

BK 1468 PG 047-048



MISC 2002 24922

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

2002 OCT 17 PM 1:55

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Revised October 4, 2002

Doc.#

## RIGHT-OF-WAY EASEMENT

Oakview Crossing LLC Owner(s) of  
the real estate described as follows, and hereafter referred to as "Grantor",

Lots Eight (8) and Nine (9), Fromkin's Commercial Plaza, 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, hereafter referred to as "District", a permanent, nonexclusive, 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:

(See reverse side hereof for sketch of easement area.)

## 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 uses of the strip. Damages to parking lots or sidewalks arising from the construction and maintenance of the aforesaid system shall be repaired or replaced at the expense of 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 Owner(s) have executed this instrument this 14<sup>th</sup> day of October, 2002.

## OWNERS SIGNATURE(S)

OAKVIEW CROSSING, LLC  
BY: PICKFAIR PROPERTIES, IV, LLCManaging Member Wm. F. HarveyRETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way 6W/EP1  
444 South 16th Street Mall  
Omaha, NE 68102-2247

misc

2  
2FEE 17.00 FB 60-13250  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP 9  
DEL \_\_\_\_\_ SCAN R FV \_\_\_\_\_

(2)

CORPORATE ACKNOWLEDGMENT

STATE OF NE

COUNTY OF Douglas

On this 14<sup>th</sup> day of October, 2002, before me the undersigned, a Notary Public in and for said County, personally came

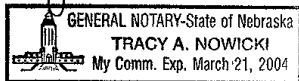
William F. Harvey, Manager of Pickfair Properties IV, LLC, Managing Member of

President of Oakview Crossing LLC

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 the date above written.

Tracy A. Nowicki  
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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) 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

