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 Tribs 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.
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 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 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 SW1/4 SECTION 27, TOWNSHIP 21N,
RANGE 10E OF THE 6TH P.M., BURT COUNTY, NEBRASKA, COMMENCING
AT THE NORTHWEST CORNER OF THE SE1/4 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 8TH 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°13'07"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. 28; THENCE ALONG SAID CENTERLINE S00°13'07"W A DISTANCE OF 40.26 FEET; THENCE
N89°25'52"E A DISTANCE OF 98.89 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.

Tinkham Land Surveying, Inc.
9910 NORTH 48TH STREET, SUITE 208
OMAHA, NE 68152-1548
TELEPHONE (402) 451-2088
EXHIBIT C
Blair Abstract & Title Co.
Serving Washington County Since 1925

TITLE OFFICE
1004 SOUTH STREET, SUITE 107
BLAIR, NE 68008
PHONE: (402) 426-4844
FAX: (402) 426-4311
DANIEL O'CONNOR, MANAGER

Closing Office
706 SOUTH 19th STREET
BLAIR, NE 68008
PHONE: (402) 426-4111
FAX: (402) 426-8500
TAMMY JOHNSON, MANAGER

FAX COVER SHEET

Date 5/16
Time 11:31
TO: Mark Bubak
FAX Number: 384-9799
DEPT:
FROM: Tami Johnson
Comments: title cont. Jeff Bubak

Number of pages including cover page 5

[Handwritten annotations]
- Blair to Pup Power 3711, 2631
- Park St, St. Atchison - 7
- 685-5611
- Summit Lake
- 451-2088
- 121st Place S
- 9th Place S
- 121st Place N
- 9th Place N
- 20th Place
- Back Out To Success
- 6
ALTA Commitment Form
Schedule A

PREMIUM:
- Owner's Policy $347.50
- Loan Policy $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:
   (a) ALTA 2006 Owner's Policy:
       Amount of Insurance
       $ 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:

   C. LLOYD KJELDGARD and KEITH 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 mortgagees 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 Kjeldgaard 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 Kjeldgaard and spouse, if any, and Keith L. Kjeldgaard 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.
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.

TAXES: Parcel No. 434900900 – 2007 taxes in the amount of $488.84 and all prior taxes shown paid.

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.

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.

There is no public access to subject property and as such said lack of public access is an exception to title.
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 Northernly 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 Northernly 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 Northernly 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 Northernly line of the Southeast Quarter of the Southwest Quarter of said Section 27; thence North 89°30'18" East along said Northernly Quarter Quarter section line a distance of 572.58 feet to the point of beginning.

EXHIBIT "A"
IN THE COUNTY COURT OF BURT COUNTY, NEBRASKA

MIDDLE MISSOURI TRIBS NATURAL RESOURCES DISTRICT,

Plaintiff, (condemnor)

vs.

C. LLOYD KJELDGAARD and Verna Kjeldgaard,

Defendants, (condemnees)

Case No. C2-447

REPORT OF APPRAISERS

FILED

NOV 30 1971

COUNTY COURT
BURT COUNTY, NE

Now on this 30 day of November 1971, 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, 1971.

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
condemnees sustained by the taking of the hereinafter specified property by the condemnor 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°08'35" East 213.72'; thence South 08°33'02" West a distance of 771.31'; 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 08°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 condemnor is as follows:

$3710.00

$5654

Appraisers:

R. K. Robertson

Simon Hageman

James L. Cooper

STATE OF NEBRASKA

BURT COUNTY

County Judge A.D. 19.76

Associate County Judge

A. DALE FRENCH
COUNTY CLERK

COUNTY CLERK
BURT COUNTY
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 Tribes 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 Tribes 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 said right 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 NCR-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: [Signature]
Title: [Title]

By: [Signature]
Title: [Title]

MIDDLE MISSOURI TRIBES NATURAL RESOURCES DISTRICT

By: [Signature]
Title: [Title]

By: [Signature]
Secretary
STATE OF NEBRASKA)
    ) SS:
    ) COUNTY OF

On this 30th day of December, 1974, before me, a Notary Public in and for said County and State, personally came the above named Vincent J. Kramper, Chairman of Middle Missouri Tribs 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 Tribs Natural Resources District.

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

[Signature]
NOTARY PUBLIC

STATE OF NEBRASKA)
    ) SS:
    ) COUNTY OF

On this 30th day of December, 1974, before me, a Notary Public in and for said County and State, personally came the above named Vincent J. Kramper, Chairmen of Middle Missouri Tribs 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 Tribs Natural Resources District.

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

[Signature]
NOTARY PUBLIC
LEGAL DESCRIPTION:
Part of the SE1/4 of the SW1/4 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 SE1/4 of the SW1/4 of Section 27, Township 21 North, Range 10 East, thence S 89°30'18" W (assumed bearing) along the northerly line of said SE1/4 a distance of 521.01 feet to the Point of Beginning; thence S 60°28'54" W a distance of 691.19 feet to an iron found at the northeast corner of a 6.02 acre tract of land, as surveyed by Richard L. Hansen, LS-392, and dated October 14, 2002; thence along the northerly line of said surveyed 6.02 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 southwest corner of a 3.71 acre tract as surveyed by Joe P. Neary, LS-392, and dated October 30, 1978; thence departing said surveyed northerly line and along the easterly line of said 3.71 acre tract; thence N 09°16'24" 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 SE1/4 of the SW1/4 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.

[Signature]
Richard L. Hansen
Registered Land Surveyor
Registration No. LS-392
Date: June 24, 2003
Client: Lloyd Kjeldgaard
Job No.: 03-002

[Diagram of land survey with various points and distances labeled]
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 HERIN) ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1093.77 FEET; THENCE S00°13'07"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 40.26 FEET; THENCE N89°22'52"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.

Tinkham Land Surveying, Inc.
9910 NORTH 48TH STREET, SUITE 208
OMAHA, NE 68152-1548

PROJECT NUMBER 080085
DATE 05/27/08

EXHIBIT C