

#515

RECEIVED  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way SW/EP1  
444 South 16th Street Mall  
Omaha, NE 68102-2247

FILED FOR RECORD 4-25-96 AT 10:22 A.M.  
IN BOOK 48 OF New PAGE 167  
REGISTER OF DEEDS, CASS CO., NE Patricia Meisinger  
Doc # 515 \$1300

COMPARED

June 6, 1995

Doc. # \_\_\_\_\_

### RIGHT-OF-WAY EASEMENT

1.1 Jack Schneider & Carol A. Schneider  
John W. Ball, Melvina M. Ball \_\_\_\_\_ Owner(s) of the real estate described  
as follows, and hereafter referred to as "Grantor",

Lot 35 thru and including Lot 40, Eagle Lake Subdivision, as surveyed, platted and recorded in Cass 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 ten feet (10') strip of land, being five feet (5') each side of OPPD facilities as constructed.  
(See the reverse side hereof for sketch of approximate location of easement areas.)

#### 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.

12 IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 20th day of March, 1996.

#### OWNERS SIGNATURE(S)

13 John W. Ball

Jack Schneider

Melvina M. Ball

Carol A. Schneider

**CORPORATE ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

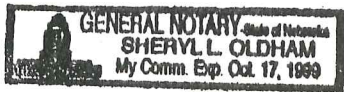
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
before me the undersigned, a Notary Public in and for said  
County, personally came \_\_\_\_\_

President of \_\_\_\_\_

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



**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF Nebraska  
COUNTY OF Cass

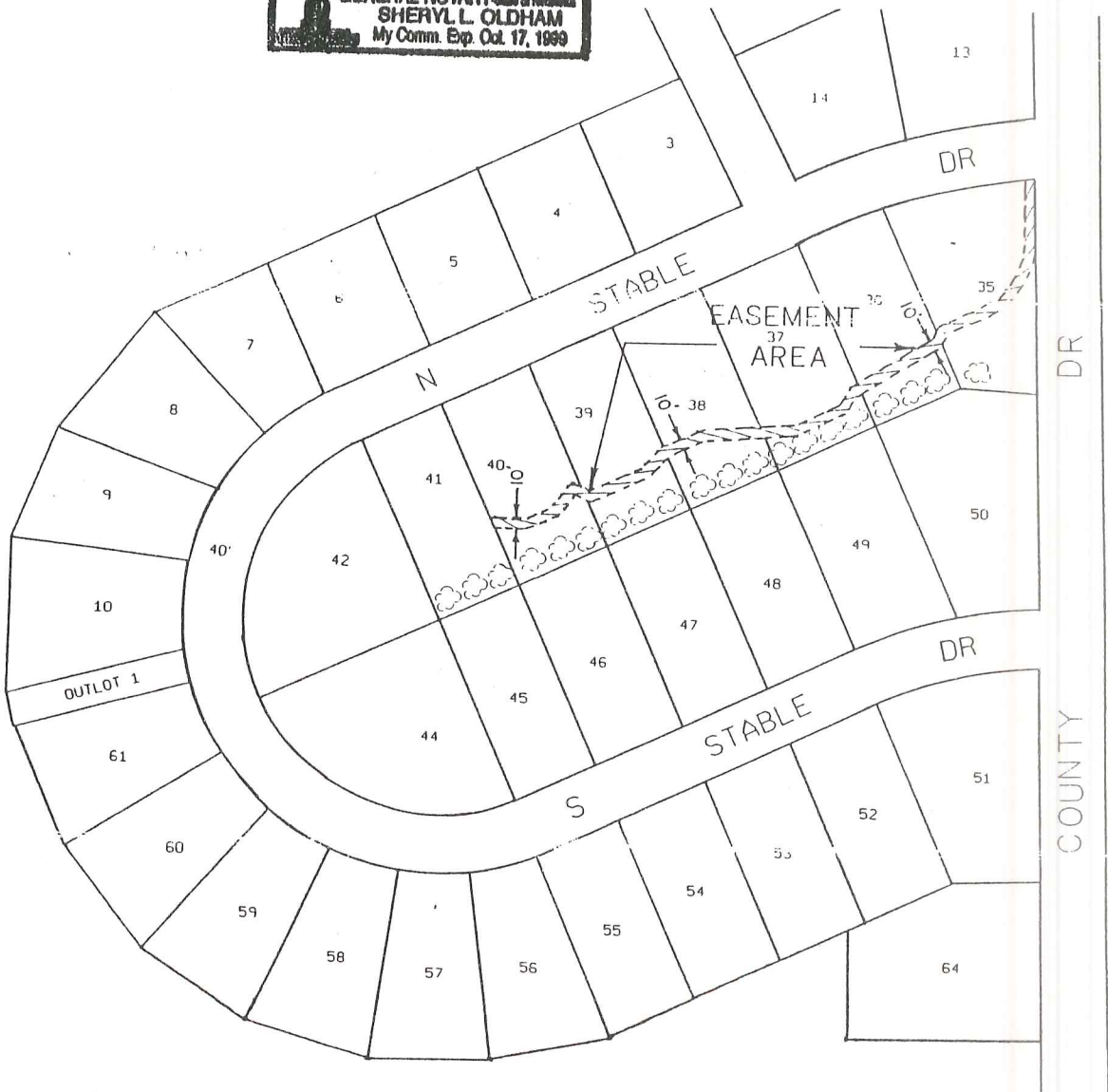
On this 20th day of March, 1996  
before me the undersigned, a Notary Public in and for said  
County and State, personally appeared

John W. Ball, Melvina M. Ball,  
Jack Schneider and Carol A. Schneider

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

Witness my hand and Notarial Seal the date above written.

Sheryl Oldham  
NOTARY PUBLIC



Distribution Engineer Gabriel Date \_\_\_\_\_  
Section SE1/4 30 Township 10 North, Range 9 East  
ROW \_\_\_\_\_ Engineer \_\_\_\_\_ Est. # \_\_\_\_\_ W.O.# 9808

*Handwritten notes:*  
P 1005 + 100A  
to LPTD (Rev)