OF 283.56 FEET; THENCE S01°32'39"W, A DISTANCE OF 58.52 FEET; THENCE S67°24'19"E, A DISTANCE OF 178.36 FEET; THENCE S39°40'58"E, A DISTANCE OF 476.08 FEET; THENCE S02°03'11"E, A DISTANCE OF 67.62 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS AN AREA OF 346,862 SQUARE FEET OR 7.963 ACRES, MORE OR LESS.

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR DRAWING



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330 NORTH 11TH STREET OMAHA, NE 68104 PHONE: (402) 665-4700

Drawn by: DAS

Chkd by:

Chkd by:

Job No.: P2009.227.001

Date: 05/14/2009

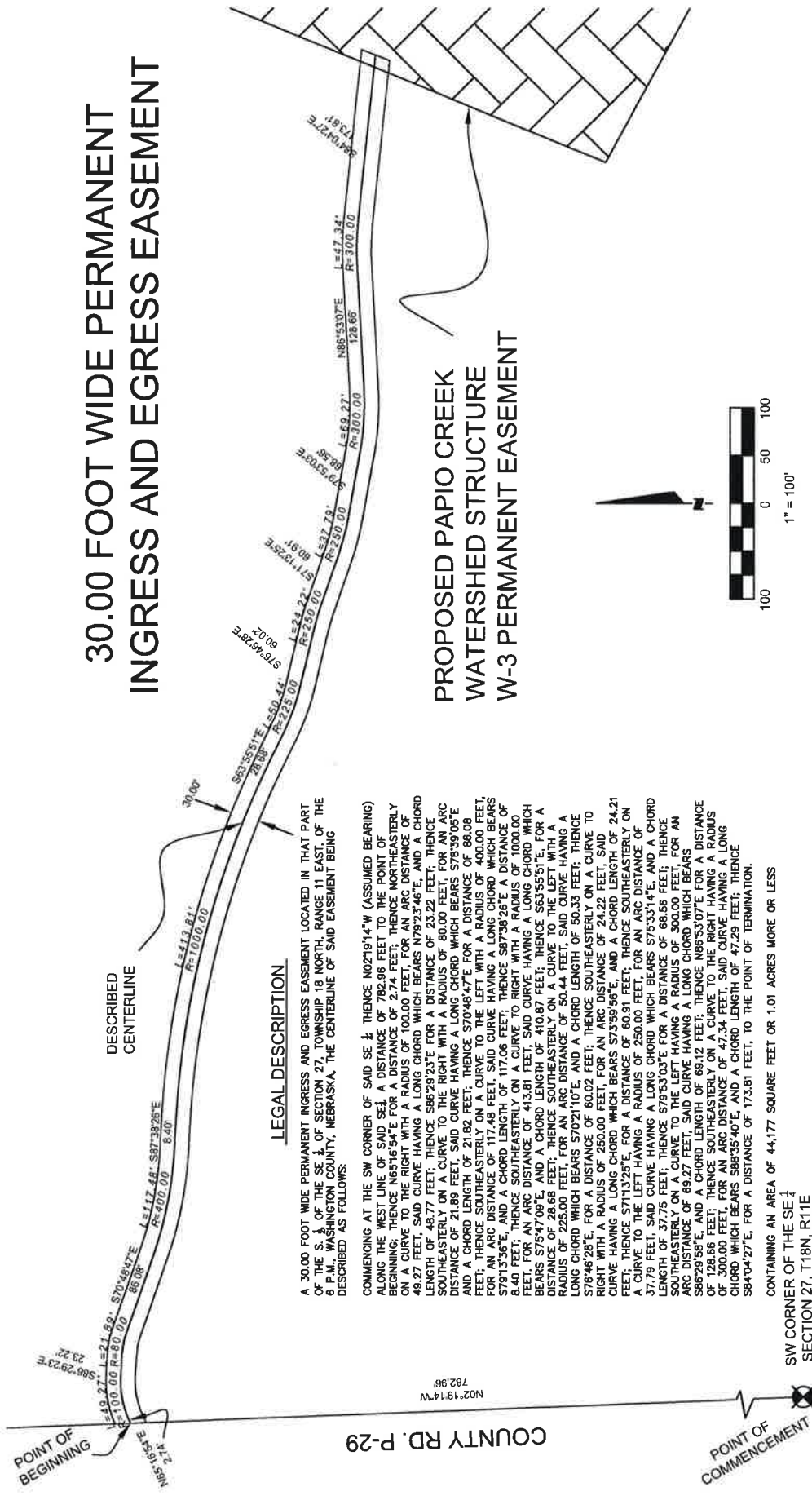
Book No.: 1336

PERMANENT EASEMENT
TAX LOT 21 OF THE SE1/4 OF
SECTION 27, T18N, R11E
WASHINGTON COUNTY, NEBRASKA

DonaldS 5/19/2009 2:22:12 PM

K:\Projects\2009\227\p011\Srvy\Easements\NRD STRUCTURE NO W-3 EASE-000.dwg

30.00 FOOT WIDE PERMANENT INGRESS AND EGRESS EASEMENT



PROPOSED PAPIO CREEK WATERSHED STRUCTURE W-3 PERMANENT EASEMENT

DESCRIBED
CENTERLINE

LEGAL DESCRIPTION

A 30.00 FOOT WIDE PERMANENT INGRESS AND EGRESS EASEMENT LOCATED IN THAT PART OF THE S. 1/4 OF THE SE 1/4 OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 11 EAST, OF THE 6 P.M., WASHINGTON COUNTY, NEBRASKA, THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID SE 1/4 THENCE N02°19'14"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SE 1/4 A DISTANCE OF 782.98 FEET TO THE POINT OF BEGINNING; THENCE N65°16'54"E FOR A DISTANCE OF 2.74 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, FOR AN ARC DISTANCE OF 49.27 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N78°23'46"E, AND A CHORD LENGTH OF 48.77 FEET; THENCE S86°29'23"E FOR A DISTANCE OF 23.22 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET, FOR AN ARC DISTANCE