

6-14-12

## E A S E M E N T

In consideration of One Dollar (\$1.00) and other valuable consideration and of these premises, Omaha Public Power District, a public corporation, hereinafter called "District", does hereby grant to Western Electric Company, Incorporated, hereinafter called "Company", its successors and assigns, perpetual easements and rights of way to survey, construct, reconstruct, relocate, inspect, repair, replace, add to, maintain and operate gas and water lines and a catch basin and drainage outfall system over, above, along, under, in and across parcels of real estate situated in:

Part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section Thirty-one (31), Township Fifteen (15) North, lying South of the Union Pacific Railroad right-of-way; and part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section Six (6) Township Fourteen (14) North, both in Range Twelve (12), East of the 6th P.M., Douglas County, Nebraska, which are delineated upon a plat, which is attached hereto and hereby made a part hereof, and which are more particularly described as follows:

Referring to the point known as the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Six (6), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., and hereinafter called "Origin," and referring to a line connecting origin and the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Six (6) and hereinafter called "Base Line" and defining all Easterly or Westerly measurements to be made along base line or a line parallel thereto, and all Northerly or Southerly measurements to be made along a line perpendicular to base line.

Said gas lines and water lines shall be located within the following described area: Beginning at a point on the West right-of-way line of 120th Street and Two Thousand Six Hundred Ninety-five feet (2,695') North of origin; thence West to a point on the Southwest property line, said point being Two Thousand Six Hundred Ninety-five feet (2,695') North of and Three Hundred Twenty-one feet (321') West of origin; thence Northwest along aforesaid Southwesterly property line to a point Two Thousand Seven Hundred Thirty-five feet (2,735') North of and Three Hundred Forty-six feet (346') West of origin; thence East to a point on the aforesaid West right-of-way line of

120th Street, said point being Two Thousand Seven Hundred Thirty-five feet (2,735') North of origin; thence South along aforesaid West right-of-way line to the point of beginning; also beginning at a point on the Northeasterly line of an existing Omaha Public Power District transmission line easement, said point being Two Thousand Six Hundred Ninety-five feet (2,695') North of and Six Hundred Sixty-eight feet (668') West of origin, thence West to a point on the Southwesterly line of said easement, said point being Two Thousand Six Hundred Ninety-five feet (2,695') North of and Eight Hundred feet (800') West of origin; thence Northwest along said Southwest right-of-way line to a point Two Thousand Seven Hundred Thirty-five feet (2,735') North of and Eight Hundred Thirty-two feet (832') West of origin; thence East to a point on the Northeasterly line of said right-of-way, said point being Two Thousand Seven Hundred Thirty-five feet (2,735') North of and Seven Hundred Two feet (702') West of origin; thence Southeast along said Northeast right-of-way line to the point of beginning.

Said catch basin and drainage outfall system to be located within the following described area: Beginning at a point Two Thousand Four Hundred Fifteen feet (2,415') North of and Five feet (5') East of origin; thence West to a point on the Southwesterly property line, said point being Two Thousand Four Hundred Fifteen feet (2,415') North of and Ninety-Two feet (92') West of origin; thence Northwest along said Southwesterly property line to a point Two Thousand Four Hundred Eighty-four and Twenty-eight hundredths feet (2,484.28') North of and One Hundred Seventy-four and Twenty-five hundredths feet (174.25') West of origin; thence continuing along aforesaid Southwest property line to a point Two Thousand Five Hundred Fifty feet (2,550') North of and Two Hundred Twenty feet (220') West of origin; thence East to a point on the centerline of Hell Creek, said point being Two Thousand Five Hundred Fifty feet (2,550') North and Ninety-six feet (96') West of origin; thence Southeast along said centerline to a point Two Thousand Four Hundred Twenty-five feet (2,425') North of and Five feet (5') East of origin, thence South to point of beginning.

The parties agree that the rights herein granted and reserved shall be exercised in accordance with the following undertakings:

1. Company shall have the right of ingress and egress across the easement areas for any purpose necessary in connection with the survey, construction, reconstruction, relocation, inspection, repair, replacement, addition to, maintenance, operation and removal of said gas and water lines and catch basin and drainage outfall system, such ingress and egress shall be exercised in a reasonable manner and with the expressed condition that any access to Company's facilities that may now or at any time in the future, be situated within the confines of the District's fenced-in area, shall be exercised under the District's supervision.

