

DEED RECORD #138

RIGHT-OF-WAY EASEMENT

1. Larry Trost and Catherine A. Trost, husband and wife (Comer) of the real estate described as follows, and hereafter referred to as "Grantor",

The Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄) of Section Eleven (11), Township Fourteen (14) North, Range Nine (9), East of the 6th P.M., Saunders County, Nebraska.

SAUNDERS CO #1 Entered in PUB INDEX March 21 1980 10:10 A.M.
In 91, 138, p. 527 of Book 5160 5344

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:

Three (3) strips of land Ten feet (10') in width to provide for the installation of customers services.

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/hers/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and well 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 29 day of February, 1980.

Larry L. Trost
Larry Trost
Catherine A. Trost
Catherine A. Trost

STATE OF
COUNTY OF

On this _____ day _____, 19____, before me the undersigned, a Notary Public in and for said County, personally came _____

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.

Witness my hand and Notarial Seal at _____ in said County the day and year last above written.

NOTARY PUBLIC

My Commission expires: _____

STATE OF Nebraska
COUNTY OF Saunders

On this 29 day of February, 1980, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____

Larry L. Trost and Catherine A. Trost,
husband and wife

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the day above written.

GENERAL NOTARY STATE OF NEBRASKA
JAMES W. STEVENS
My Comm. Exp. Feb. 21, 1984

James W. Stevens
NOTARY PUBLIC

Distribution Copies: 4 110, 4 110, 4 110, 4 110
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____ 19____
Section 11 Township 14 North, Range 9 East, Platte County, Nebraska, S. 1600, N. 1604, 5344