

MEMORANDUM

TO: Finance, Expenditure and Legal Subcommittee

SUBJECT: Tekamah-Mud Creek Watershed Structure 5A (Summit Lake)
Ingress-Egress Easement Request

BY: Martin P. Cleveland

DATE: June 5, 2008

Tekamah-Mud Creek Watershed Structure 5A (Summit Lake) is located west of Tekamah, as shown on the attached location map. Enclosed is information provided by, C. Lloyd Kjeldgaard and Keith Kjeldgaard's attorney, related to their request that the District provide an ingress-egress across the District's Tekamah-Mud Creek Watershed Structure 5A project property (Parcel B) from Burt County Road 29 to gain access to their 11 acre land-locked parcel of property. The ingress-egress strip (see Exhibit C) is at the location of a driveway connecting to County Road 29 that they built and have been using for many years without proper permission from the District. They desire to sell their property (Parcel A), but are not able to do this without providing access to a public road. The Kjeldgaard attorney (Mark Bubak) has indicated that they believe that access to Parcel A was cut off when the Middle Missouri Tribes NRD (now merged into Papio-MRNRD) acquired property for the Tekamah-Mud Creek Watershed Structure 5A project.

The granting of an ingress-egress easement would grant the Kjeldgaards and the subsequent property purchaser of their property full-time use of the access corridor and as such it is Management's recommendation that the Kjeldgaards be granted the proposed easement for the approximate property value. Based on a land value of \$4,000 per acre the easement fee would be \$400 (0.09 acres x \$4,000/acre). This easement should not affect the operation of the Summit Lake or the Tekamah-Mud Creek Watershed Structure 5A Dam, as it is in the upstream reach of the Summit Lake area (south of dam and east of lake).

- **It is Management's recommendation that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Ingress-Egress Easement in favor of C. Lloyd Kjeldgaard and Keith Kjeldgaard for the payment of \$400, subject to changes deemed necessary by the General Manager and approved as to form by the District Legal Counsel.**

PROJECT MAP

R 10 E

R 11 E

ТЕКАМАН

HWY 32

75

T 20 N

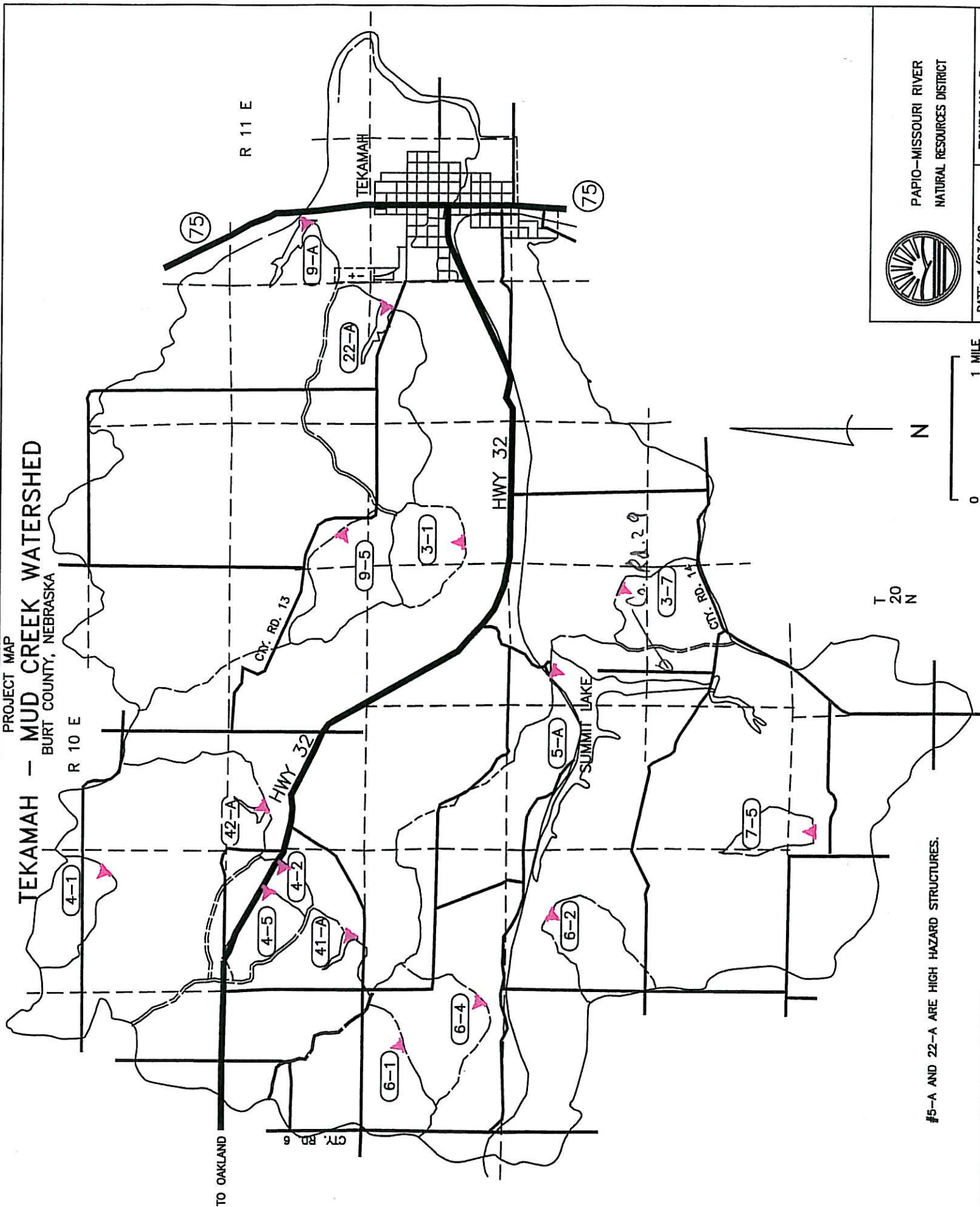
PAPIO—MISSOURI RIVER
NATURAL RESOURCES DISTRICT

DATE: 1/23/02

FIGURE NO. 3

#5-A AND 22-A ARE HIGH HAZARD STRUCTURES.

