



MISC 2007036814



APR 03 2007 13:04 P 3

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Revised March 12, 2007

Doc.#

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/3/2007 13:04:30.62



2007036814

RIGHT-OF-WAY EASEMENT

AK-SAR-BEN FUTURE TRUST, A NEBRASKA NONPROFIT CORPORATION
Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Ten (10), Aksarben Village, a subdivision 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 with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

(See attached Exhibit for sketch and legal description of easement area.)

CONDITIONS:

The Grantor hereby grants to the District, its successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip. Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

The District acknowledges that in the future, the underground electrical facilities located within the limits of the easement will be relocated, and at that time those costs associated with the relocating of said facilities shall be paid for by the Grantor. Once the facilities have been relocated and at the request of the Grantor, a release of this easement document will be pre-paired by the District.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/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 13 day of March, 2007.

OWNERS SIGNATURE(S)

AK-SAR-BEN FUTURE TRUST,
A NEBRASKA NONPROFIT CORPORATION

PRESIDENT or AUTHORIZED OFFICER:

Title: Kermit A. Brashear, Authorized Representative

MISC
FEE 1550 FB 53-00231
BKP _____ C/O _____ COMP. BW
DEL _____ SCAN _____ FV _____

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 13 day of March, 2007, before me the undersigned, a Notary Public in and for said County, personally came

Kermit A. Brashear, AUTHORIZED REPRESENTATIVE, of AK-SAR-BEN FUTURE TRUST, A NEBRASKA NONPROFIT 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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.


NOTARY PUBLIC



SW 1/4, Sections 25, T 15 N, R 12 E, County Douglas ROW RD Date March 7, 2007
Customer Rep. Kojdecki Engineer Hoyt Srvc Req. #24155 W.O.# 255953

EASEMENT EXHIBIT

LEGAL DESCRIPTION

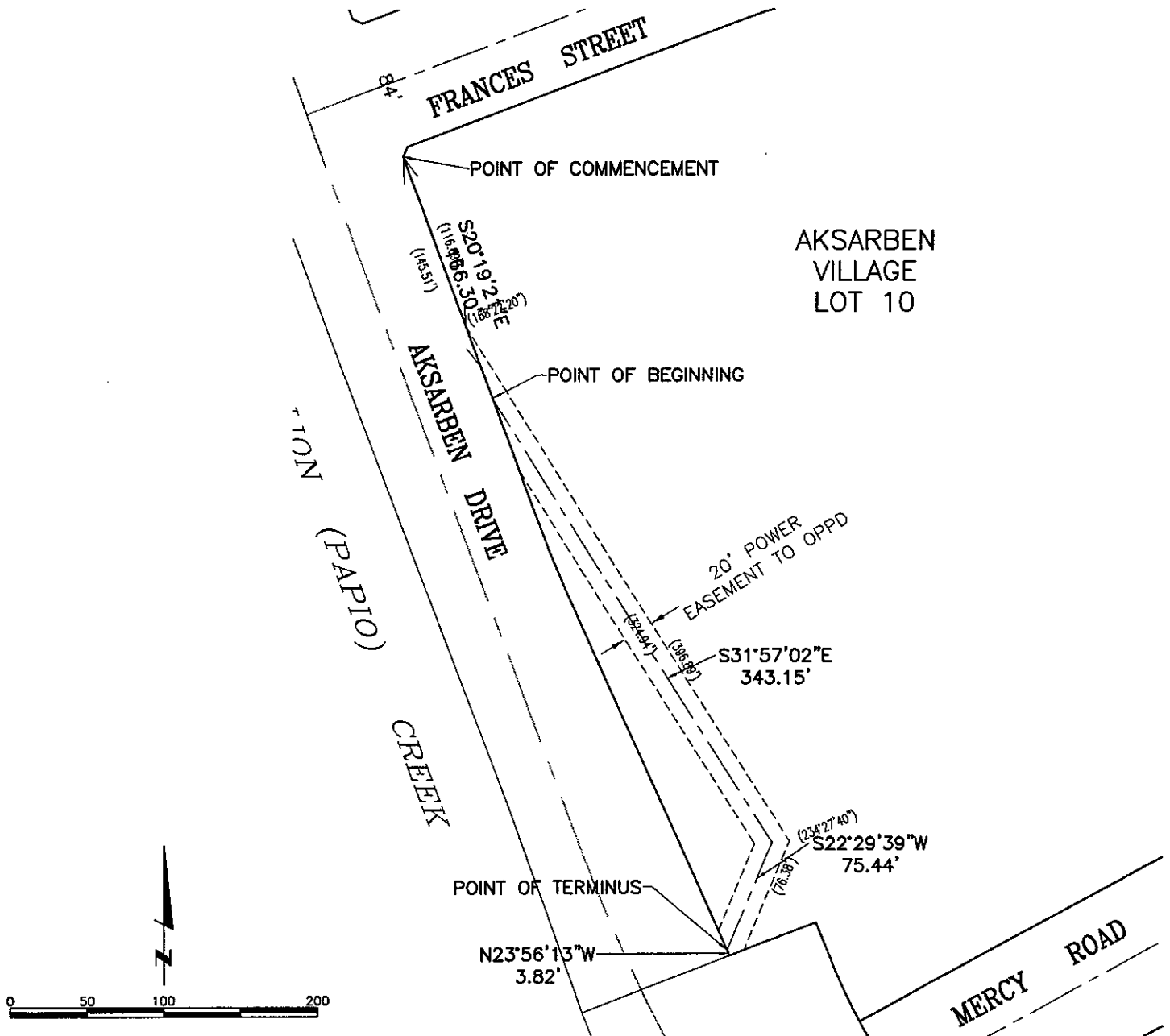
A permanent twenty foot (20') power easement over that part of Lot 10, AKSARBEN VILLAGE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, the centerline of which is described as follows:
 Commencing at the southwest end of the chamfer at the intersection of the south right of way line of Frances Street with the east right of way line of Aksarben Drive;

Thence South 20°19'21" East (bearings referenced to the Final Plat of AKSARBEN VILLAGE) for 166.30 feet along said east right of way line of Aksarben Drive to the TRUE POINT OF BEGINNING on the centerline of said twenty foot easement;

Thence South 31°57'02" East for 343.15 feet along said centerline;

Thence South 22°29'39" West for 75.44 feet along said centerline to the Point of Terminus in the west line of said Lot 1

Said Point of Terminus lies North 23°56'13" West for 3.82 feet from the southwest corner of said Lot 10.



Lamp, Rynearson & Associates, Inc.

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drawn by: MJW
 designer: RDP
 job number-tasks: 04086.01
 date: FEBRUARY 28, 2007
 book: page:
 file name: 04086OPPD-EAS.DWG