

January 16, 1990

5634
RIGHT-OF-WAY EASEMENT

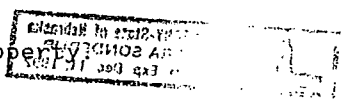
Distribution
90 JUN-4 PM 3:24
FILED
OWNERS
CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

of the real estate described as follows, and hereafter referred to as "Grantor",
DANA COLLEGE

Tax Lot Five hundred Thirty-nine (539), in the Northwest Quarter (NW1/4) of Section Eleven (11), Township Eighteen (18) North, Range Eleven (11) East of the 6th P.M., Washington 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 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 North Ten feet (N10') of the above described property



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) 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 his/her its/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 whatsoever 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 15th day of JANUARY, 19 90.

[Signature]
[Signature]

Distribution Engineer RLL Date 5-9-90 Property Management [Signature] Date 4-18-90
Section NW1/4 11 Township 18 North, Range 11 East
Salesman Fink Engineer Fink 900003201 5873

5634

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

CORPORATE ACKNOWLEDGEMENT

56 45

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska
COUNTY OF WASHINGTON

On this 19th day of JANUARY, 1990,
before me the undersigned, a Notary Public in and
for said County, personally came KATHA

W. Howard Bus Mgr.
of DANA COLLEGE

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 at Blair
Nebraska in said County the day and year
last above written.



Sandra Sonderup
NOTARY PUBLIC

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
_____ voluntary act and deed for
the purpose therein expressed.

Witness my hand and Notarial Seal the date above
written.

NOTARY PUBLIC

Recorded _____
General _____
Numerical _____
Photostat _____

STATE OF NEBRASKA COUNTY OF WASHINGTON) 65-15-22
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 19th DAY OF Jan A.D. 1990
AT 3:00 O'CLOCK P. AND RECORDED IN BOOK
185 PAGE 5
COUNTY CLERK Charlotte S. Stetson
DEPUTY Wesley Manning

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Real Estate Division
444 South 16th Street Mall
Omaha, NE 68102-2247

56 45