



BK 0944 PG 487



MISC 1990 21231

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

November 5, 1990

File \_\_\_\_\_  
Doc. \_\_\_\_\_

## RIGHT-OF-WAY EASEMENT

BOOK 944 PAGE 487

I, DON ROBERT

Owner(s)

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

Lot One Hundred One (101), Lake Aero Addition 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:

A PERMANENT ELECTRICAL UTILITIES EASEMENT LOCATED IN LOT 101, LAKE AERO, AS PLATTED AND RECORDED, DOUGLAS COUNTY, NEBRASKA, BEING TEN FOOT IN WIDTH, LOCATED WITHIN FIVE FOOT OF EITHER SIDE OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 101, THENCE S 89°54'33" E (ASSUMED BEARING) 112.82 FEET ALONG THE NORTH LINE OF LOT 101 TO THE POINT OF BEGINNING. THENCE S 01°28'27" E 86.98 FEET, THENCE S 00°34'48" E 65.20 FEET, THENCE S 02°41'34" E 89 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 101 AND POINT OF TERMINATION.

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 7 day of Nov., 19 90.

RECEIVED

Nov 14 1 08 PM '90

GEORGE J. BUCLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

BR 944 N C/O FEE 105  
PG 487-488 N 82-447 DEL 18 MC WC  
OF Misc COMP. 18 FEB 042-2142.5

Distribution Engineer Rog Date 11-13-90Property Management 33R Date 11-9-90Section NE 05 Township 14 North, Range 11 EastSalesman Tomanek Engineer \_\_\_\_\_ Est. # \_\_\_\_\_ W.O. # \_\_\_\_\_

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

BOOK 944 PAGE 488

## CORPORATE ACKNOWLEDGEMENT

STATE OF  
COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 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.

### INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEBRASKA  
COUNTY OF DOUGLAS

On this 7 day of NOV., 1990.  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

DON ROBERT

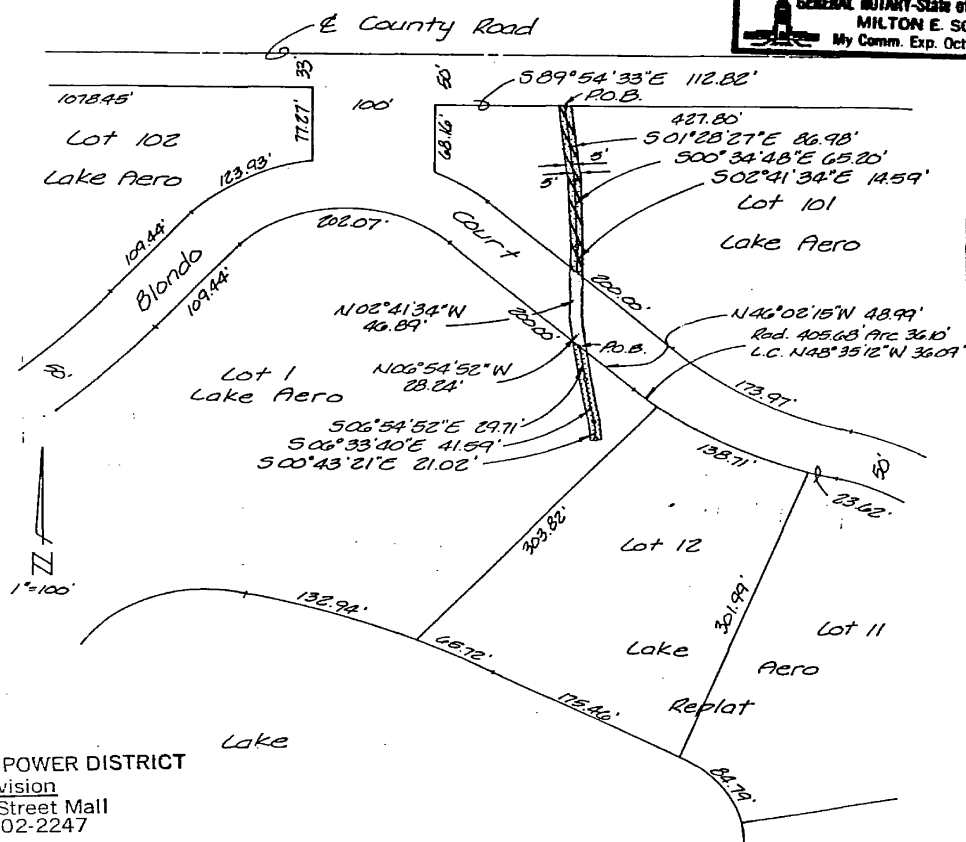
personally to me known to be the identical person(s) and who acknowledged the execution thereof to be HIS voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

**NOTARY PUBLIC**

William E. Felt

**NOTARY PUBLIC**  
**GENERAL NOTARY-State of Nebraska**  
**MILTON E. SCOTT**  
 My Comm. Exp. Oct. 1, 1991



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