OF 21.89 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S78°39'05"E AND A CHORD LENGTH OF 21.82 FEET; THENCE S70°46'47"E FOR A DISTANCE OF 66.08 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 40.00 FEET, FOR AN ARC DISTANCE OF 17.48 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S79°13'36"E, AND A CHORD LENGTH OF 17.06 FEET; THENCE S87°38'26"E A DISTANCE OF 8.40 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, FOR AN ARC DISTANCE OF 413.81 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S75°47'09"E, AND A CHORD LENGTH OF 410.87 FEET; THENCE S63°55'51"E, FOR A RADIUS OF 225.00 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A LONG CHORD WHICH BEARS S70°21'10"E, AND A CHORD LENGTH OF 50.33 FEET; THENCE S78°46'28"E, FOR A DISTANCE OF 60.02 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET, FOR AN ARC DISTANCE OF 24.22 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S73°59'56"E, AND A CHORD LENGTH OF 24.21 FEET; THENCE S71°13'25"E, FOR A DISTANCE OF 60.91 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 250.00 FEET, FOR AN ARC DISTANCE OF 37.79 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S75°33'14"E, AND A CHORD LENGTH OF 37.75 FEET; THENCE S78°53'03"E FOR A DISTANCE OF 66.56 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, FOR AN ARC DISTANCE OF 49.27 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°29'58"E, AND A CHORD LENGTH OF 48.12 FEET; THENCE N66°53'07"E, FOR A DISTANCE OF 128.66 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, FOR AN ARC DISTANCE OF 47.34 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S88°35'40"E, AND A CHORD LENGTH OF 47.29 FEET; THENCE S84°04'27"E, FOR A DISTANCE OF 173.81 FEET, TO THE POINT OF TERMINATION.

