

7/25/83  
Rev. 11/1/83

BOOK 705 PAGE 42  
RIGHT-OF-WAY EASEMENT

I, The Federal Reserve Bank of Kansas City Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

Sub Lot Three of Lot Seven (S.L. 3 L 7) Capitol Addition, 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 Sixteen and five tenths feet (16.5') of said Sub Lot Three of Lot Seven (S.L. 3 L 7), Capitol Addition.

(f) None of the Grantee's facilities constructed or installed <sup>at the north boundary</sup> ~~in accordance~~ ~~herein~~ shall extend below a depth of ~~thirty~~ <sup>fifty</sup> inches <sup>(50")</sup> ~~(30")~~. <sup>1-27-84</sup> ~~of the easement~~

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, lines, cables, conductors, and appurtenances and other~~ ~~facilities which may be found as indicated above, together with the right to install and maintain any~~ ~~such things as may be necessary to provide a minimum clearance from the overhead facilities of at least twelve~~ ~~feet (3.7)~~ ductlines and manholes, within a strip of land as indicated above.
- (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 <sup>notice to</sup> 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~~ <sup>notice to</sup> of the Grantees, but the same way 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 ~~he, his~~ <sup>its</sup> heirs, executors, administrators, successors and assigns shall warrant ~~and defend~~ the same, and ~~will indemnify and hold the Grantee harmless from and against~~ ~~all~~ ~~claims~~ ~~damages~~ ~~costs~~ ~~expenses~~ ~~attorneys~~ ~~fees~~ ~~and~~ ~~charges~~ ~~of~~ ~~any~~ ~~kind~~ ~~whatsoever~~ ~~and~~ ~~costs~~ ~~of~~ ~~defense~~ ~~therein~~ ~~incurred~~ ~~by~~ ~~the~~ ~~Grantee~~ ~~and~~ ~~its~~ ~~successors~~ ~~and~~ ~~assigns~~ ~~and~~ ~~attorneys~~ ~~fees~~ ~~and~~ ~~costs~~ ~~of~~ ~~defense~~ ~~therein~~ ~~incurred~~ ~~by~~ ~~the~~ ~~Grantee~~ ~~and~~ ~~its~~ ~~successors~~ ~~and~~ ~~assigns~~ ~~and~~ ~~attorneys~~ ~~fees~~ ~~and~~ ~~costs~~ ~~of~~ ~~defense~~ ~~therein~~ ~~incurred~~ ~~by~~ ~~the~~ ~~Grantee~~ ~~and~~ ~~its~~ ~~successors~~ ~~and~~ ~~assigns~~ ~~and~~ ~~attorneys~~ ~~fees~~ ~~and~~ 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STATE OF  
COUNTY OF

STATE OF  
COUNTY OF

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

On this 17<sup>TH</sup> day of JANUARY, 1984,  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

HAROLD L. SHEWMAKER

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.

personally to me known to be the identical person(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 at \_\_\_\_\_  
\_\_\_\_\_ in said County the day and year  
last above written.

Witness my hand and Notarial Seal the date above  
written.

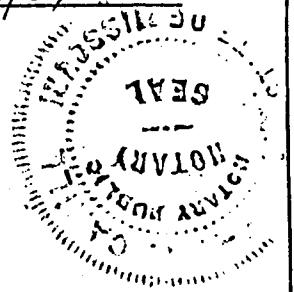
ROBERT J. CAHILL  
Notary Public - State of Missouri  
Commissioned in Jackson County  
My Commission Expires Feb. 15, 1987

NOTARY PUBLIC

NOTARY PUBLIC

My Commission expires: \_\_\_\_\_

My Commission expires: 2/15/87



*Handwritten:* 441  
O.P.L.

RECEIVED  
1984 FEB - 9 PM 12: 51  
C. HAROLD OSILER  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

*Handwritten:* 22 pages

*Handwritten:* 58-627  
Index  
Comped  
58-623

Book 705  
Page 42  
of 112

Distribution Engineer B.A.S. Date 2-6-84 and Facilities Management ERK Date 1/6/84  
Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Section NW 1/4 22 Township 15 North, Range 12 East  
Salesman Estey Engineer R. Radil Est. # \_\_\_\_\_ W.O. # \_\_\_\_\_