

BOOK **754** PAGE **401**
RIGHT-OF-WAY EASEMENT

I, William V. Brooks and Jane E. Brooks ^{Owner(s)}
we, William V. Brooks and Jane E. Brooks ^{Owner(s)}
of the real estate described as follows, and hereafter referred to as "Grantor";

That part of Lot 1, Wildwood Addition to the city of Ralston, Douglas County, Nebraska, more particularly described as follows: Beginning at a point on the south line of said Lot 1 that is 300.00 feet east from the Southwest corner of said Lot 1; thence North for 350.24 feet along the east line of a tract of land previously conveyed as recorded in Book 1478, page 403 in the office of the Douglas County Register of Deeds and the extension of said line; thence east for 25.62 feet along the south line of a tract of land previously conveyed as recorded in Book 1558, page 1 in the office of the Douglas County Register of Deeds, said point being the easterly most point of said tract of land previously conveyed thence southwesterly for 644.72 feet along the northeasterly line of said Lot 1 to the easterly most corner of said Lot 1, thence west for 559.53 feet along the south line of said Lot 1 to the point of beginning. Contains 105,057 square feet or 2.412 acres more or less as per plat dimension. Subject to future road widening and easements of record.

in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, referred to as "Grantee", a permanent right of way easement to install, operate, maintain, repair, replace, and renew ~~its electric facilities~~ over, upon, above, along, under, in and across the following described real estate, to wit:

See reverse side hereof for easement area herein granted.

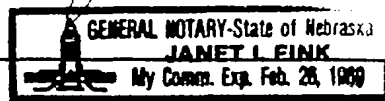
CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least Twelve feet (12').
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (e) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her its/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 23 day of April, 19 85.

Jane E. Brooks
William V. Brooks

Janet L. Fink



X

STATE OF

STATE OF Nebraska

COUNTY OF

COUNTY OF Douglas

On this 11 day of Oct, 1985, before me the undersigned, a Notary Public in and for said County, personally came

On this 23 day of Sept, 1985, before me the undersigned, a Notary Public in and for said County and State, personally appeared

President of

William V Brooks
Jane E. Brooks

personally to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at _____ in said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

Janet L. Fink
NOTARY PUBLIC

My Commission expires: _____

My Commission expires: Feb 26, 1989



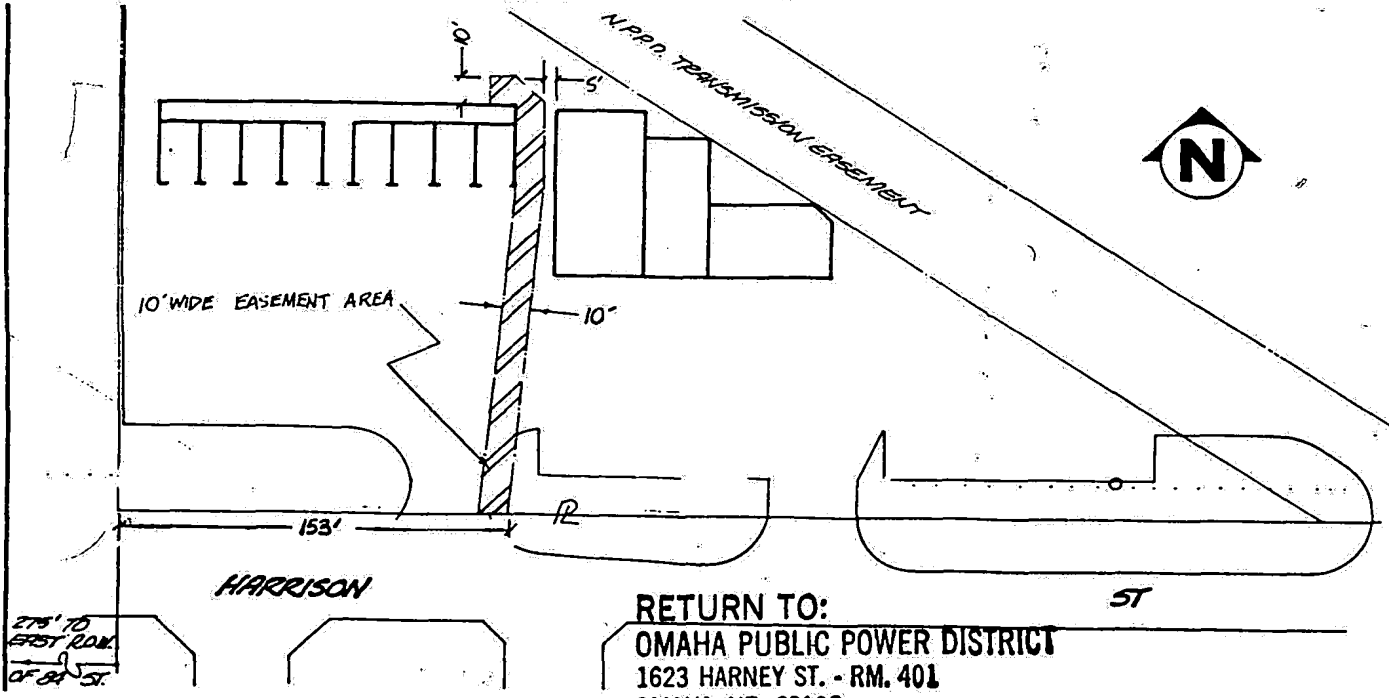
6884 F MISC

RECEIVED

1985 OCT 11 PM 12:47

GEORGE J. W. HANCOCK
REGISTERED CLERK
DODGE COUNTY

BK 754 Del vk N 73-59KP Fee 10.50
PG 401 Indx 171, 176 73-59 MC BC
OF Misc Ccomp AN Comp BT



RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
OMAHA, NE 68102

Distribution Engineer RSA Date 10-10-85 Property Management ELK Date 10/9/85
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section SW 11 Township 14 North, Range 12 East
Salesman Rosales Engineer Rosales Est. # 8501879 W.O. # 3537