



BK 1416 PG 541-542

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE



MISC 2002 00104

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December 3, 2001

Doc.# _____

RIGHT-OF-WAY EASEMENT

PINNACLE FOOD CORPORATION DELAWARE Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

The South 114 feet of Lot 6, Block 72, City of Omaha, 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 with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

See the reverse side hereof for sketch of easement area.

The Grantor hereby grants to the District, its successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip. Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/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 30 day of December, 2001.

OWNERS SIGNATURE(S) *A*

PINNACLE FOOD CORPORATION DELAWARE

BY *Catrina Murray*

Misc
2 FEE 10.50 FB 03-80000
1 BKP _____ C/O _____ COMP
DEL _____ SCAN CR FV _____

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EP1
444 South 16th Street Mall
Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Douglas

On this 20 day of December, 2001, before me the undersigned, a Notary Public in and for said County, personally came Patrick Murray President of Pinnacle Food Corporation 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 — voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Charles W. Hester
NOTARY PUBLIC