- 2, Company hereby agrees to restore to its original

condition, any real and/or personal property of the District, damaged by reason of the survey, construction, reconstruction, relocation, inspection, repair, replacement, addition to, maintenance, operation, and removal of said gas and water lines or catch basin and drainage outfall system.

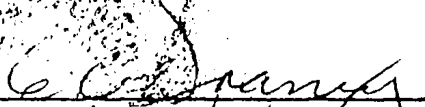
3. District may use and occupy the land within the easement areas provided that such use shall not, in the judgment of the Company, interfere with the survey, construction, reconstruction, relocation, inspection, repair, replacement, addition to, maintenance, operation and removal of said gas and water lines or catch basin and drainage outfall system, and provided further, that the District, without the prior written approval of the Company, shall not allow any buildings or structure to remain or be placed upon the above described easement areas.

4. Company shall have the right, at any time, to relocate, or add additional gas or water lines, with changed dimensions, along, under, in and across the above described easements.

IN WITNESS WHEREOF, the undersigned parties have caused these presents to be executed, attested and corporate seals affixed in ~~triplicate~~ <sup>duplicate</sup> this 15<sup>th</sup> day of July 1971.

Attest:


OMAHA PUBLIC POWER DISTRICT

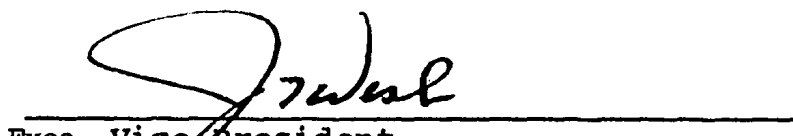
  
Assistant Secretary

  
Assistant General Manager

Attest:

WESTERN ELECTRIC COMPANY, INCORPORATED

  
Assistant Secretary

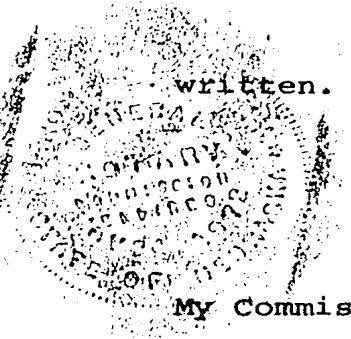
  
Exec. Vice President

STATE OF NEBRASKA )  
                              ) ss  
COUNTY OF DOUGLAS )

On this 16<sup>th</sup> day of April, 1971, before me, the undersigned, a Notary Public in and for said County and State, appeared Ralph H. Shaw and C. C. Shaw to me personally known, who being by me duly sworn, did say that they are the Assistant General Manager and Assistant Secretary respectively of Omaha Public Power District, a corporation, that the Seal affixed to said instrument is the Seal of said corporation and that said instrument was signed and sealed on behalf of said corporation and acknowledged execution thereof to be the voluntary act and deed of said corporation, by it voluntarily executed.

Witness my hand and Notarial Seal the date above

written.