CONTAINING AN AREA OF 44,177 SQUARE FEET OR 1.01 ACRES MORE OR LESS

SW CORNER OF THE SE 1/4
SECTION 27, T18N, R11E



PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

EXHIBIT "D"



DESIGNED BY: MPC	ISSUED FOR: PERMANENT INGRESS AND EGRESS EASEMENT FOR W-3
DRAWN BY: MAM	S. 1/2 OF THE S.E. 1/4
CHECKED BY: MPC	SECTION 27, T18N, R11E
APPROVED BY:	DATE: 8/10/2015
	SCALE: 1" = 100'
	SHEET NO. 1 OF 2

LEGAL DESCRIPTION

A 30.00 FOOT WIDE PERMANENT INGRESS AND EGRESS EASEMENT LOCATED IN THAT PART OF THE S. $\frac{1}{2}$, OF THE SE $\frac{1}{4}$, OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 11 EAST, OF THE 6 P.M., WASHINGTON COUNTY, NEBRASKA, THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID SE $\frac{1}{4}$; THENCE N02°19'14"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SE $\frac{1}{4}$, A DISTANCE OF 782.96 FEET TO THE POINT OF BEGINNING; THENCE N65°16'54"E FOR A DISTANCE OF 2.74 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, FOR AN ARC DISTANCE OF 49.27 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N79°23'46"E, AND A CHORD LENGTH OF 48.77 FEET; THENCE S86°29'23"E FOR A DISTANCE OF 23.22 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 80.00 FEET, FOR AN ARC DISTANCE OF 21.89 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S78°39'05"E AND A CHORD LENGTH OF 21.82 FEET; THENCE S70°48'47"E FOR A DISTANCE OF 86.08 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 400.00 FEET, FOR AN ARC DISTANCE OF 117.48 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S79°13'36"E, AND A CHORD LENGTH OF 117.06 FEET; THENCE S87°38'26"E A DISTANCE OF 8.40 FEET; THENCE SOUTHEASTERLY ON A CURVE TO RIGHT WITH A RADIUS OF 1000.00 FEET, FOR AN ARC DISTANCE OF 413.81 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S75°47'09"E, AND A CHORD LENGTH OF 410.87 FEET; THENCE S63°55'51"E, FOR A DISTANCE OF 28.68 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 225.00 FEET, FOR AN ARC DISTANCE OF 50.44 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S70°21'10"E, AND A CHORD LENGTH OF 50.33 FEET; THENCE S76°46'28"E, FOR A DISTANCE OF 60.02 FEET; THENCE SOUTHEASTERLY ON A CURVE TO RIGHT WITH A RADIUS OF 250.00 FEET, FOR AN ARC DISTANCE OF 24.22 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S73°59'56"E, AND A CHORD LENGTH OF 24.21 FEET; THENCE S71°13'25"E, FOR A DISTANCE OF 60.91 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 250.00 FEET, FOR AN ARC DISTANCE OF 37.79 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S75°33'14"E, AND A CHORD LENGTH OF 37.75 FEET; THENCE S79°53'03"E FOR A DISTANCE OF 68.56 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET, FOR AN ARC DISTANCE OF 69.27 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°29'58"E, AND A CHORD LENGTH OF 69.12 FEET; THENCE N86°53'07"E FOR A DISTANCE OF 128.66 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, FOR AN ARC DISTANCE OF 47.34 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S88°35'40"E, AND A CHORD LENGTH OF 47.29 FEET; THENCE S84°04'27"E, FOR A DISTANCE OF 173.81 FEET, TO THE POINT OF TERMINATION.

CONTAINING AN AREA OF 44,177 SQUARE FEET OR 1.01 ACRES MORE OR LESS

30.00' PERMANENT INGRESS AND EGRESS EASEMENT FOR W-3

DESIGNED BY: MPC

DRAWN BY: MM

CHK'D. BY: MPC

APP'D. BY:

**S. 1/2 OF THE S.E. 1/4
SECTION 27, T18N, R11E**

REVISED

DATE: 6/10/2015

SCALE: =

SHEET NO. 2 OF 2