1 MILE



5A

SUMMIT LAKE



PROPOSED INGRESS-EGRESS EASEMENT

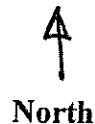
CO RD 29



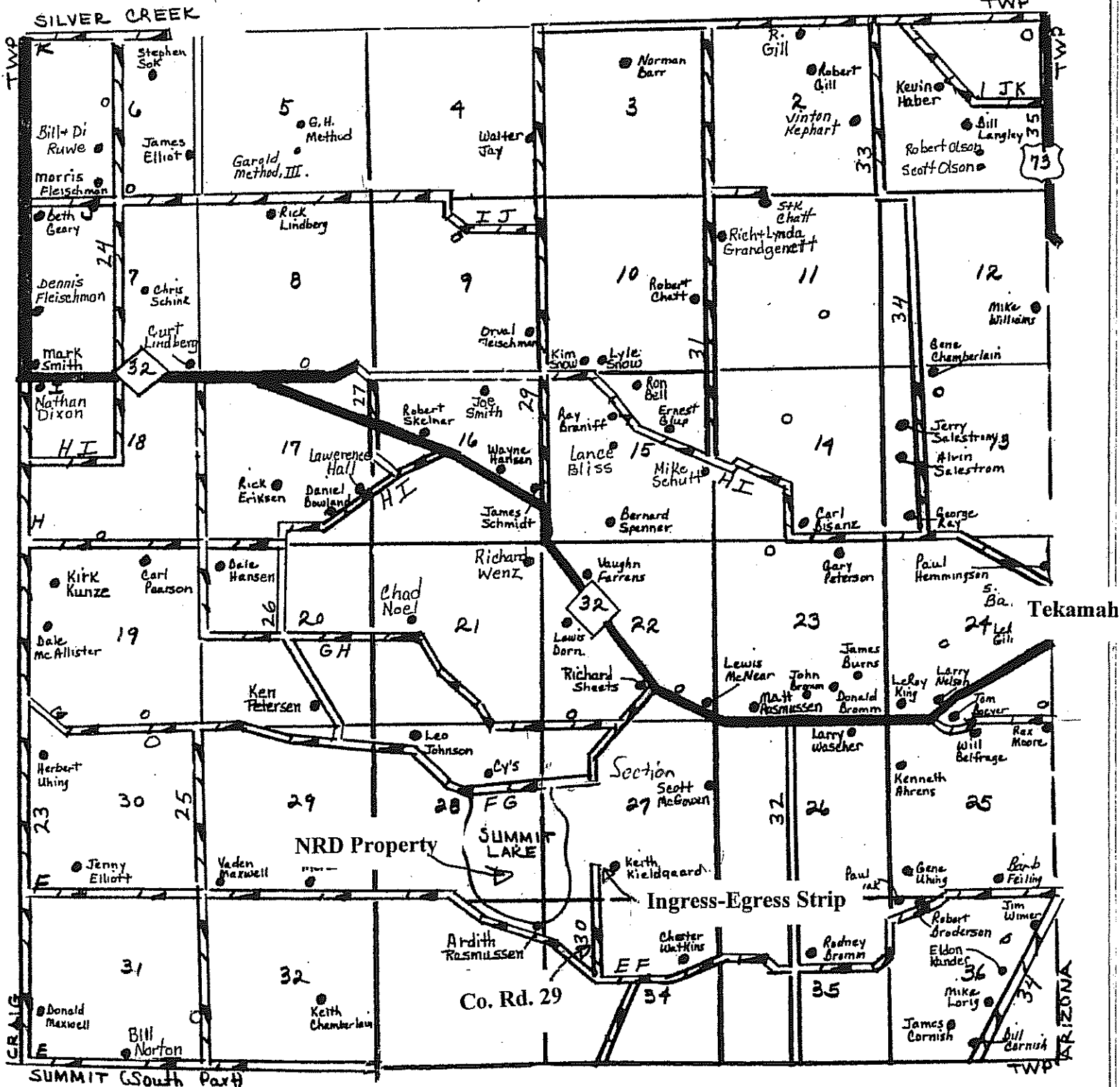
NO SCALE

CO RD "F"

SUMMIT (North Part)



TRAIN ROAD



40. Sec. 17 Natural Res. Dist. - 4.72
41. Sec. 23 Dennis Clark, etux - 7.4
42. Sec. 14 Natural Res. Dist. - 2.2
43. Sec. 6 Morris Fleischman - 10
44. Sec. 7 Elizabeth Geary, etal - 2.50
45. Sec. 7 Curtis Lindberg, etux - 4.0
46. Sec. 10 Kim Snow, etux - 1.56
47. Sec. 16 Lawrence Hall, etux -

48. Sec. 15 Michael Schuyt, etux - 7.52
49. Sec. 21 Robert Vandrasek II - 11.66
50. Sec. 31 Donald Maxwell, etux - 4.55
51. Sec. 34 Lee Camenzind, etux - 30.19
52. Sec. 36 Eldon Kander - 2.30

31. Sec. 18 Daniel Bowland, etux - 14.04
32. Sec. 36 Ricky Wimer, etux - 10.47
33. Sec. 36 Ricky Wimer, etal - 29.47
34. Sec. 7 Morris Fleischman - 4.84
35. Sec. 11 Richard Grandgeyer, etux - 3.51
36. Sec. 7 Chris Schmitz, etal - 3
37. Sec. 15 Raymond Brandiff, etux - 3.55
38. Sec. 24 Joshua Gail - 18.42
39. Sec. 32 Jeffere Gortsch - 10

SUMMIT

(NORTH PART)

TOWNSHIP 21 NORTH-RANGE 10 EAST OF 6TH P.M.

1. Sec. 46 City of Tekamah - 9.16
2. Sec. 6 Larry Shelley - 1.38
3. Sec. 6 Roger Adams - 5
4. Sec. 9 Gerald Weeces, etux - 25
5. Sec. 17 Herbert Rhoades - 0.42
6. Sec. 22 Charles Sheets, etux - 2.6

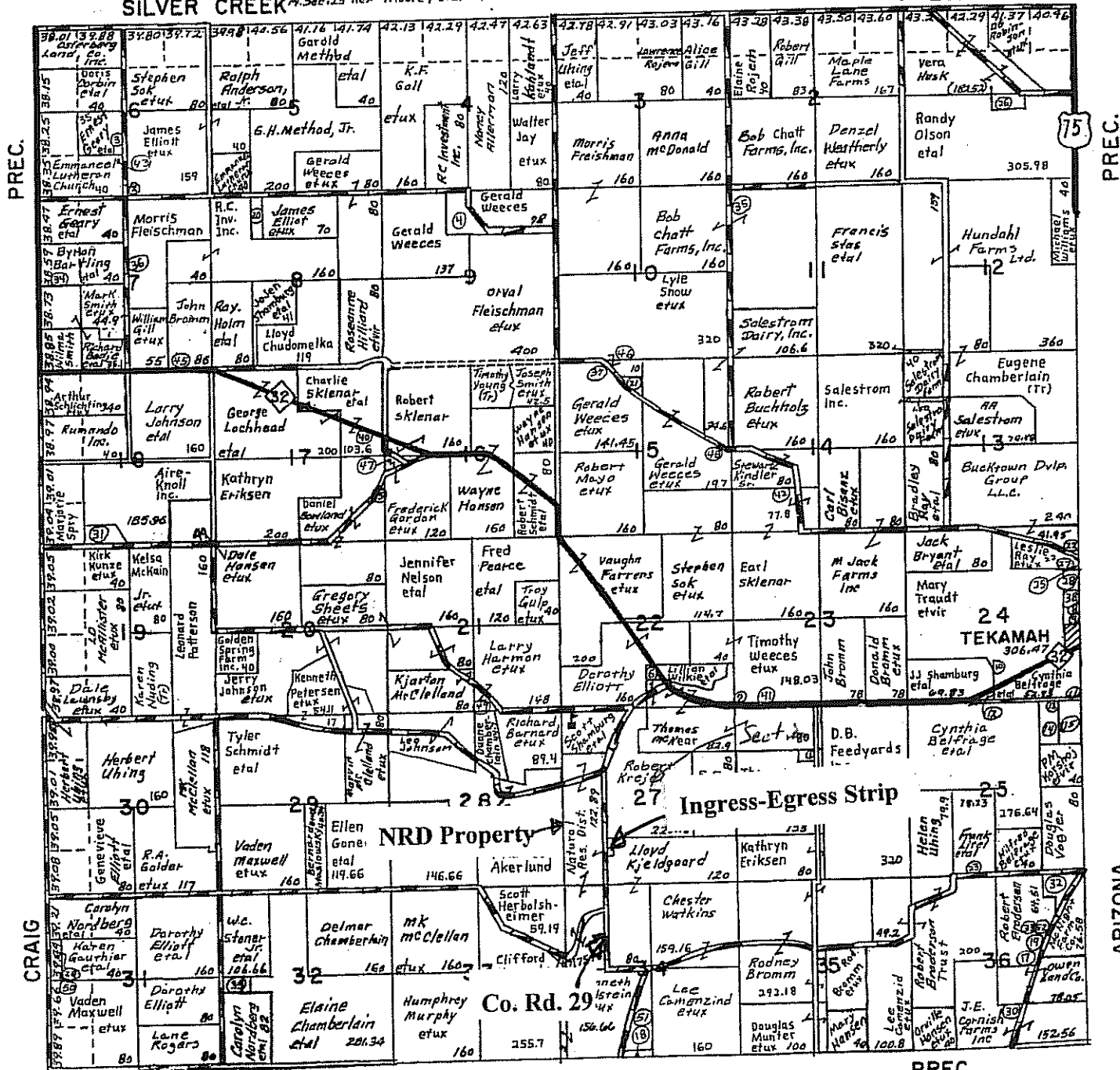
8. Sec. 25 Thomas McNear, etux - 1
8. Sec. 24 Northern Nat. Gas. Co. - 0.23
7. Sec. 24 Peoples Nat. Gas. Co.
10. Sec. 24 Jerry Nelson, etux - 1.52
11. Sec. 24 James Jones, etux - 2.47
12. Sec. 24 Jerome Bauer, etux - 1.2
13. Sec. 25 O.B. Feedyards Inc. - 1
14. Sec. 25 Rex Moore, etal - 19

