

RIGHT-OF-WAY EASEMENT

Albert L. Feldman, Co-Trustee

Owner(s)

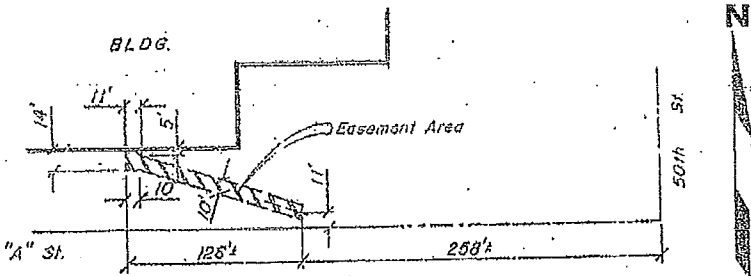
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One (1), Bonfield Addition, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, except the following described part thereof: beginning of the Northeast corner of said Lot One (1); thence West along the North line thereof a distance of One Hundred Sixty-seven feet (167.0'); thence on a left deflection angle of 89°52'20" and in a Southerly direction a distance of Eighty-six feet (86'); thence on a left deflection angle of 45°00' in a Southeasterly direction a distance of Ninety and thirty-six hundredths feet (90.36'); thence left on a deflection angle of 45°03'40" and in easterly direction a distance of One Hundred Three feet (103'); thence on a left deflection angle of 89°56'20" and in a Northerly direction along the East line of said Lot One, a distance of One Hundred Forty-nine feet (149') and the point of beginning.

RECEIVED 1978 SEP 12 AM 8:31

C. HAROLD OSTLE

In consideration of the sum of One Dollar and of other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to OMAHA PUBLIC POWER DISTRICT, a public utility, its successors and assigns, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its successors and assigns, collectively referred to as "Grantee", 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 Grantor 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 Grantee 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 approach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantee, 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/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.

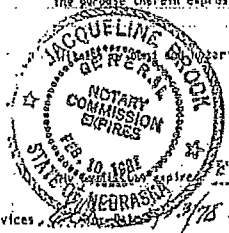
IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 21 day of August, 1978.

Albert L. Feldman, Co-Trustee

STATE OF NEBRASKA COUNTY OF Douglas On this 21 day of August, 1978 before me the undersigned, a Notary Public in and for said County and State, personally appeared Albert L. Feldman, Co-Trustee

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

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



Jacqueline Broer, Notary Public, Feb. 10, 1981

Distribution Engineer [Signature] Date 8/23/78 and Rights and Services... Recorded in Hist. Book No. [Blank] at Page No. [Blank] on the [Blank] day of [Blank] 19 [Blank] Section [Blank] Township [Blank] North, Range [Blank] East Section Estoy Engineer D'Louhy Est. #31231, n.o. 4, 8951