



1272 380 MISC



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DEC 1 3 41 PM '98

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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PAGE DOWN FOR BALANCE OF INSTRUMENT

17317
MISSO. N. _____ ML-01338
T. W. Comp. Co. _____
DO. _____ R. N. _____

17317
J

DIST

Doc.# _____

August 20, 1998

RIGHT-OF-WAY EASEMENT

HEARTHSTONE HOMES, INC

Owner(s)

of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Thirty-nine (39) through Forty-four (44), and lot One Hundred Twenty-five (125), Autumn Grove Addition, as surveyed, platted and recorded in Douglas County, Nebraska.

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, hereafter referred to as "District", 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 exhibit on the reverse side.)

CONDITIONS:

Where the District's facilities are constructed the District 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 (16').

The District 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.

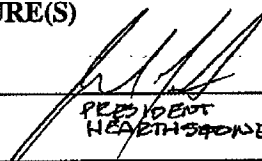
Where the District's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Where the District'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 the District's facilities.

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 Owner(s) have executed this instrument this 20th day of August, 19 98

OWNERS SIGNATURE(S)



PRESIDENT
HEARTHSTONE HOMES, INC

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EP1
444 South 16th Street Mall
Omaha, NE 68102

CORPORATE ACKNOWLEDGMENT

STATE OF

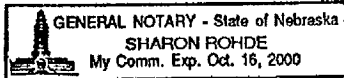
COUNTY OF

On this 20th day of August, 1998, before me the undersigned, a Notary Public in and for said County, personally came JOHN J. SMITH President of HEARTHSTONE HOMES, INC 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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Sharon Rohde

NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

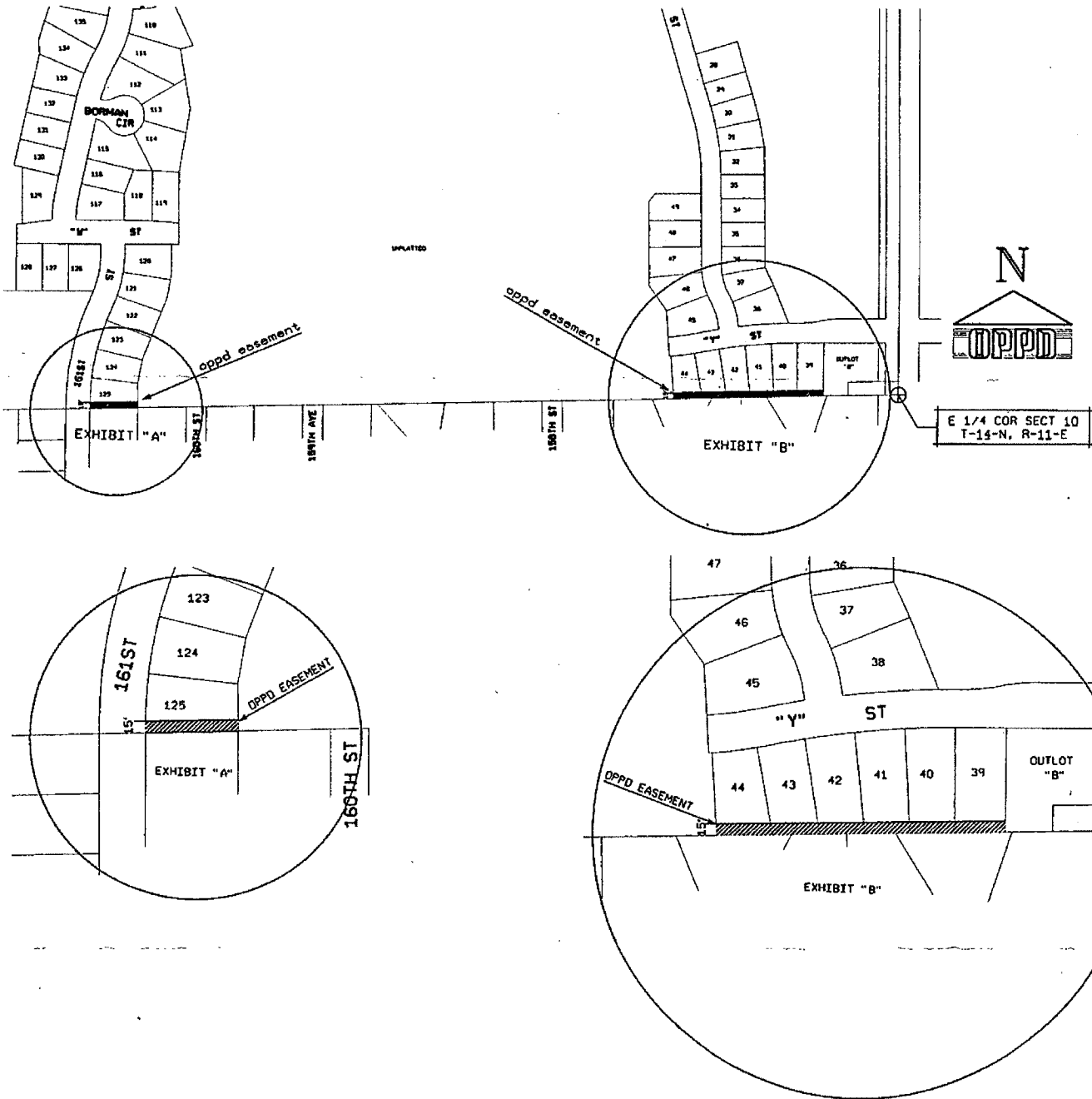
COUNTY OF

On this ___ day of _____, 19___, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____

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

Witness my hand and notarial seal the date above written.

