

BK 0947 PG 104



MISC 1990 23096

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

November 13, 1990

RIGHT-OF-WAY EASEMENT

I, GRAND MOTHERS INC. Owner(s)
we, of the real estate described as follows, and hereafter referred to as "Grantor",

PART OF LOT 30 AND ALL OF LOTS 31, 32 AND 33, BLOCK 9, BRIGGS PLACE, AS SURVEYED, PLATTED AND RECORDED IN THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 33, BLOCK 9; THENCE NORTH 90°00'00" WEST (ASSUMED BEARING) ALONG THE SOUTH LINES OF LOTS 30 THRU 33 A DISTANCE OF 156.20 FEET; THENCE NORTH 21°37'43" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SADDLE CREEK ROAD A DISTANCE OF 32.00 FEET; THENCE NORTH 00°57'39" WEST ALONG SAID SADDLE CREEK ROAD RIGHT-OF-WAY A DISTANCE OF 98.40 FEET; THENCE NORTH 89°56'33" EAST ALONG THE NORTH LINE OF LOTS 30 THRU 33, BLOCK 9 A DISTANCE OF 169.10 FEET; THENCE SOUTH 00°14'44" EAST ALONG THE EAST LINE OF SAID LOT 33 A DISTANCE OF 128.31 FEET TO THE POINT OF BEGINNING, CONTAINING 21,412 SQUARE FEET, MORE OR LESS, TOGETHER WITH ALL OF THE VACATED ALLEY ADJOINING SAID LOTS ON THE NORTH.

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 sketch of easement area.

CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantee 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 Grantee 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 Grantee, 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 27th day of November, 1990.

[Signature]
[Signature]

Distribution Engineer RJF Date 11-4-90 Property Management JSR Date 11-29-90
Section NW 20 Township 15 North, Range 13 East
Salesman O'Brien Engineer O'Brien Est. # 900250401 W.O. # 7466

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE REC'D NOV 19 1990

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska
COUNTY OF Douglas

On this 27th day of November, 19 90,
before me the undersigned, a Notary Public in and
for said County, personally came Dean
Rasmussen

President of Grand mothers 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.

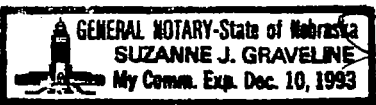
Witness my hand and Notarial Seal at Omaha
Nebraska in said County the day and year
last above written.

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.

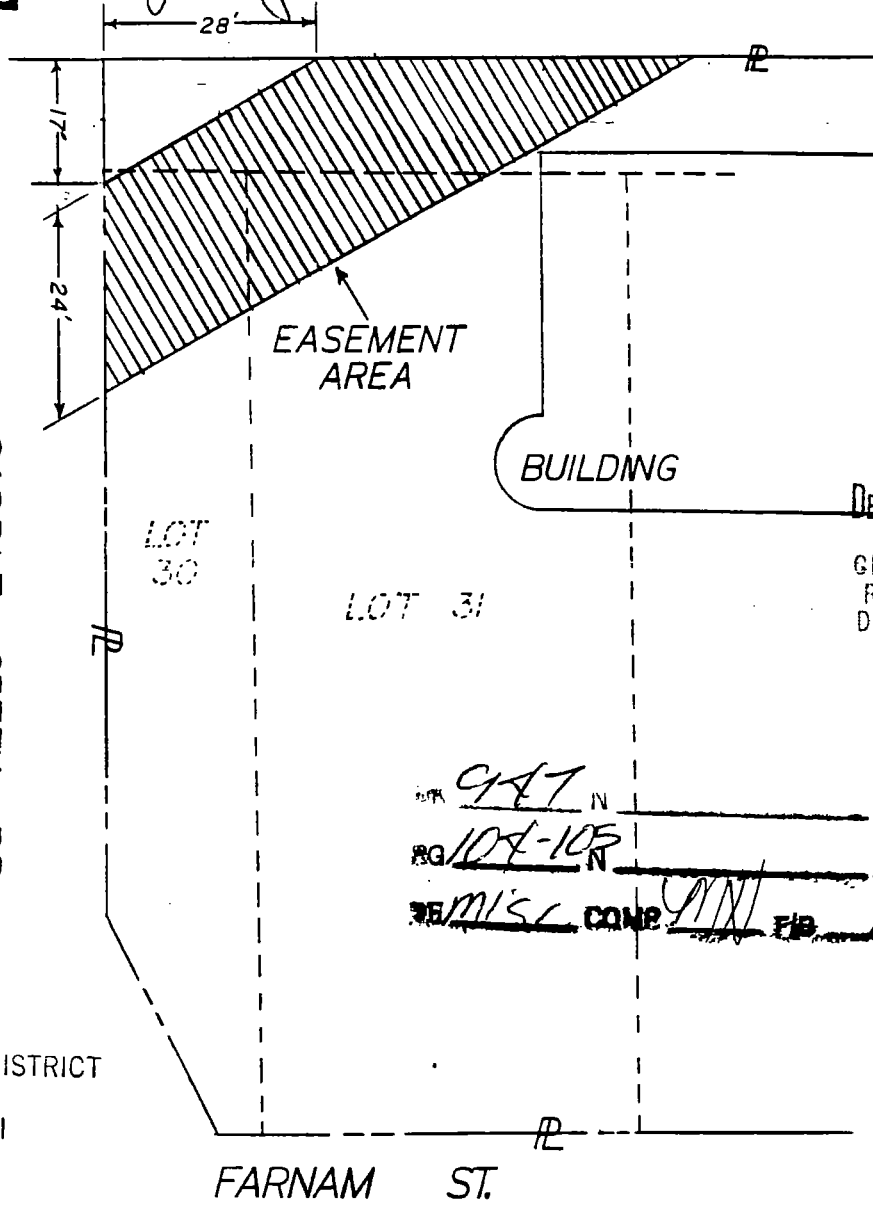


Suzanne J. Graveline
NOTARY PUBLIC

NOTARY PUBLIC

23096
miss

SADDLE CREEK RD.



RECEIVED

Dec 13 11 28 AM '90

GEORGE J. BUBLE #102
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

BOOK 947 IN _____ C/P _____ FEE 12⁰⁰
PG 107-105 N _____ DEL 11 MO Wc
SEMIS. COMP Y/N FID. 15-4500

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
911 First State Division
444 South 16th Street Mall
Omaha, NE 68102-2247