15. Sec. 25 Dennis Saltzman, Jr. - 20
16. Sec. 33 Dennis Clark - 6.38
17. Sec. 36 Michael Long - 5.19
18. Sec. 34 Richard Steffensmeier, etux - 0.7
19. Sec. 36 Perry Rogers - 7.70
20. Sec. 8 Rick Lindberg, etux - 10
21. Sec. 15 Ernest Glup, etux - 5
22. Sec. 24 G.H. Meier, etux - 2.42
23. Sec. 25 Barbara Feeling - 1.98
24. Sec. 36 Mikel Enderksen, etux - 20.29
25. Sec. 24 John Eriksen, etux - 1
26. Sec. 24 William Langley, etux - 10.88
27. Sec. 24 Travin Lydick, etux - 3
28. Sec. 24 Bruce Kuehl, etux - 4.94
29. Sec. 31 Michael Ohning, etux - 6.35
30. Sec. 36 James Cornish, etux - 1.85

North

SILVER CREEK

PREC.



SUMMIT (SOUTH PART)

PREC.

INGRESS-EGRESS EASEMENT

Papio-Missouri River Natural Resources District, having an office at 8901 South 154th Street, Omaha, Nebraska 68138, the owner of a certain parcel of land located in Burt County, Nebraska, (hereinafter referred to as "**Parcel B**") and described by a metes and bounds description set forth in Exhibit B, annexed hereto and by this reference made a part hereof), does hereby grant to **C. Lloyd Kjeldgaard and Keith L. Kjeldgaard**, hereinafter referred to collectively as "**Grantees**," the owners of a certain parcel of land in Burt County, Nebraska (hereinafter referred to as "**Parcel A**," and described by a metes and bounds description set forth in Exhibit A, annexed hereto and by this reference made a part hereof), a permanent, non-exclusive, vehicular and pedestrian ingress-egress easement over and across the portion of Parcel B that is described by the metes and bounds description set forth in Exhibit C, annexed hereto and by this reference made a part hereof (hereinafter referred to as the "**Easement Area**") for the purpose of permitting and enabling the present and future owners of Parcel A, their heirs, successors, assigns, permittees and invitees, and other members of the public, to pass over the Easement Area for the purpose of ingress and egress between Parcel A and County Road No. 29, located to the West of Parcel A.

This easement shall run with the land shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

Grantees and their successors, heirs and assigns, shall be responsible for the maintenance and repair of the road in the Easement Area and shall maintain the same in good and safe condition and free from obstruction.

PAPIO-MISSOURI RIVER NATURAL RESOURCES
DISTRICT

By _____
General Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2008, before me a Notary Public came John Winkler, General Manager of the Papio-Missouri River Natural Resources District, to me personally known to me or proved to me on the basis of satisfactory evidence to be the same person who executed the foregoing instrument, and he acknowledged the same as his voluntary act and deed as such officer of said District.

Notary Public

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 21 NORTH, RANGE 10, EAST OF TH 6TH P.M., BURT COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM AN IRON FOUND AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 21 NORTH, RANGE 10, EAST; THENCE SOUTH 80°30'18" WEST (ASSUMED BEARING) ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 521.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°26'56" WEST A DISTANCE OF 891.19 FEET TO AN IRON FOUND AT THE NORTHEAST CORNER OF A 8.02 ACRE TRACT OF LAND, AS SURVEYED BY RICHARD L. HANSEN, LS-382, AND DATED OCTOBER 14, 2002; THENCE ALONG THE NORTHERLY LINE OF SAID SURVEYED 8.02 ACRE TRACT OF LAND AS FOLLOWS: NORTH 89°48'53" WEST A DISTANCE OF 567.77 FEET TO AN IRON FOUND; THENCE NORTH 00°29'19" WEST A DISTANCE OF 110.78 FEET TO AN IRON FOUND AT THE SOUTHEAST CORNER OF A 3.71 ACRE TRACT AS SURVEYED BY JOE P. NEARY, LS-22, AND DATED OCTOBER 30, 1978; THENCE DEPARTING SAID SURVEYED NORTHERLY LINE AND ALONG THE EASTERLY LINE OF SAID 3.71 ACRE TRACT; THENCE NORTH 00°13'52" EAST A DISTANCE OF 773.61 FEET TO THE NORTHEAST CORNER OF SAID 3.71 ACRE TRACT OF LAND, SAID POINT LYING ON THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH 89°30'18" EAST ALONG SAID NORTHERLY QUARTER QUARTER SECTION LINE A DISTANCE OF 572.58 FEET TO THE POINT OF THE BEGINNING.

(PARCEL A)

(EXHIBIT A)

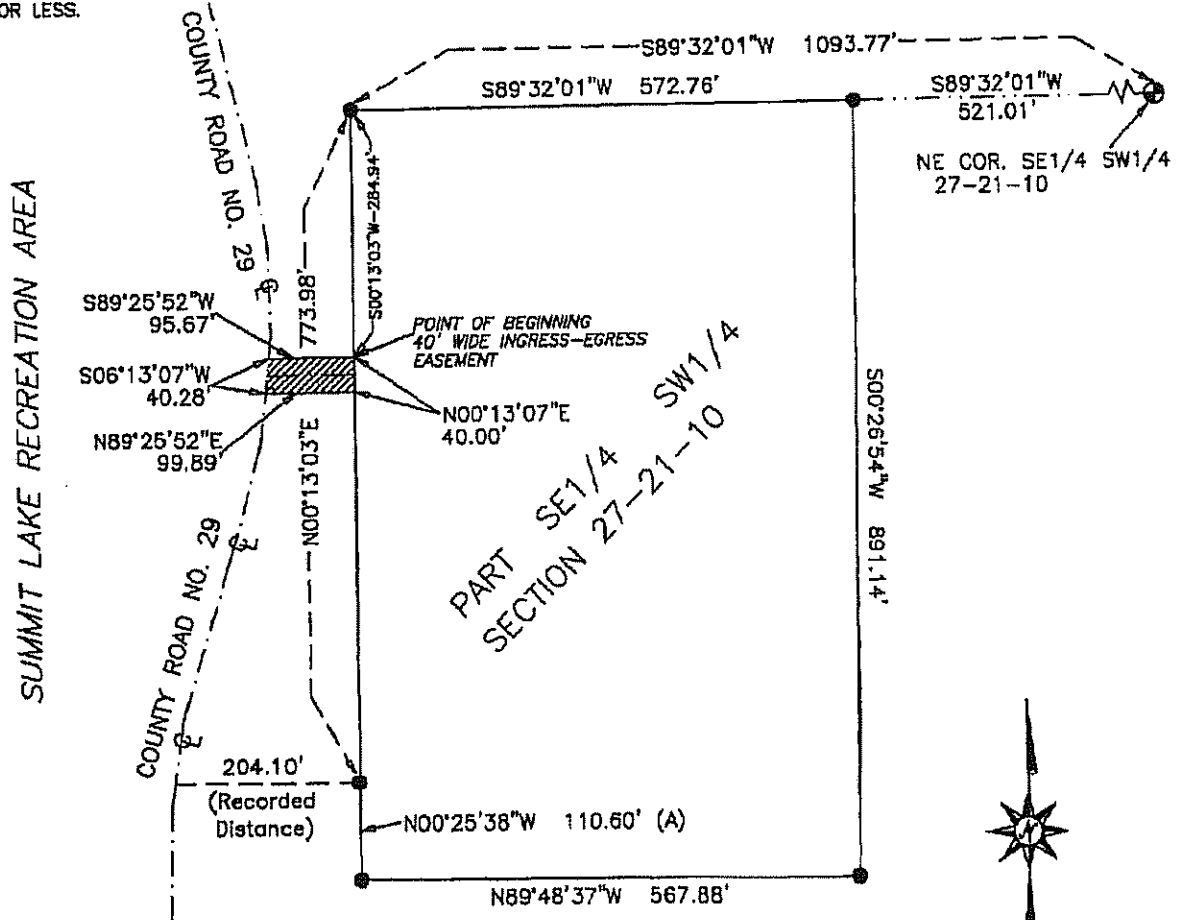
TRACT LOCATED IN THE SE ¼ SW ¼ SECTION 27, TOWNSHIP 21N, RANGE 10E OF THE 6TH P.M., BURT COUNTY, NEBRASKA, COMMENCING AT THE NORTHWEST CORNER OF THE SE ¼ SW ¼ OF SECTION 27-21-10; THENCE NORTH 89°48'35" EAST ON THE NORTH LINE OF SAID SE ¼ SW ¼ A DISTANCE OF 213.72'; THENCE SOUTH 0°33'02" WEST A DISTANCE OF 774.3'; THENCE NORTH 89°29'58" WEST A DISTANCE OF 204.31' TO THE WEST LINE OF SAID SE ¼ SW ¼; THENCE NORTH 0°08'48" WEST A DISTANCE OF 771.77' TO THE POINT OF BEGINNING AND CONTAINING 3.71 ACRES, MORE OR LESS.