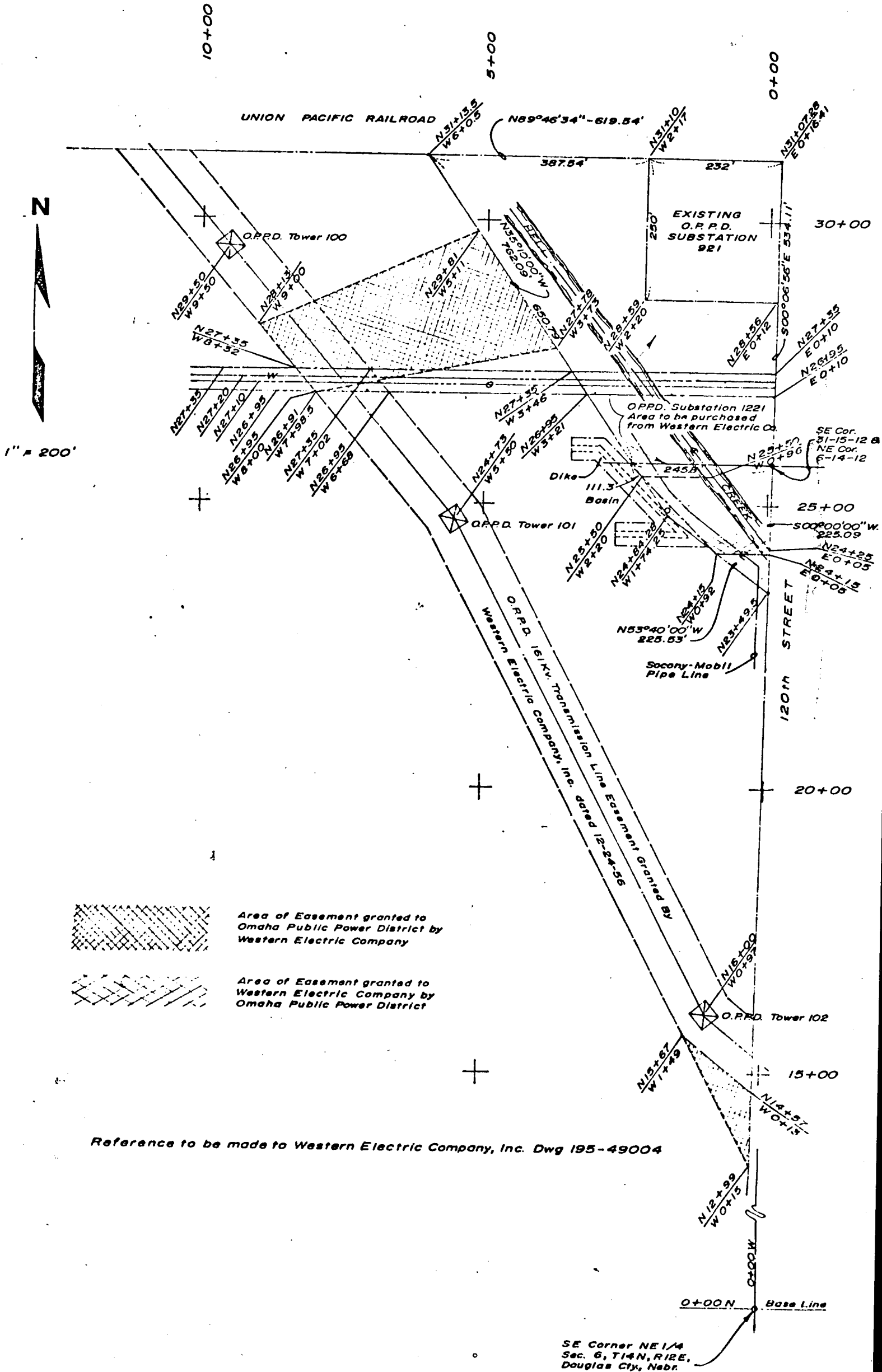
James H. [Signature]  
Notary Public

My Commission expires:

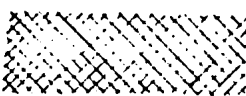
May 24, 1972

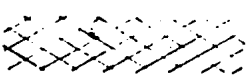
C. & S. ENGR. ASW  
DATE 4/16/71  
TRAINING ENGR. [Signature]  
DATE 4-16-71

APPROVED		
ENGR. DEPT. <u>H. G. Miller</u> DATE <u>4-16-71</u>	LEGAL DEPT. <u>Thomas Marshall</u> DATE <u>4/19/71</u>	AGY. DEPT. <u>E. C. Faye</u> DATE <u>4/16/71</u>



N  
1" = 200'

 Area of Easement granted to Omaha Public Power District by Western Electric Company

 Area of Easement granted to Western Electric Company by Omaha Public Power District

Reference to be made to Western Electric Company, Inc. Dwg 195-49004

SE Corner NE 1/4  
Sec. 6, T14N, R12E,  
Douglas Cty, Nebr.

