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Received - DIANE L. BATTIATO

Register of Deeds, Douglas County, NE

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3pov
October 8, 2007

Doc 3.002 10 (206)

RIGHT-OF-WAY EASEMENT

Equine Equities, Inc.

owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Fifty-one (51), Fifty-two (52), Fifty-five (55) and Fifty-six (56), Copper Ridge, an Addition as surveyed, plated and recorded in Douglas County, Nebraska.

in consideration of the sum of ^{one thousand five hundred dollars} ~~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 overhead electric facilities over and across the following described real estate, to wit:

The West Five feet (W5') of the East Thirteen feet (E13') of the above described property. (See reverse side hereof for the Five foot (5') overhang easement area.)

CONDITIONS:

This easement shall be for the overhang of wires and crossarms only and no poles shall be allowed within the Easement area.

Where the District's facilities are constructed the District shall have the right to operate, maintain, repair, replace it's overhead wires within a strip of land as indicated above, 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 Grantor's property 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 in 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.

Where the District's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to the District's facilities.

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 31st day of October, 2007.

OWNERS SIGNATURE(S)

John P. Chudy Pres.

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Land Rights 5E/EP2
444 South 16th Street Mall
Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

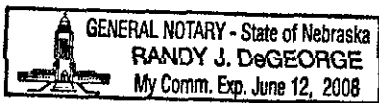
COUNTY OF DOUGLAS

On this 31st day of OCTOBER, 2007, before me the undersigned, a Notary Public in and for said County, personally came JOHN P. CHADY President of ERWINE EQUITIES, 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 voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Randy J. DeGeorge
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 20____, 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) 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.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