(PARCEL B)

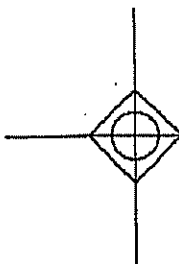
(EXHIBIT B)

PROPOSED INGRESS-EGRESS EASEMENT PART SE1/4 SW1/4, SEC. 27-21-10 BURT COUNTY, NEBRASKA

40-FOOT WIDE PROPOSED INGRESS-EGRESS EASEMENT:
PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 27, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE 6TH P.M., BURT COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE S89°32'01"W (AN ASSUMED BEARING RELATIVE TO ALL BEARINGS CONTAINED HEREIN) ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1093.77 FEET; THENCE S00°13'03"W A DISTANCE OF 284.94 FEET ALONG THE EAST LINE OF THE SUMMIT LAKE RECREATION PROPERTY TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE S89°25'52"W A DISTANCE OF 95.67 FEET TO THE EXISTING CENTERLINE OF COUNTY ROAD NO. 29; THENCE ALONG SAID CENTERLINE S00°13'07"W A DISTANCE OF 40.28 FEET; THENCE N89°25'52"E A DISTANCE OF 99.89 FEET; THENCE N00°13'07"E A DISTANCE OF 40.00 FEET ALONG THE EAST LINE OF THE SUMMIT LAKE RECREATION PROPERTY TO THE POINT OF BEGINNING. SAID TOTAL EASEMENT CONTAINS 3,911 SQUARE FEET, MORE OR LESS.



EASEMENT PREPARED FOR:
JEFF BLAIR
BLAIR PLUMBING
1665 STATE STREET
BLAIR, NE 68008



Tinkham Land Surveying, Inc.

9910 NORTH 48TH STREET, SUITE 208

OMAHA, NE 68152-1548

TELEPHONE (402) 451-2088

PROJECT NUMBER 080085

DATE 05/27/08

EXHIBIT C

05/16/2008 11:53

402-426-9166

BLAIR ABSTRACT/CLOSIN

PAGE 01

Blair Abstract & Title Co.
Serving Washington County Since 1925

TITLE OFFICE
1904 SOUTH STREET, Suite 107
BLAIR, NE 68008
PHONE: (402) 426-4844
FAX: (402) 426-4811
DAVID O'HANLON, MANAGER

CLOSING OFFICE
706 SOUTH 19TH STREET
BLAIR, NE 68008
PHONE: (402) 426-9191
FAX: (402) 426-8166
TAMI JOHNSON, MANAGER

FAX COVER SHEETDate 5/16Time 11:31TO: Mark BubakFAX Number: 384-9799

DEPT: _____

FROM: Tami Johnson

Comments: title comt Jeff BlawNumber of pages including cover page 5

Galea Wagon
Galea + Poles

Summit Lake
1st Floor
of Park
Block

→ Built to Power Power
371-2631

PAUL SUPER
- FT. ATKINSON

685-5611

JULIE SHADER

→ GARY FINKLE
451-2088

→ BACK OUT, TO SUCCEEDS
↳

05/16/2008 11:53 402-425-9166

BLAIR ABSTRACT/CLOSIN

PAGE 02

ALTA Commitment Form
Schedule A

PREMIUM:
Owner's Policy \$347.50
Loan Policy 75.00
\$422.50

SCHEDULE A

1. Effective date: May 12, 2008 at 8:00 o'clock A.M. Commitment Number: AMT-3386

2. Policy or Policies to be issued: Amount of Insurance

(a) ALTA 2006 Owner's Policy: \$ 80,000.00

Proposed Insured: JEFFREY K. BLAIR and ANGELA BLAIR, husband and wife.

(b) ALTA 2006 Loan Policy: \$ To Be Determined
Not to exceed \$80,000.00

Proposed Insured: TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment is:

fee simple

4. Title to the real estate or interest in the land is at the Effective Date vested in:

^AC. LLOYD KJELDGARD and ^AKEITH L. KJELDGARD, father and son, as joint tenants
(Deed Book 77, Page 616)

5. The land referred to in this Commitment is described as follows:

SEE EXHIBIT "A" attached hereto and by this reference made a part hereof.

SCHEDULE B**Commitment Number: AMT-3386****Section 1 Requirements:**

Payment to or for the account of the grantors or mortgagors of the full consideration for the real estate or interest, mortgage or lien to be issued.

Instruments in insurable form which must be executed, delivered, and duly filed for record:

1. If Verna Kjeldgard is deceased then need death certificate filed for record and indexed on subject property. If she is not deceased then other requirements will be made.
2. Need deed from C. Lloyd Kjeldgard and spouse, if any, and Keith L. Kjeldgard and spouse if any, to Jeffrey K. Blair and Angela Blair, husband and wife, conveying the property described in Schedule A, Item 5; said deed to be filed for record.
3. Need execution of deed of trust from Jeffrey K. Blair and Angela Blair, husband and wife, to lender to be determined; said deed of trust to be filed for record.
4. Need execution of attached affidavit. Upon execution said affidavit to be returned to Blair Abstract & Title Company.
5. If endorsements are required by lender additional charges will be made for said endorsements.

