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

GEORGE J. BUSLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE #119

BKUG

December 3, 1993

RIGHT-OF-WAY EASEMENT

Farmers and Merchants Bank and Trust of Watertown, Trustee of the
Morton A. Ives Trust, P.O. Box 877, Watertown, SD 57201-0877 Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

Lots 4, 5, 6, 7, 8, EXCEPT that part thereof taken for street purposes, and all of the West 30 feet of Lots 3, and 36 together with vacated alley lying between West 30 feet of Lots 3 and 36, and between Lots 4, 5, 6, 7, 8, 33, and 34, all in Block 4, in Briggs Place, an addition to the City of Omaha, as surveyed platted and recorded in Douglas County, Nebraska. Lots 34 and 35, in Briggs Place, an addition to the City of Omaha, 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, hereafter referred to as "District", 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:

A strip of land Ten feet (10') in width being Five feet (5') each side of and abutting the Districts facilities as constructed, to provide for the installation of customers service. (SEE EXHIBIT ON REVERSE SIDE)

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 Owner(s) have executed this instrument this 24th day of January, 1994.

(CORPORATE SEAL)

OWNERS SIGNATURE(S)

Farmers and Merchants Bank and Trust of Watertown, Trustee
of the Morton A. Ives Trust

By:

Richard J. Neill, Its Vice President

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF SOUTH DAKOTA

SS

COUNTY OF CODINGTON

On this 24th day of January, 1994, before me the undersigned, a Notary Public in and for said County, personally came Richard J. Neill, Vice

President of Farmers and Merchants Bank and Trust
of Watertown, Trustee of the Morton A. Ives
Trust

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 its voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Nancy J. Kjellisen - Notary Public
State of South Dakota
My Commission Expires: 3/30/97
(NOTARY SEAL)

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

STATE OF

COUNTY OF

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

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

Nancy J. Kjellisen - Notary Public
State of South Dakota
My Commission Expires: 3/30/97
(NOTARY SEAL)

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Distribution Engineer _____ Date _____
Section NW 20 Township 15 North, Range 13 East
District on Bkopsinski Engineer Proj. # 930163901 W.O.# M1 6668

CASH 1963 BK 1111 R 16-175 FB 15-04560
TYPE WISC PG 590-591 C/O COMP UP SCAN MP
FEE 15.00 OF WISC LEGL PG MC FV

