

OPPD Form No. 1-75-1

BOOK 573 PAGE 56

Distribution

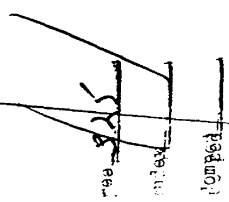
RIGHT-OF-WAY EASEMENT

I, Wendy's Old Fashioned Hamburgers Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor", The North One Hundred Eighty feet (180')
of the West Three Hundred Thirty-seven and Fifty-one hundredths feet (337.51') of
Lot Eight (8), Mockingbird Hills West, an addition to the the City of Omaha, Douglas
County, Nebraska, as surveyed, platted and recorded.

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1976 NOV 23 AM 10:08

CLARENCE MILLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 573
Page 56
of 166



78-337 79
377

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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its
successors and assigns, collectively referred to as "Grantees", a permanent right of way easement to install, operate, maintain, repair, replace,
and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to wit:

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, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, 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').
- (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 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 Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) 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 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 23rd day of Sept, 1976.

WENDY'S OLD FASHIONED HAMBURGERS

Lyle King Partner

STATE OF ILLINOIS
COUNTY OF STEPHENSON

On this 23rd day of SEPT, 19 76,
before me the undersigned, a Notary Public in and for said
county, personally came Lyle King

personally to my known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be a voluntary act and deed for the purpose therein expressed.

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 a _____ voluntary act and deed for the purpose therein expressed.

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

Witness my hand and Notarial Seal the date above written.

Clarence Miller
NOTARY PUBLIC

NOTARY PUBLIC

My Commission expires: 3-7-79

My Commission expires: _____

Distribution Engineer BN Date 9/29/76 Rights and Services RWP Date 9/29/76

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____
Section 4 Township 14 North, Range 12 East Salesman Estey Engineer Ferry Est. 27794 N.O. 3796

Wendy's Old Fashioned Hamburgers
5011 So. 108th St.