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16802 99 551-552

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Stamp Tax

Date

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By

RICHARD H. JAMES  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

99 OCT 29 AM 11:02

RECEIVED

DIST  
September 29, 1999

Doc.# \_\_\_\_\_

FEE 11.00 FB 2-16232

**RIGHT-OF-WAY EASEMENT**

BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP 8

M K Corporation

DEL \_\_\_\_\_ SCAN ds EV 8

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

Lots  
~~Parcels~~ A and B of High Point, 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 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 28<sup>th</sup> day of October, 1999.

**OWNERS SIGNATURE(S)**

Mike Artz Holtz  
president of MK Corp.

< COMPLETE ACKNOWLEDGMENT ON THE REVERSE SIDE HEREOF >

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

1236-323

CORPORATE ACKNOWLEDGMENT

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Nebraska  
COUNTY OF Douglas

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On this 28 day of October, 1999, before me the undersigned, a Notary Public in and for said County, personally came Mickey Arthur Hottel

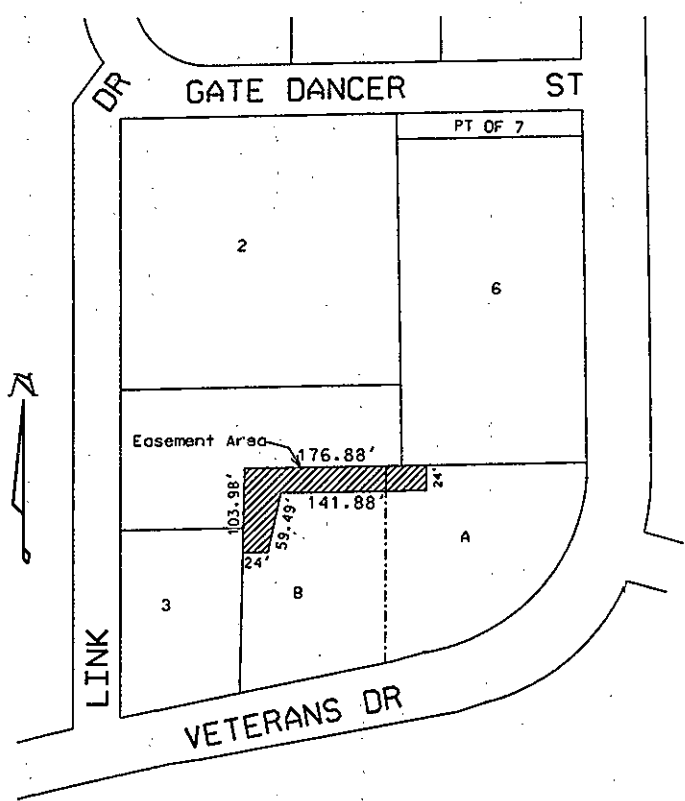
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_

President of MK 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.

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.  
Kathleen A Hamilton  
NOTARY PUBLIC

Witness my hand and notarial seal the date above written.  
\_\_\_\_\_  
NOTARY PUBLIC



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section NW 1/4 18 Township 15 North, Range 11 East  
Salesman Hamilton Engineer Hamilton Est # 950330801 W.O.# M15070