05/16/2008 11:53

402-425-9166

BLAIR ABSTRACT/CLOSIN

PAGE 04

AMT-3386

Section 2 Exceptions

Schedule B of the policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession, not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished; imposed by law and not shown by the public records.
6. Community property, dower, courtesy, survivorship, or homestead rights, if any, of any spouse of the insured.
7. Any titles or rights asserted by anyone including but not limited to persons, corporations, governments or other entities, to tide lands, or lands comprising the shores or bottoms of navigable rivers, lakes, bays, ocean or gulf, or lands beyond the line of the harbor or bulkhead lines as established or changed by the United States Government or water rights, if any.
8. Reservation contained in Patent from the United States of America of State where the land described in Schedule A is located.
9. Restrictive covenants affecting the property described in Schedule A.
10. Taxes for the year 2008 and thereafter.
11. TAXES: Parcel No. 434900900 - 2007 taxes in the amount of \$488.84 and all prior taxes shown paid.
12. RESERVATION contained in Deed recorded March 13, 1943 in Deed Book 33, Page 343 and in Deed recorded April 26, 1952 in Deed Book 38, Page 363 and in Deed recorded May 7, 1964 in Deed Book 45, Page 168. Reserved to the Prudential Insurance Company of America, its successors and assigns, an undivided one-half of oil, gas and minerals on place in, on or under said land together with the right to enter upon, prospect for, mine, remove or take away the same in accordance with the customs of the industry for handling such products so reserved.
13. EASEMENT recorded June 10, 1959 in Misc. Book 19, Page 629. Grants an easement to Omaha Public Power District, its successors and assigns, to construct, operate and maintain its high voltage electric transmission line on a portion of the SE ¼ SW ¼ in 27-21-10. It cannot be ascertained whether this easement affects or crosses subject property.
14. There is no public access to subject property and as such said lack of public access is an exception to title.

Paul H. Bubak
Gina Wagner
We Brown Book

11.63
acres

- Total 11.63 acres

05/16/2008 11:53

402-426-9166

BLAIR ABSTRACT/CLOSIN

PAGE 05

Part of the Southeast Quarter of the Southwest Quarter of Section 27, Township 21 North, Range 10, East of the 6th P.M., Burt County, Nebraska, and more particularly described as follows:

From an iron found at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 27, Township 21 North, Range 10, East; thence South 89°30'18" West (assumed bearing) along the Northerly line of said Southeast Quarter of the Southwest Quarter a distance of 521.01 feet to the Point of Beginning; thence South 00°26'564" West a distance of 891.19 feet to an iron found at the Northeast corner of a 8.02 acre tract of land, as surveyed by Richard L. Hansen, LS-382, and dated October 14, 2002; thence along the Northerly line of said surveyed 8.02 acre tract of land as follows: North 89°48'53" West a distance of 567.77 feet to an iron found; thence North 00°29'19" West a distance of 110.78 feet to an iron found at the Southeast corner of a 3.71 acre tract as surveyed by Joe P. Neary, LS-22, and dated October 30, 1978; thence departing said surveyed Northerly line and along the Easterly line of said 3.71 acre tract; thence North 00°13'52" East a distance of 773.61 feet to the Northeast corner of said 3.71 acre tract of land, said point lying on the Northerly line of the Southeast Quarter of the Southwest Quarter of said Section 27; thence North 89°30'18" East along said Northerly Quarter Quarter section line a distance of 572.58 feet to the point of beginning.

EXHIBIT "A"

06/02/2020 09:00

4023742956

BURTCOCLERK

PAGE 01

IN THE COUNTY COURT OF BURT COUNTY, NEBRASKA

✓ MIDDLE MISSOURI TRIBS NATURAL
RESOURCES DISTRICT,

Plaintiff, (condemner)

Case No. C2-447

vs.

C. LLOYD KJELDGAARD and VERNA
KJELDGAARD,

Defendants, (condemnees)

REPORT OF
APPRAISERS

FILE

NOV 30 1978

COUNTY COURT
BURT COUNTY, NE

Now on this 30 day of November, 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" dated November 2, 1978.

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 hereinafter specified sought to be taken and also any other property of the condemnees damaged thereby and heard all parties interested therein to the amount of damages while so inspecting and viewing the property. Those appearing were:

C. Lloyd Kjeldgaard

4. Said appraisers did meet on the 29 day of November 1978, at nine o'clock a.m., to assess the damages that the

659

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BURTCLERK

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condemnees sustained by the taking of the hereinafter specified property by the condemner, at which time said appraiser did receive evidence relative to the amount of damages that will be sustained by the owner of said real estate. Those who appeared were:

C. Lloyd Kjeldgaard

5. The amount of damages that will be sustained by the owner of the real estate by reason of the taking thereof for the purposes set out in the Petition is as hereinafter found and assessed.

NOW therefore, the appraisers do hereby find and assess the damages to:

--Tract located in the SE 1/4 SW 1/4 Section 27, Township 21N, Range 10E of the 6th P.M., Burt County, Nebraska, commencing at the Northwest corner of the SE 1/4 SW 1/4 of Section 27-21-10; thence North 89°48'35" East on the North line of said SE 1/4 SW 1/4 a distance of 774.3'; thence South 0°33'02" West a distance of 213.72'; thence North 89°29'58" West a distance of 204.31' to the West line of said SE 1/4 SW 1/4; thence North 0°08'48" West a distance of 771.77' to the point of beginning and containing 3.71 acres, more or less--

that will be suffered by the reason of the taking for the purposes set out in the Petition by the condemner is as follows:

\$3710.00

at 2:52 P.M. in Min. Book 29 Page 654-660 Burt County, Nebraska

5654

FILED

1979 JAN 24 PM 2:52

A. DALE FRENCH
COUNTY CLERK



Appraisers:

R. E. Robertson

Simon Hapwell

STATE OF NEBRASKA
BURT COUNTY

I, Mary Moore, Associate County Judge of said County hereby certify that the above and foregoing is a true and correct copy of the original now of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this 30th day of November, A. D. 1978

Mary Moore
Associate County Judge

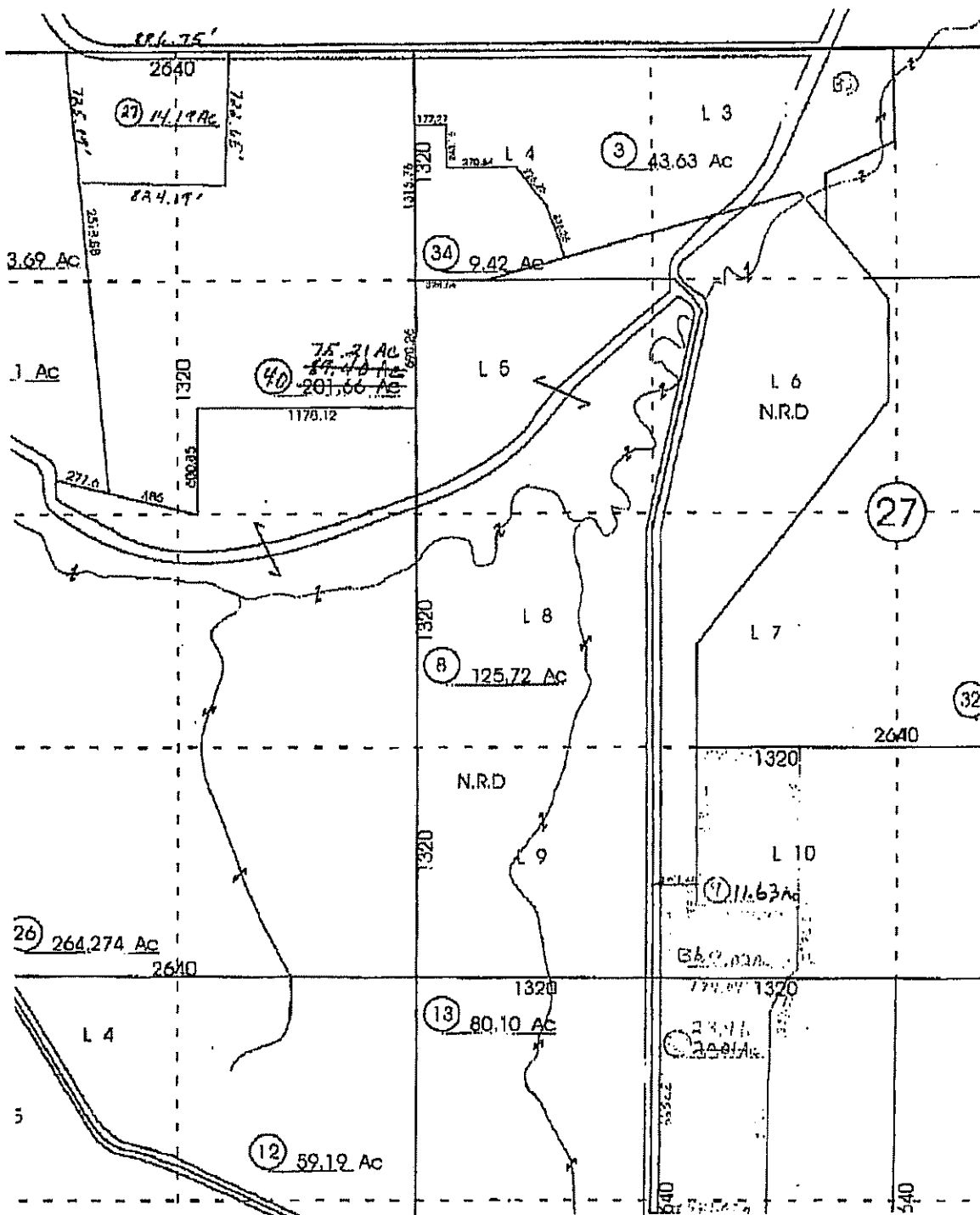
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BURTCDCLERK