LAND SURVEYOR'S CERTIFICATE

BOOK 502 PAGE 252

BLDG PERMIT NO. \_\_\_\_\_

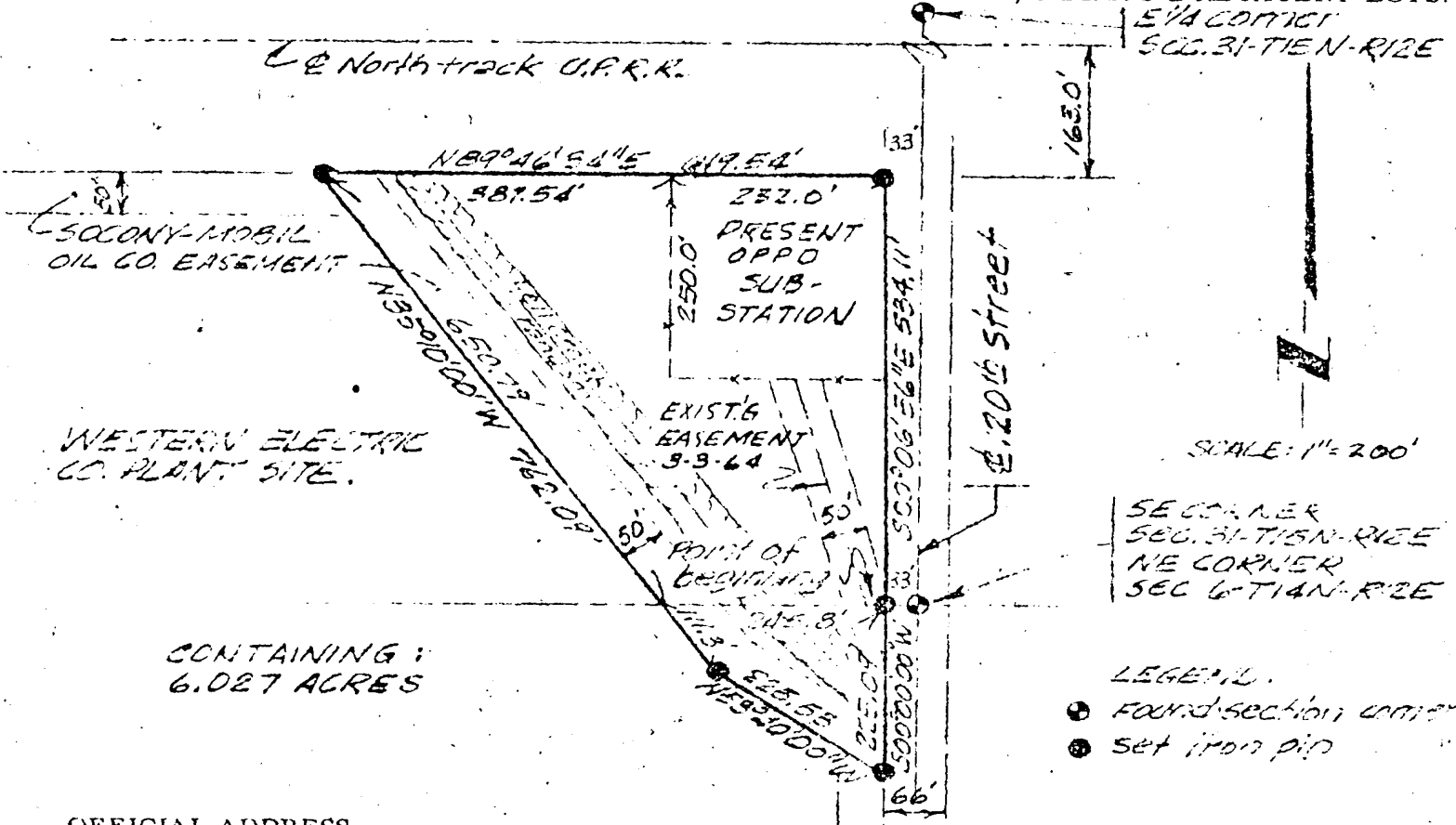
DATE: \_\_\_\_\_

This is to certify that I, the undersigned Registered Land Surveyor have surveyed the lot or tract of land hereinafter set forth and have placed permanent markers at each corner as required by Sections 81-8108 to 81-8127 of the Statutes of Nebraska and City Ordinance No. 19570.

LEGAL DESCRIPTION OF LOT OR TRACT OF LAND:

"SEE ATTACHED SHEET"

PLAT TO SCALE, LOT OR TRACT OF LAND INCLUDING STREETS, ALLEYS & ADJACENT LOTS:



OFFICIAL ADDRESS

GOLDER & ASSOCIATES, INC.  
ARCHITECTS-ENGINEERS-PLANNERS  
12103 W. 117th Street, Suite 520  
Overland Park, Kansas 66213

DATE OF SURVEY OCTOBER 17, 1971

William A. Zell  
Reg. Land Surveyor

REGISTRATION NO. 45-125

DATE RECEIVED: \_\_\_\_\_

seal

MC.  
B-PI-144

20  
ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
17 DAY OF August 1971 AT 2:57 PM. C. HAROLD OSTLER, REGISTER OF DEEDS 1850