



THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

September 26, 1988

BOOK **869** PAGE **160**

File _____
Doc. _____

RIGHT-OF-WAY EASEMENT

I, SHONEY'S INC. HAROLD L. MCFADDEN, REGIONAL CONSTRUCTION MANAGER Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Four (4), Hampton 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 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:

The North Ten Feet (N10') of the West Two Hundred Twenty Feet (W220') of the above described property.



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 13 day of October, 19 88.

SHONEY'S INC.

Harold L. McFadden

Distribution Engineer R.R. Date 11-16-88

Property Management P.H. Date 10-14-88

Section NW 4 Township 14 North, Range 12 East

Salesman Gaebel Engineer D'Louhy Est. # 8801664 W.O. # 9827

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

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CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF
COUNTY OF

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 13 day of October, 19 88,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared
Harold L. Mcfadden

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

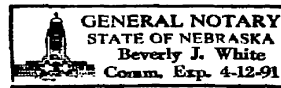
Beverly J. White

NOTARY PUBLIC

RECEIVED

1988 NOV 21 PM 12: 54

GEORGE J. COBLE, NOTARY
REGISTERED
PUBLIC IN NEBRASKA



19492 F, Mac

SK 869 N 92/114 C/O. FEE 10.50
REG 160-161 N 92/114 DEL ma MC we
OF MOC COMP SR FIB 61174810

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