

OPPD Form No. 1-75-1
8-23-84 Rev. 3/83

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Distribution

RIGHT-OF-WAY EASEMENT

I, Investors Group, A Nebraska General Partnership Owner(s)
We, _____ of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Twelve (12), 114th Plaza, an addition to Douglas County, Nebraska, as surveyed, platted and recorded.

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:

The East Ten feet (10') of the North Ninety-five feet (95') of said Lot Twelve (12).

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 28 day of August, 19 84.

Investors Group

By: [Signature]

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STATE OF NEBRASKA
COUNTY OF DOUGLAS
OMAHA PUBLIC POWER DISTRICT
1023 HARVARD ST. - P.O. BOX 10000
OMAHA, NEBRASKA 68110

STATE OF Nebraska
COUNTY OF Douglas

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

On this 27th day of August, 1984,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared
Stephen M. Farrell _____

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.

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

Witness my hand and Notarial Seal the date above
written.

NOTARY PUBLIC

My Commission expires: _____

GENERAL NOTARY - State of Nebraska
CHRISTINE SAILORS NOTARY PUBLIC
My Comm. Exp. Dec. 14, 1985

My Commission expires: _____

30 record

RECEIVED

1984 SEP -4 AM 10:47

C. HARRIS, CLERK
REGISTERED CLERK
DOUGLAS COUNTY, NEBR.

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85A-11
85A-7

Distribution Engineer: Horstman Date 8-31-84; Land & Facilities Management: Eden Date 8/31/84
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____.
Section NE 20 Township 15 North, Range 12 East
Salesman Horstman Engineer D'Louhy Est. # 8400515 W.O. # 8282