



BK 0802 PG 170



MISC 1987 01103

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

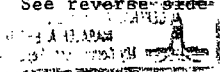
RIGHT-OF-WAY EASEMENT

I, A.S. Battiato Co., Inc. Owner(s)
We, of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Three (3) and Four (4), West Dodge 680 Plaza, 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 referred to as "Grantee", 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 reverse side hereof for easement area.



RECEIVED
1987 JAN 21 AM 11:24
GEORGE J. SUTHERLAND
REGISTERED SURVEYOR
DOUGLAS COUNTY, NEBR.

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.

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 parties hereto have signed their names and caused the execution of this instrument this 9 day of JANUARY, 1987.

[Signature] A.S. BATTIATO CO INC.
[Signature]

802 90/4590K
170-171 90/459 VK BC
Misc AV SR 59-42341

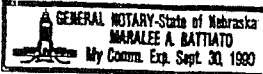
Distribution Engineer R29 Date 1-15-87 Property Management ZH Date 1-14-87
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19 ____
Section SW 16 Township 15 North, Range 12 East
Salesman O'Brien Engineer Broschat Est. # 8602693 W.O. # 5987

STATE OF Nebraska
COUNTY OF Douglas

On this 24 day of January, 19 87,
before me the undersigned, a Notary Public in and
for said County, personally came
Roland F. Walte
President of A.S. Battiato Co., Inc.
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 Omaha
NE in said County the day and year
last above written.

MARALEE A. BATTIATO
NOTARY PUBLIC

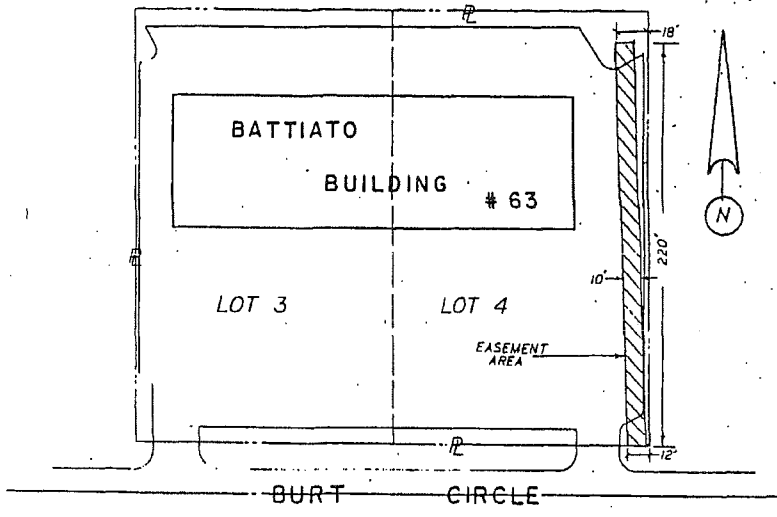
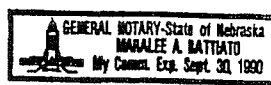


STATE OF Nebraska
COUNTY OF Douglas

On this 24 day of January, 19 87,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared
Anthony G. Battiato
Vice President of A.S.
Battiato Co., Inc.
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.

MARALEE A. BATTIATO
NOTARY PUBLIC



RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
OMAHA, NE 68102