PAGE 83

Book 3 Page 46



06/02/2008 09:08 4023742956

BURTCOOLERK

PAGE 84

AGREEMENT

WHEREAS, the governing body of Summit Township, in the County of Burt County Nebraska, a political subdivision of the State of Nebraska, is responsible for the continued construction, operation and maintenance of the Township roads as designated on the attached Map I; and

WHEREAS, the Middle Missouri Tribs Natural Resources District is considering the construction of a multi purpose flood water detention structure designated as Structure 5-A of the Tekamah-Mud Creek Watershed, and said structure will be constructed and back water across three (3) Township roads; and

WHEREAS, the Middle Missouri Tribs Natural Resources District has the permission of the Summit Township to relocate and abandon said Township roads as shown on Map II attached hereto and incorporated herein by reference, and has obtained lane rights in connection with said Structure 5-A for said purposes.

NOW, THEREFORE, in consideration of the benefit to accrue to said lands and the covenants, conditions, and agreements herein contained, the Summit Township hereby agrees that the District shall construct the roads outlined on Map II covered by at least two (2) inches of gravel and equal to or exceeding State of Nebraska Minimum Design Standards of the Board of Public Roads and Classification and Standards for RQA-1, other arterial type roads.

It is further understood that immediately upon completion of said road work by the District the Township will continue to operate the roads as normal.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed in duplicate.

COUNTY OF BURT COUNTY NEBRASKA
SUMMIT TOWNSHIP

By: Eugene ChamberlainTitle: ChairmanBy: Paul J. Hansen

MIDDLE MISSOURI TRIBE NATURAL RESOURCES
DISTRICT

By: Vincent J. ThompsonTitle: By: Robert M. Malinberg

Secretary

06/02/2028 09:08

4823742956

BURTCOCLERK

PAGE 05

STATE OF NEBRASKA)

COUNTY OF

SS:

On this 20th day of December, 1977, before me, a Notary Public in and for said County and State, personally came the above named Ernest Mandelstein, Esq. of County of Burt Count Summit Township, known to me to be the identical person who signed foregoing instrument and who acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of Summit Township.

WITNESS my hand and notarial seal the day and year last above written.



Richard M. Nelson
NOTARY PUBLIC

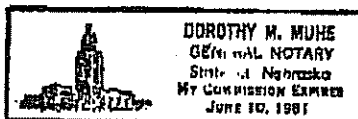
STATE OF NEBRASKA)

COUNTY OF Thurston

SS:

On this 22nd day of December, 1977, before me, a Notary Public in and for said County and State, personally came the above named Vincent J. Krappner, Chairman of Middle Missouri Tribes Natural Resources District, known to me to be the identical person who signed the foregoing instrument and who acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of Middle Missouri Tribes Natural Resources District.

WITNESS my hand and notarial seal the day and year last above written.



Dorothy M. Muhs
NOTARY PUBLIC

1978 JAN 23 1:03:27
A. DALE FRENCH
COUNTY CLERK

5673

Recorded 1-29-79 at 8:27 AM in Misc. Book 29 Page 674 - Burt County, Nebraska
674

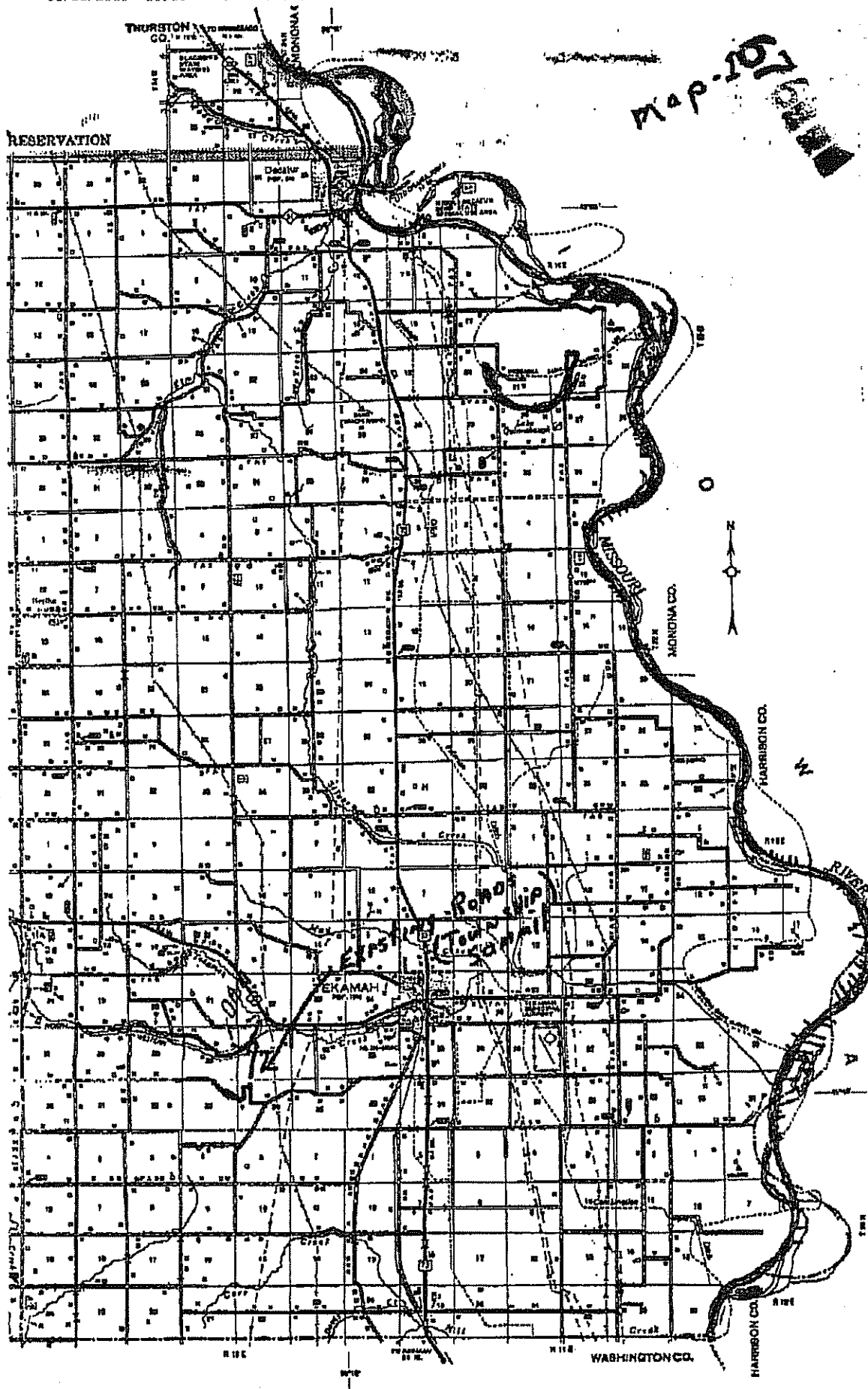
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06/02/2020 09:08

