



MISC 2009090653



AUG 18 2009 14:13 P 2

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BKP 6-15-18/8 COMP  
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DIST  
Revised - July 22, 2009

Doc.#

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
8/18/2009 14:13:27.86



2009090653

RIGHT-OF-WAY EASEMENT

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor", St. John's Church of Valley

The Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section Six (6), Township Fifteen (15) North, Range Ten (10) East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, subject to road right of way.

: SW NE

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 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 reverse side hereof for sketch of easement area.)

CONDITIONS:

Where the District's facilities are constructed the District 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, and 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').

The District shall have the right of ingress and egress across the easement area, for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.

Where the District'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 District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Except to the extent any part of the easement area is located in public road right of way, 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 Owner(s) have executed this instrument this 28 day of July, 2009.

OWNERS SIGNATURE(S)  
By: Gerald F. Pesek, Inc., a Nebraska corporation  
Gerald F. Pesek, President  
By: St. John's Church of Valley, a Nebraska non-profit corporation  
Most Rev. George J. Lucas, President

RECORD 4th

OT 107877

**CORPORATE ACKNOWLEDGMENT**

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 29 day of July, 2009, before me the undersigned, a Notary Public in and for said County, personally came

Gerald F. Pesek,

President of G.F. Pesek, Inc.

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.

*Richard L. Anderson*  
NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 29 day of July, 2009, before me the undersigned, a Notary Public in and for said County and State, personally ~~present~~ came

Most Rev. George J. Lucas, President

of St. John's Church of Valley,

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 the date above written.

*Patricia A. Schweiger*  
NOTARY PUBLIC

