

81-7757

EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this 29 day of May, 1975, between Omaha Industrial Foundation, a Nebraska non-profit corporation, hereinafter referred to as "Grantor", and Omaha Public Power District, Northwestern Bell Telephone Company and Metropolitan Utilities District of Omaha, their successors and assigns, hereafter referred to as "Grantees".

WITNESSETH:

WHEREAS, Grantor has platted and recorded Riverfront Industrial Park, a subdivision in Douglas County, Nebraska, and has dedicated utility easements for water lines and mains, cables, conduits and related appurtenances and to extend wires for the carrying and transmission of electrical current for light, heat and power and for all telephone, telegraph and message services under and over a 10 foot wide strip of land adjoining the front boundary line of each of the lots contained therein with certain time restrictions and provisions for termination; and

WHEREAS, the Grantor has shown on the recorded plat but not described in the dedication, certain areas of land entitled "Utility and Sewer Easements"; and

WHEREAS, the above dedicated easements, together with the rights and restrictions contained therein are not adequate for the Grantees to install their utility lines and mains in said subdivision.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby grant to Omaha Public Power District, Northwestern Bell Telephone Company and Metropolitan Utilities District of Omaha, their successors, and assigns, easements and rights of way to lay, maintain, operate, repair, relay and remove, at any time, water lines and mains, cables, conduits and related appurtenances and to extend wires for the transmission and carrying of electrical current for light, heat and power and for all telephone, telegraph and message services, together with the right of ingress and egress to and from the same, on, under and through lands described as follows:

A ten (10) foot wide strip of land lying in and which adjoins those boundary lines of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, of Riverfront Industrial Park, as now platted and recorded, a subdivision in Douglas County, Nebraska abutting all streets dedicated by the Grantor in connection with the platting of Riverfront Industrial Park;

A Ten (10) foot wide strip of land abutting the southwesterly right-of-way line of Abbott Drive from Fort Street to Ninth Street; and

Those areas of land captioned "Utility and Sewer Easement" appearing on the plat of Riverfront Industrial Park recorded April 23, 1974 at the Register of Deeds, Douglas County, Nebraska.

TO HAVE AND TO HOLD said easements and rights of way unto the said Grantees, Omaha Public Power District,