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BURT COCLERK

PAGE 06

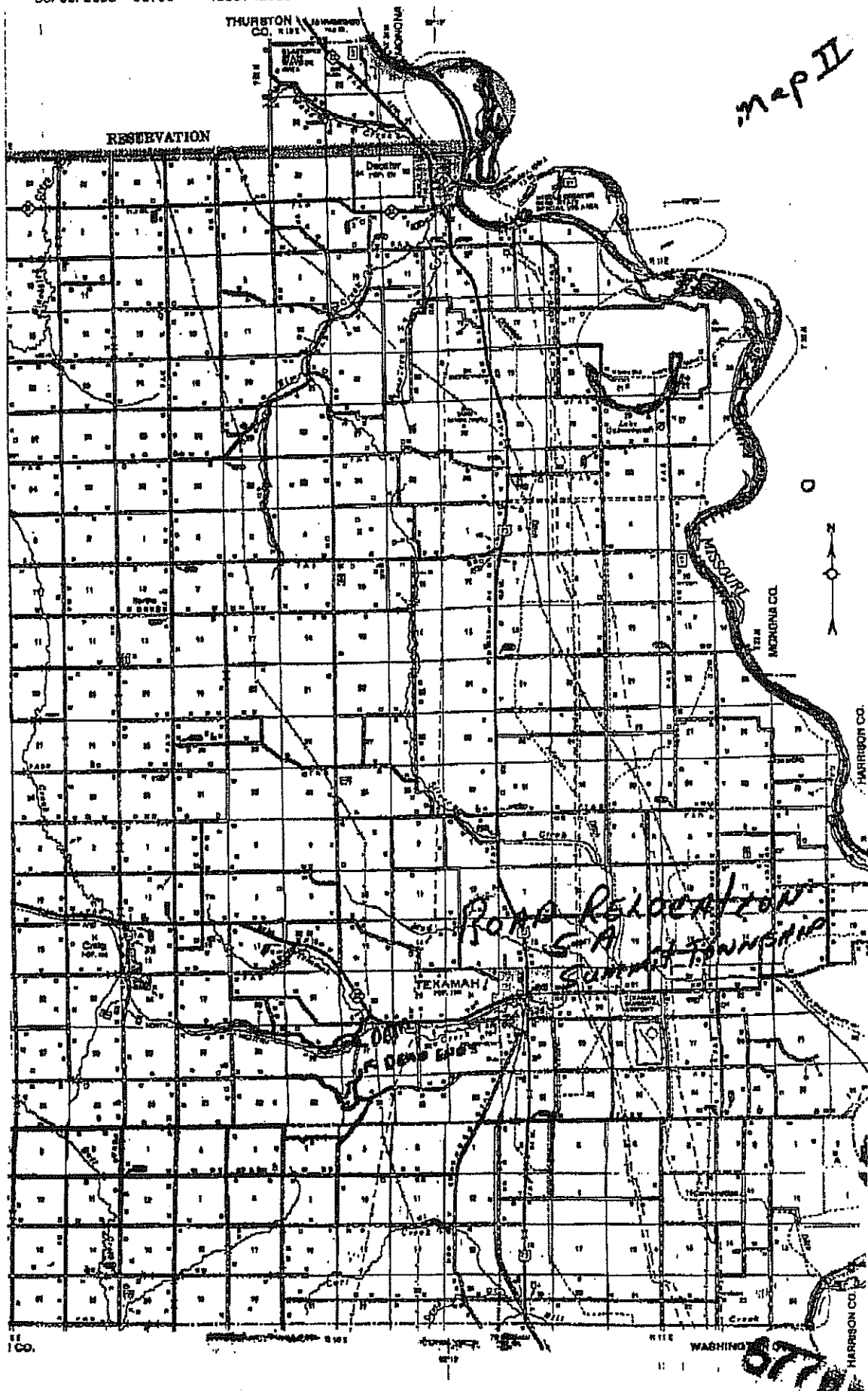


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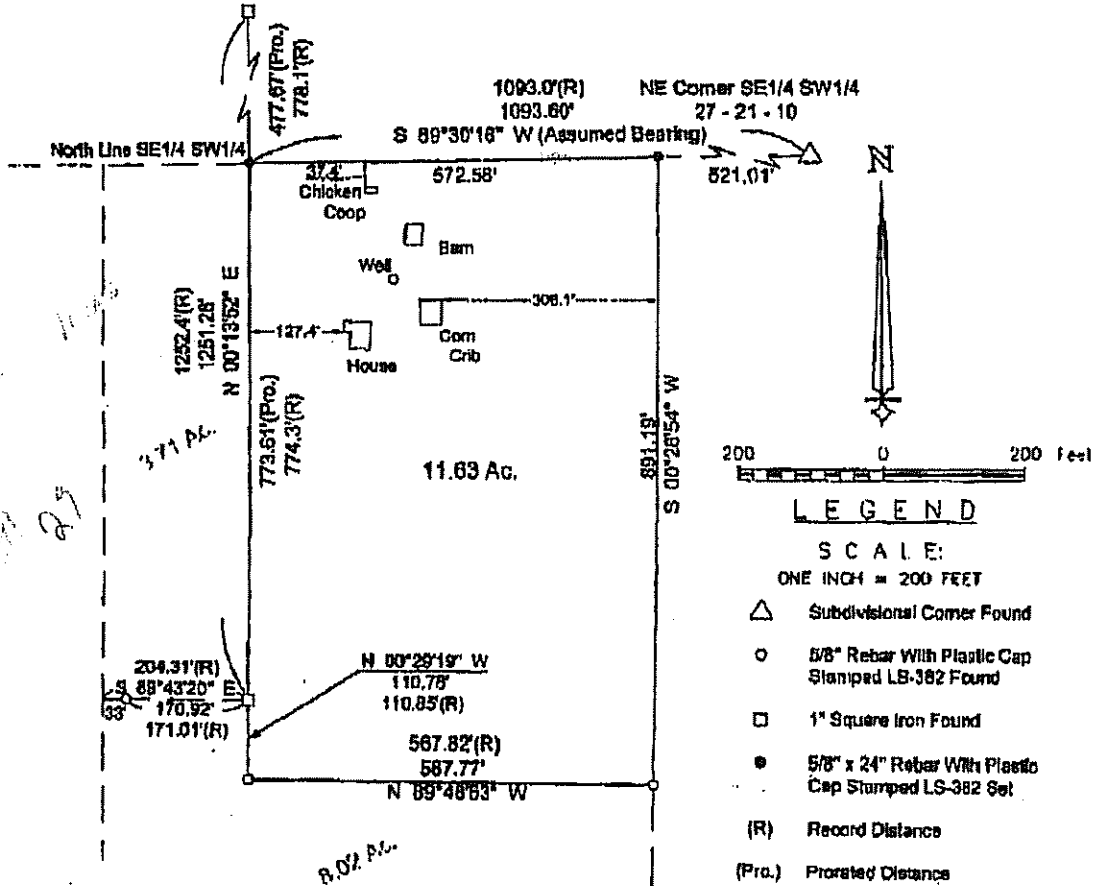
BURT COOLCERK

