

I, JIM KOPECKY OF JIMKO CONST. INC Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Thirty-two (32), Empire Park, an addition to Douglas County, Nebraska, as surveyed, platted and recorded.

Note: This document cancels and supercedes that certain easement executed November 12, 1984, in Book 723 of Miscellaneous Records at Page 644, in the Register of Deeds office, 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 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:

See sketch on the reverse side hereof for location of easement area herein granted.

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 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 10 day of JANUARY, 19 85.

* JIMKO CONST. INC.
[Signature] PRESIDENT

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
OMAHA, NE 68102

STATE OF Nebr.
COUNTY OF Douglas

STATE OF _____
COUNTY OF _____

On this 10 day of January, 1985,
before me the undersigned, a Notary Public in and
for said County, personally came Mrs. Rosales

On this _____ day of _____, 19____,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared _____

Kapocky
President of Jimko Construction
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.

_____ 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
Nebr. in said County the day and year
last above written.

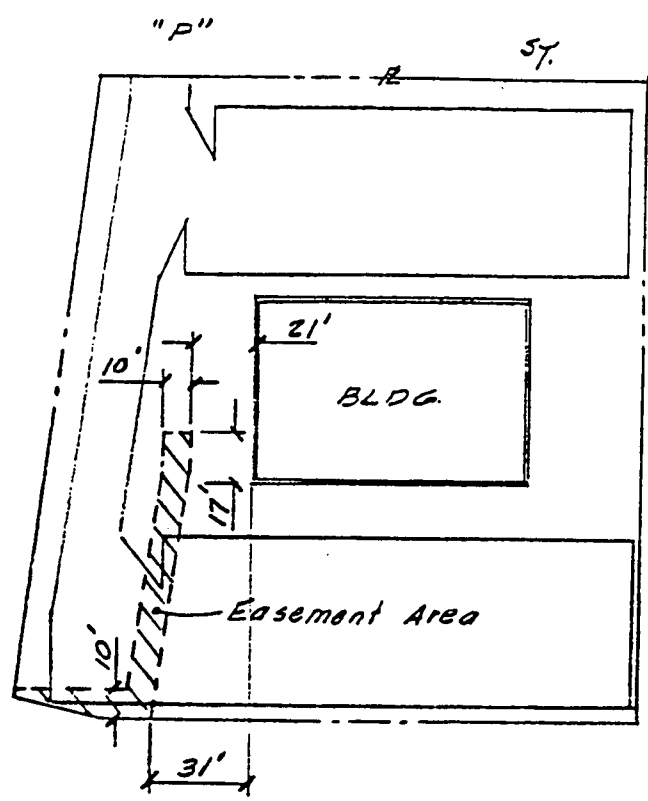
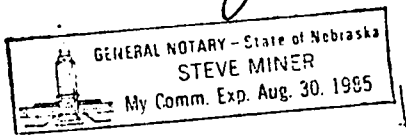
Witness my hand and Notarial Seal the date above
written.

Steve Miner
NOTARY PUBLIC

NOTARY PUBLIC

My Commission expires: Aug 30, 1985

My Commission expires: _____



Distribution Engineer RSJ Date 1-14-85 Property Management RSJ Date 1-11-85
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section SE 1/4 5 Township 14 North, Range 12 East
Salesman Rosales Engineer Rosales Est. # 8402264 W.O. # 8848

RECEIVED
1985 JAN 28 AM 9:42

GEORGE J. BUGLEVIC
REGISTER OF DEEDS
DUGLAS COUNTY, NEBR.

Book 729 Page 694 of Miscellaneous
Fee 10.50 M Del CP
Indexed RSJ Compd RSJ
N 81-2654P Compd RSJ
MC D.S.1

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