



MISC 2006126235



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DIST
October 30, 2006

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/3/2006 10:27:55.52



2006126235

RIGHT-OF-WAY EASEMENT

Emilia, LLC

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

Part of Lots 1 thru 4, and all of Lots 5 thru 8 in Block 233 of City Lots along with a 15 foot strip of vacated Pacific Street and vacated alley, except part described in Quitclaim Deed filed in Book 1879 at Page 646. Together with Part of Lot 4, and all of Lots 5 & 6, and Part of Lots 7 & 8, and the East 30.34 feet of vacated 8th Street and a vacated 15 foot strip on the south all in Block 234 of City Lots, Omaha, 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 reverse side hereof for sketch of easement area.)

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, and 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').

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 31 day of October, 2006.

OWNERS SIGNATURE(S)

Emilia, LLC

Steven Reeder, member

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Land Rights 5E/EP2
444 South 16th Street Mall
Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF DOUGLAS

On this 31 day of OCTOBER, 2006,
before me the undersigned, a Notary Public in and for said
County, personally came

STEVEN REEDER

Member of **EMILIA, LLC** 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.

Doric A. Edwards

NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGMENT

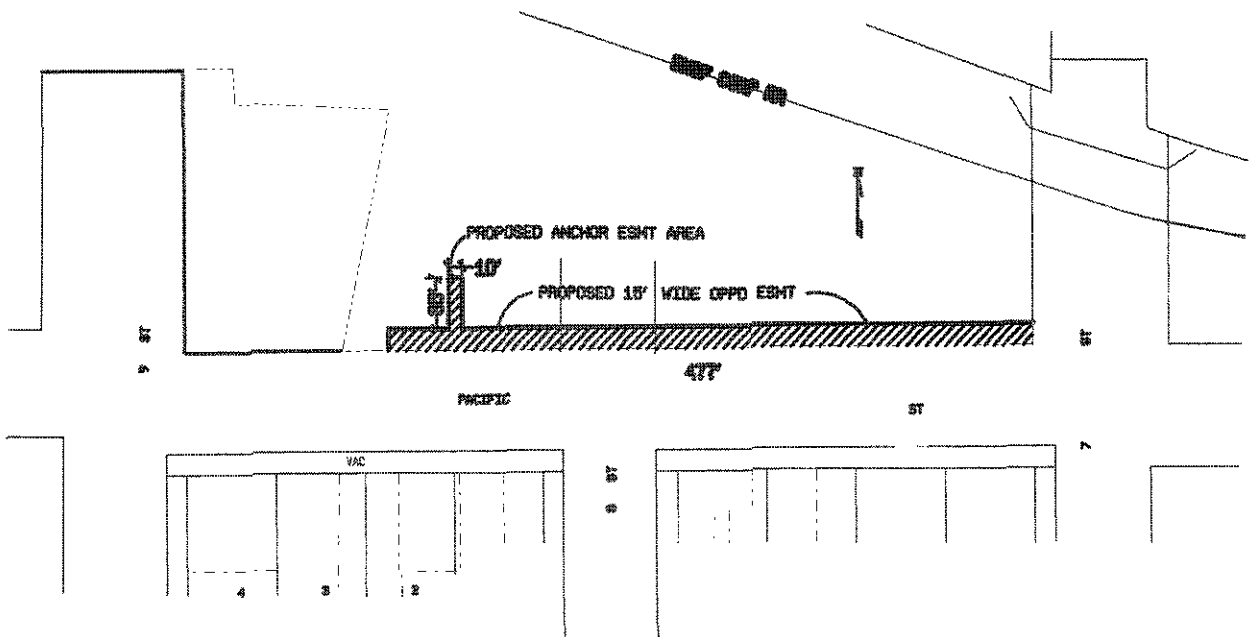
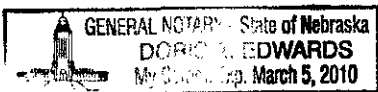
STATE OF
COUNTY OF

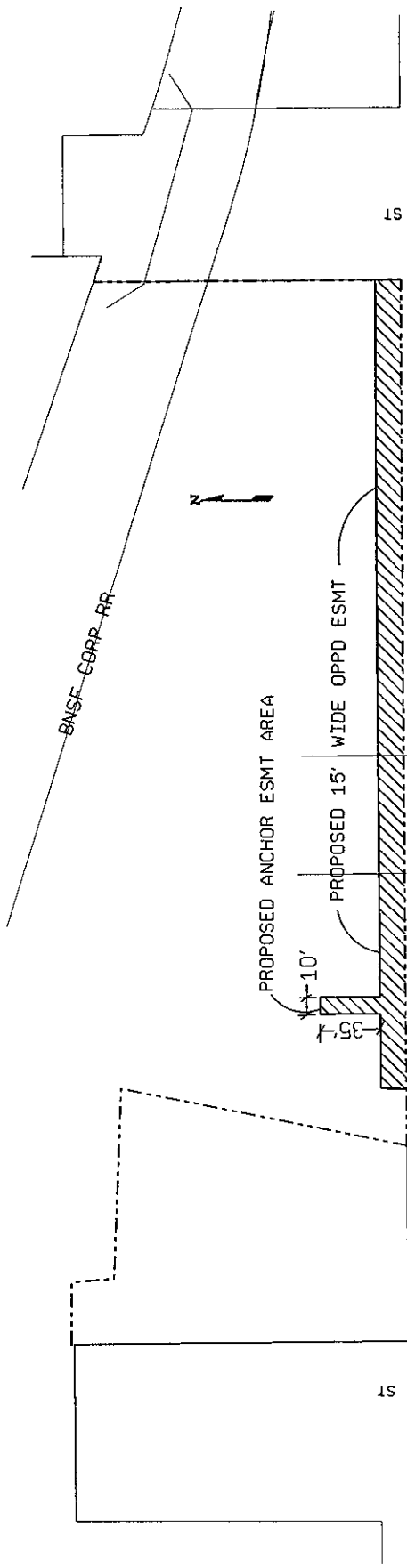
On this _____ day of _____, 2006,
before me the undersigned, a Notary Public in and for said
County and State, personally appeared

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.

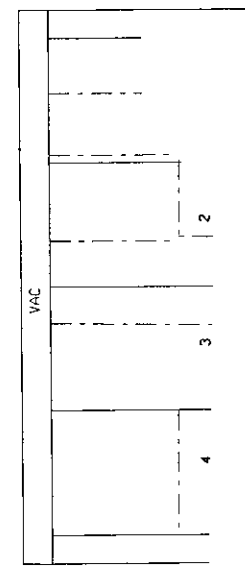
Witness my hand and Notarial seal the date above written.

NOTARY PUBLIC





PACIFIC



8 ST

ST

