

RIGHT-OF-WAY EASEMENT

I, 38th & HARVEY STREET CORPORATION Owner(s)
We, of the real estate described as follows, and hereafter referred to as "Grantor",

Lots One (1) and Two (2), Block Nineteen (19), Highland Place, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

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:

The West Ten feet (10') of Lot One (1) and the West Ten feet (10') of the North Eleven feet (11') of Lot Two (2), Block Nineteen (19), said Highland Place.

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- 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 3rd day of June, 19 81

38th & HARVEY STREET CORPORATION
By H. L. Fuller President

STATE OF
COUNTY OF
On this _____ day _____, 19 _____,
before me the undersigned, a Notary Public in and for said
County, personally came _____

President of _____
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 at _____ in
said County the day and year last above written.

NOTARY PUBLIC

My Commission expires: _____

Distribution Engineer 6-10-81 Date HT Land Rights and Services HT Date 6/1/81

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19 _____
Section 20 Township 15 North, Range 13 East Salesman Estey Engineer D' Louhy Est. 8100733, 8680

STATE OF NEBRASKA
COUNTY OF DOUGLAS
On this 3rd day of JUNE, 19 81,
before me the undersigned, a Notary Public in and for said County and
State, personally appeared H. L. Fuller

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

Witness my hand and Notarial Seal the date above written.

GENERAL NOTARY - State of Nebraska
R. M. DUSTIN
My Comm. Exp. Jan. 28, 1982

NOTARY PUBLIC