



BK 1359 PG 262-264



MISC 2000 15751

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By

REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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RECEIVED

DIST
September 29, 1999

MISC B Doc.#
 FEE 1600 FB
3 BKP _____ C/O _____ COMP _____
2 DEL _____ SCAN ds FV _____

RIGHT-OF-WAY EASEMENT

M K Corporation

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

Parcels A and B of High Point, as surveyed, platted and recorded in Douglas County, Nebraska, as more fully described on Exhibit "A", attached hereto.

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 28th day of October, 19 99.

OWNERS SIGNATURE(S)

Michael Arthur Gollner

president MK Corp.

< COMPLETE ACKNOWLEDGMENT ON THE REVERSE SIDE HEREOF >

OPPD
 R.O.W. GW/EPI
 444 S. 16TH ST. MALL
 OMAHA, NE 68102

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska
COUNTY OF Douglas

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

Mickey Arthur Jotsch
President of J M K 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.

Kathleen A. Hamilton
NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGMENT

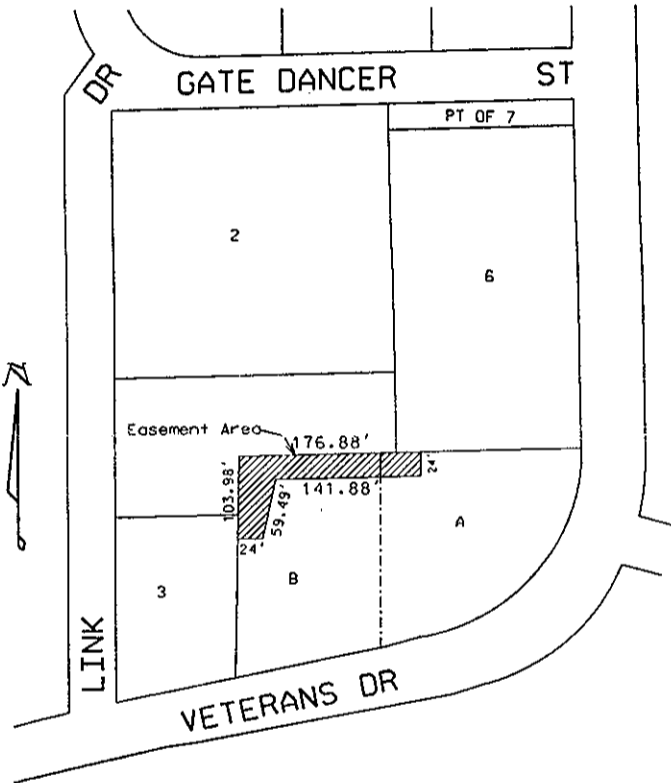
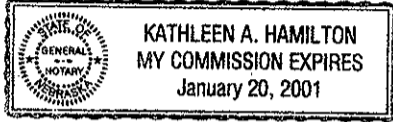
STATE OF _____
COUNTY OF _____

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.

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

Exhibit "A"

LEGAL DESCRIPTION - PARCEL "A"

THAT PART OF LOT 1, HIGH POINT REPLAT 1, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 1;

THENCE S89°14'11"W (ASSUMED BEARING) 180.00 FEET ON THE NORTHERLY LINE OF SAID LOT 1;

THENCE S00°42'15"E 193.20 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE N80°00'00"E 37.96 FEET ON THE SOUTHERLY LINE OF SAID LOT 1;

THENCE NORTHEASTERLY ON THE EASTERLY LINE OF SAID LOT 1 AND ON A 170.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N39°38'36"E, CHORD DISTANCE 220.16 FEET, AN ARC DISTANCE OF 239.45 FEET;

THENCE N00°42'15"W 19.46 FEET ON THE EASTERLY LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

CONTAINING 27,940 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION - PARCEL "B"

LOT 2, HIGH POINT REPLAT 1, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH LOT 1, SAID HIGH POINT REPLAT 1, EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 1;

THENCE S89°14'11"W (ASSUMED BEARING) 180.00 FEET ON THE NORTHERLY LINE OF SAID LOT 1;

THENCE S00°42'15"E 193.20 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE N80°00'00"E 37.96 FEET ON THE SOUTHERLY LINE OF SAID LOT 1;

THENCE NORTHEASTERLY ON THE EASTERLY LINE OF SAID LOT 1 AND ON A 170.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N39°38'36"E, CHORD DISTANCE 220.16 FEET, AN ARC DISTANCE OF 239.45 FEET;

THENCE N00°42'15"W 19.46 FEET ON THE EASTERLY LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

CONTAINING 31,900 SQUARE FEET