NOTARY PUBLIC



Distribution Engineer _____ Date _____ Property Management _____ Date _____
Section NE 1/4 10 Township 17 North, Range 11 East
Salesman Wilkins Engineer Gabriel Est 980137601 WO # _____



1304 105 MISC



12107 99 105-106

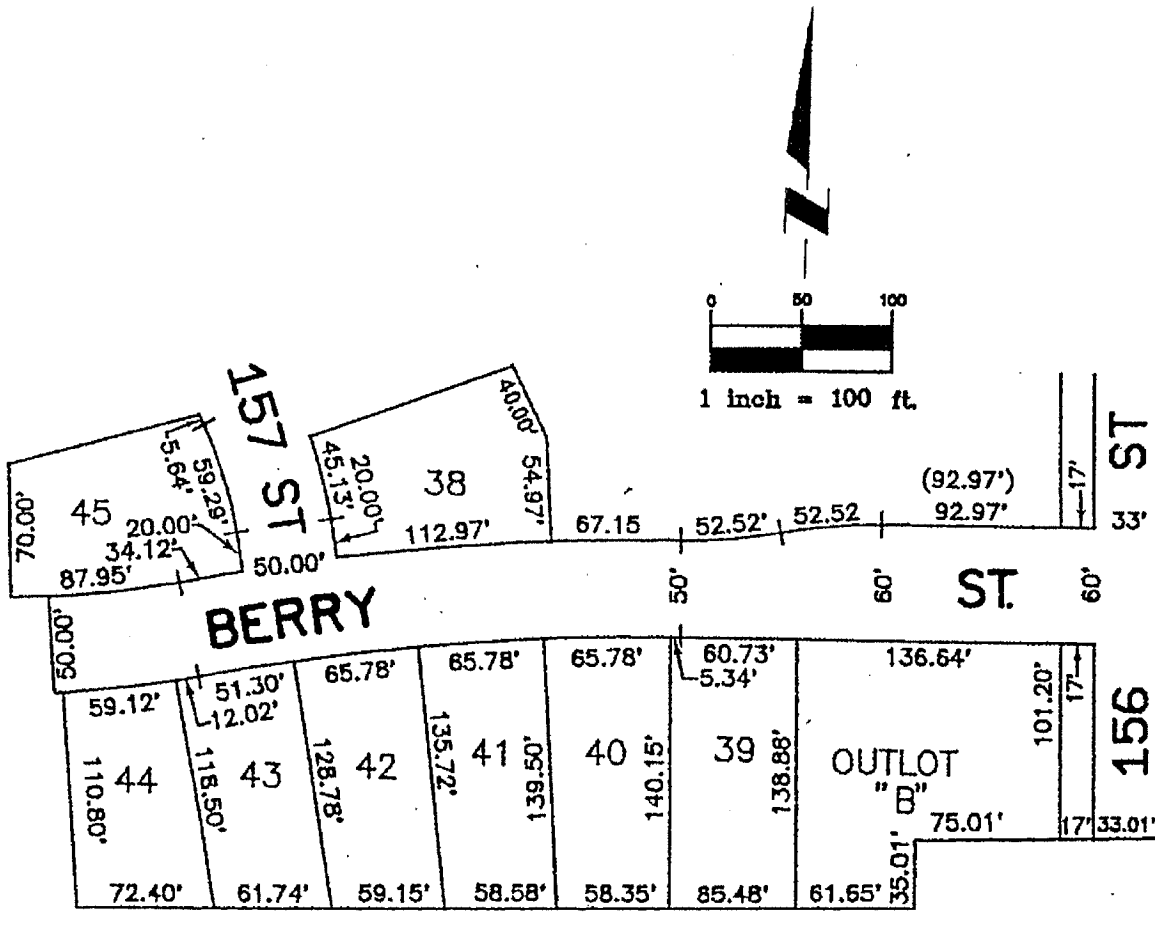
Nebr Doc Stamp Tax
Date
\$
By

RICHARD H. TAKECHI
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NE
 99 AUG 12 PM 12:01
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12107F M-01838
 FEE 14.50 FB _____
 BNP _____ GO _____ COMP _____
 DEL _____ SCAN dc FY _____

RETURN: FREDERICK VAK
City Planning
Room 1100



AFFIDAVIT OF CORRECTION

To correct certain street name adjacent to Lots 38 thru 45 & Outlot "B" inclusive, Autumn Grove, a subdivision located in the NE 1/4 of Section 10, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska.

The Street adjacent to Lots 39, 40, 41, 42, 43, 44, and Lots 38, 45, and Outlot "B", to read Berry Street instead of Y Street.

AFFIDAVIT

Correction to Autumn Grove, a subdivision, located in the NE 1/4 of Section 10, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska.

I Robert Peters, to hereby submit the above drawing in order to correct certain errors of street names adjacent to Lots 38 thru 45, and Outlot "B" inclusive, Autumn Grove, a subdivision located in Douglas County, Nebraska, as recorded in Book 2105, Page 559 of the records in the Register of Deeds Office, Douglas County, Nebraska.

I certify that I am the person responsible for naming the streets for the City of Omaha, that appears on said Autumn Grove, Douglas County, Nebraska.

Robert C. Peters
Robert C. Peters, Acting Planning Director

STATE OF NEBRASKA
COUNTY OF DOUGLAS

On the 12th day of August, 1998, before me a Notary Public, qualified and commissioned in and for said County, personally appeared Robert Peters, who is personally known to me to be the same and identical person whose name is affixed to the above Affidavit, and he acknowledged the signing thereof to be his voluntary act and deed.

Witness my hand and official seal on the date last aforesaid.

Patricia J. Novacek
Notary Public