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LAND SURVEYOR'S CERTIFICATE**LEGAL DESCRIPTION:**

Part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 21 North, Range 10 East of the 6th Principal Meridian, Burt County, Nebraska and more particularly described as follows:

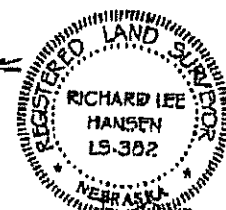
From an iron found at the northeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 21 North, Range 10 East; thence S 89°30'18" W (assumed bearing) along the northerly line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ a distance of 521.01 feet to the Point of Beginning; thence S 00°28'54" W a distance of 891.19 feet to an iron found at the northeast corner of a 8.02 acre tract of land, as surveyed by Richard L. Hansen, LS-382, and dated October 14, 2002; thence along the northerly line of said surveyed 8.02 acre tract of land as follows: N 89°48'53" W a distance of 567.77 feet to an iron found; thence N 00°29'19" W a distance of 110.78 feet to an iron found at the southeast corner of a 3.71 acre tract as surveyed by Joe P. Neary, LS-22, and dated October 30, 1978; thence departing said surveyed northerly line and along the easterly line of said 3.71 acre tract; thence N 00°13'52" E a distance of 773.61 feet to the northeast corner of said 3.71 acre tract of land, said point lying on the northerly line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence N 89°30'18" E along said northerly 1/4 1/4 section line a distance of 572.58 feet to the Point of Beginning and containing 11.63 acres, more or less.

**SURVEYOR'S CERTIFICATION:**

I hereby certify that the survey shown and described hereon was made under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Richard L. Hansen
Richard L. Hansen

Registered Land Surveyor
Registration No. LS-382
Date: June 24, 2003
Client: Lloyd Kjeidgaard
Job No.: 03-082



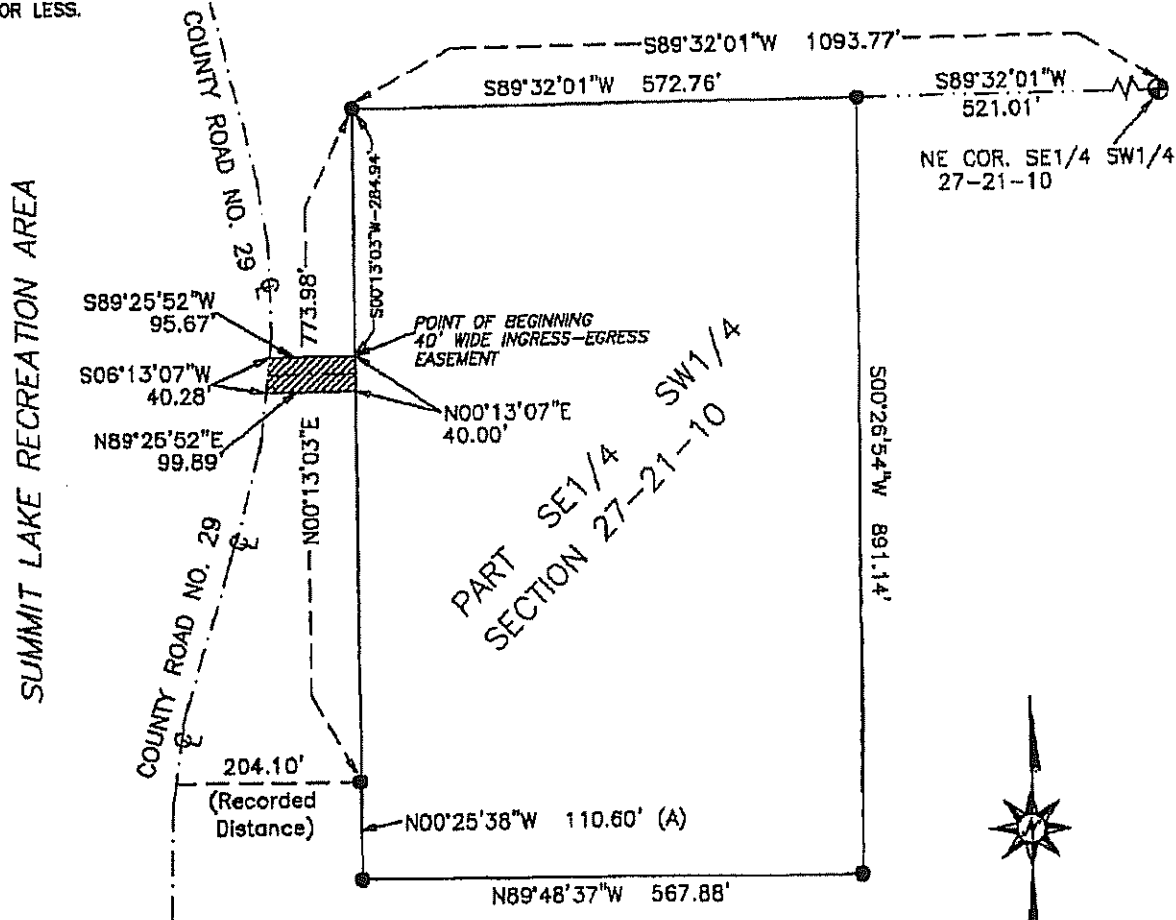
TIE TO SUBDIVISIONAL CORNER:
A Northeast Corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27-21-10
FOUND 1" SQUARE BOLT BURIED 0.2'
1.5' N to east-west fence line
10.28' ENE to "x" nails in fence post
18.53' WNW to "x" nails in fence post

B E S C O		BLANK ENGINEERING & SURVEYING CO., INC. 976 20TH ST., P.O. BOX 100 BLAIR, NEBRASKA 68009-0100 (402) 478-7444	
JOB NO.	03-082	FILE NO.	4823742956
DATE		DATE	

451-2088 PA1

PROPOSED INGRESS-EGRESS EASEMENT PART SE1/4 SW1/4, SEC. 27-21-10 BURT COUNTY, NEBRASKA

40-FOOT WIDE PROPOSED INGRESS-EGRESS EASEMENT:
PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 27, TOWNSHIP 21 NORTH, RANGE 10 EAST OF THE 6TH P.M., BURT COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE S89°32'01"W (AN ASSUMED BEARING RELATIVE TO ALL BEARINGS CONTAINED HEREIN) ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1093.77 FEET; THENCE S00°13'03"W A DISTANCE OF 284.94 FEET ALONG THE EAST LINE OF THE SUMMIT LAKE RECREATION PROPERTY TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE S89°25'52"W A DISTANCE OF 95.67 FEET TO THE EXISTING CENTERLINE OF COUNTY ROAD NO. 29; THENCE ALONG SAID CENTERLINE S00°13'07"W A DISTANCE OF 40.28 FEET; THENCE N89°25'52"E A DISTANCE OF 99.89 FEET; THENCE N00°13'07"E A DISTANCE OF 40.00 FEET ALONG THE EAST LINE OF THE SUMMIT LAKE RECREATION PROPERTY TO THE POINT OF BEGINNING. SAID TOTAL EASEMENT CONTAINS 3,911 SQUARE FEET, MORE OR LESS.



EASEMENT PREPARED FOR:
JEFF BLAIR
BLAIR PLUMBING
1665 STATE STREET
BLAIR, NE 68008



Tinkham Land Surveying, Inc.

9910 NORTH 48TH STREET, SUITE 208

OMAHA, NE 68152-1548

TELEPHONE (402) 451-2088

PROJECT NUMBER 080085

DATE 05/27/08

EXHIBIT C