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REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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FEE 10.50

BKP 39.102 C/O COMP 8

DEL SCAN FV

BKUG
September 30, 1999

Lot 240

Doc. #

RIGHT-OF-WAY EASEMENT

#1 Dan L. Smith of Irishstone L.L.C.
Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Two Hundred Forty (240), Deer Creek Addition, 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:

(See sketch on the reverse side hereof for approximate easement location.)

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 28th day of October, 1999

OWNERS SIGNATURE(S)

Dan L. Smith manager member
for Irishstone L.L.C.

< COMPLETE ACKNOWLEDGEMENT ON REVERSE SIDE HEREOF >

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EP1
444 South 16th Street Mall
Omaha, NE 68102-2247

441

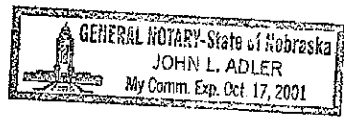
CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska
COUNTY OF Douglas
On this 28 day of October, 1999, before me
the undersigned, a Notary Public in and for said County, personally came
Dannie C. Livingston

President of of IRISHSTONE L.L.C.
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.

John L. Adler
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

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



LOT
240

OPPD EASEMENT AREA

10'

178

SCOTT ST

177

176

Distribution Engineer _____ Date _____ Property Management _____ Date _____
Section SW 1/4 29 Township 16 North, Range 12 East
Salesman Rosales Engineer Gabriel Srvc Req. # 2337 W.O.# _____