

OPPD Form No. 1-75-1

BOOK 592 PAGE 600

Distribution

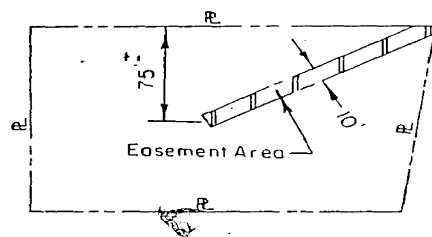
RIGHT-OF-WAY EASEMENT

I, **JOSEPH POLACK, Trustee,** Owner(s)
 of the real estate described as follows, and hereafter referred to as "Grantor",

That part of Lots Five (5), Six (6), and Seven (7), Block Four (4), Palomino Hills, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, more particularly described as follows: Beginning at the Northwest corner of said Lot 7; thence Easterly along the North line of said Lot 7 (the South line of Manderson Street) extended, for 248.52 feet to the Easterly line of said Lot 5; thence Southerly along the Easterly line of said Lots 5 and 6 (the Westerly line of 90th Street) along a curve to the left for an arc distance of 151.20 feet to the Southeast corner of said Lot 6; thence Westerly along the South line of Lots 6 and 7 for 230.0 feet (229.73 feet actual) to the Southwest corner of said Lot 7; thence Northerly along the West line of said Lot 7 for 150.00 feet (149.90 feet actual) to the point of beginning.

This easement granted for the express purpose of installing, operating and maintaining underground facilities.

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, a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric facilities upon, along, under, in and over the following described real estate, to wit:



CONDITIONS:

- Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of cables, fixtures, and other instrumentalities within a strip of land as indicated above.
- 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.
- 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.
- 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) 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 17th day of January, 19 78.

STATE OF NEBRASKA
 COUNTY OF DOUGLAS

On this 17th day of January, 19 78,
 before me the undersigned, a Notary Public in and for said
 County, personally came Joseph Polack,

XXXXXXXX Trustee
 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.

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

Barbara H. Kennedy
 NOTARY PUBLIC

GENERAL NOTARY - State of Nebraska
 BARBARA H. KENNEDY
 My Comm. Exp. June 24, 1981

NOTARY PUBLIC

My Commission expires: June 24, 1981

My Commission expires: _____

Distribution Engineer CRD Date 1/19/78 Land Rights and Services RWP Date 1/19/78
 Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19 _____
 Section 3 Township 15 North, Range 12 East Salesman Mattson Engineer Rokicki Est. #0559 W.O. # 7919

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 1978 JAN 26 PM 2:41

C. HAROLD GSTER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

Book 592
 Page 600
 of 1100

Index 325
 Coupled 72-98

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