

FILED SARPY CO NE.
INSTRUMENT NUMBER
2003-20459

2003 APR 17 P 2:17

Shirley J. Dowling
REGISTER OF DEEDS

Counter LMV
Verify SP
D.E. AL
Proof AL
Fee \$ 27.00
Ck ☐ Cash ☐ Chg ☒

OPPD

Joint
September 19, 2002

Doc.# _____

JOINT UTILITY EASEMENT

ROGERS DEVELOPMENT, INC. Owner(s) of the
real estate described as follows, and hereafter referred to as "Grantor",

Lots Seventy (70) through and including Lot Eighty-three (83) of Eagle View, as surveyed,
platted and recorded in Sarpy 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, Qwest Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

See Exhibit "A" attached hereto for drawings of the easement areas.

The Grantor hereby grants to said Utilities, their 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.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

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 Utilities 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 4th day of
October, 2002.

OWNERS SIGNATURE(S)

ROGERS DEVELOPMENT, INC.

By *Michael F. Rogers*
Michael F. Rogers, President

20459

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

A

CORPORATE ACKNOWLEDGMENT

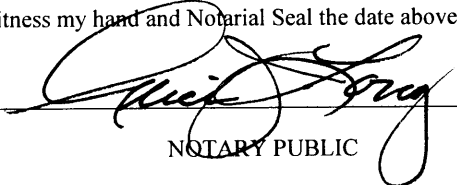
STATE OF NEBRASKA

COUNTY OF DOUGLAS

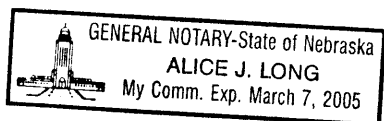
On this 4th day of October, 2002, before me the undersigned, a Notary Public in and for said County, personally came Michael F. Rogers President of ROGERS DEVELOPMENT, INC.

_____ 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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.



NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this _____ day of _____, 2002, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____

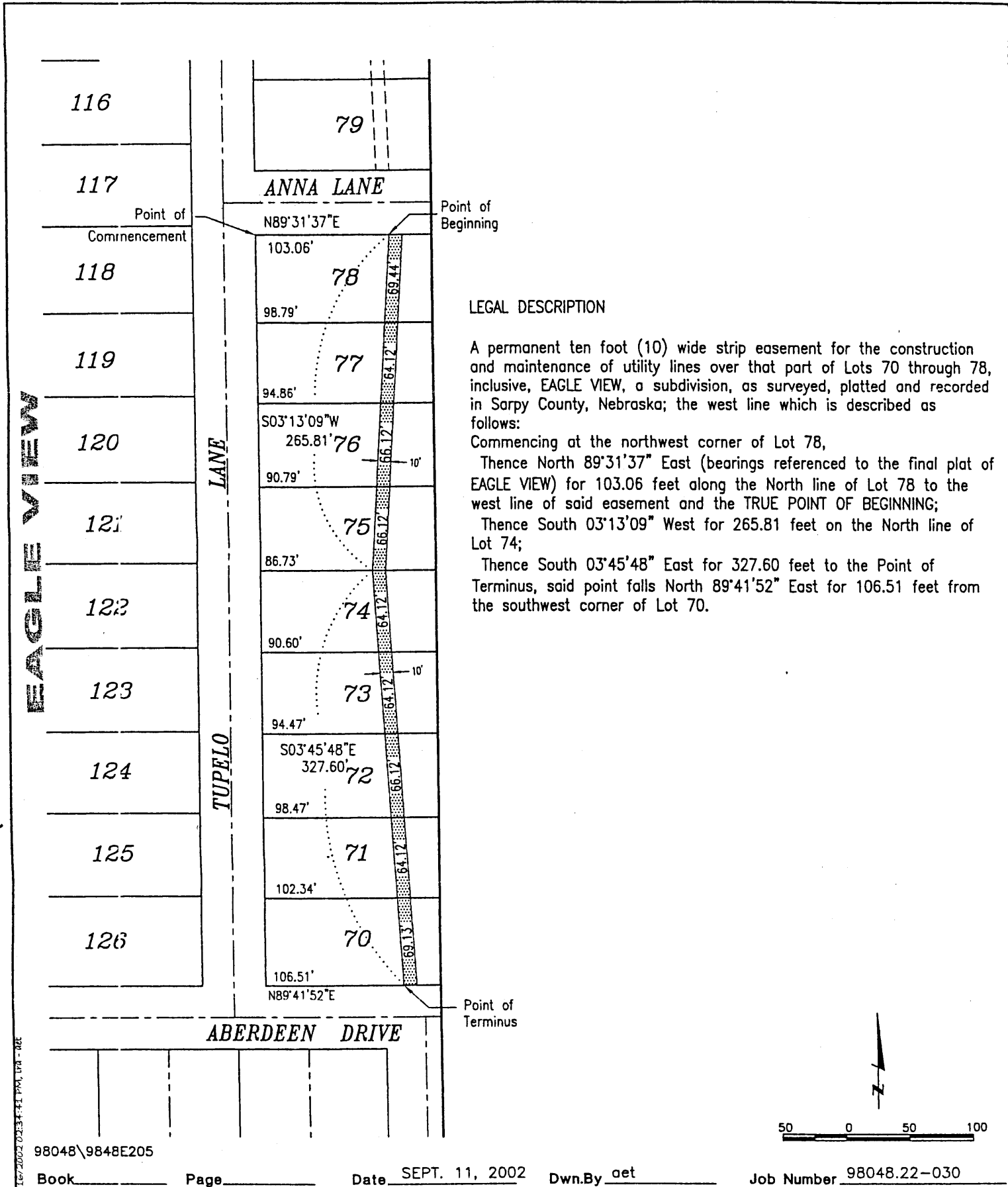
_____ personally to me known to be the identical person(s) and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.


NOTARY PUBLIC

SW¹/₄ Section 19, T 14 N, R 13 E, County Sarpy ROW RAM
Rep Carnazzo Eng Serv Req # W.O.# 112231-01

B



157-2002 0-234-41 PM, 121, 124 - 202



lamp, rynearson & associates, inc.
engineers surveyors planners

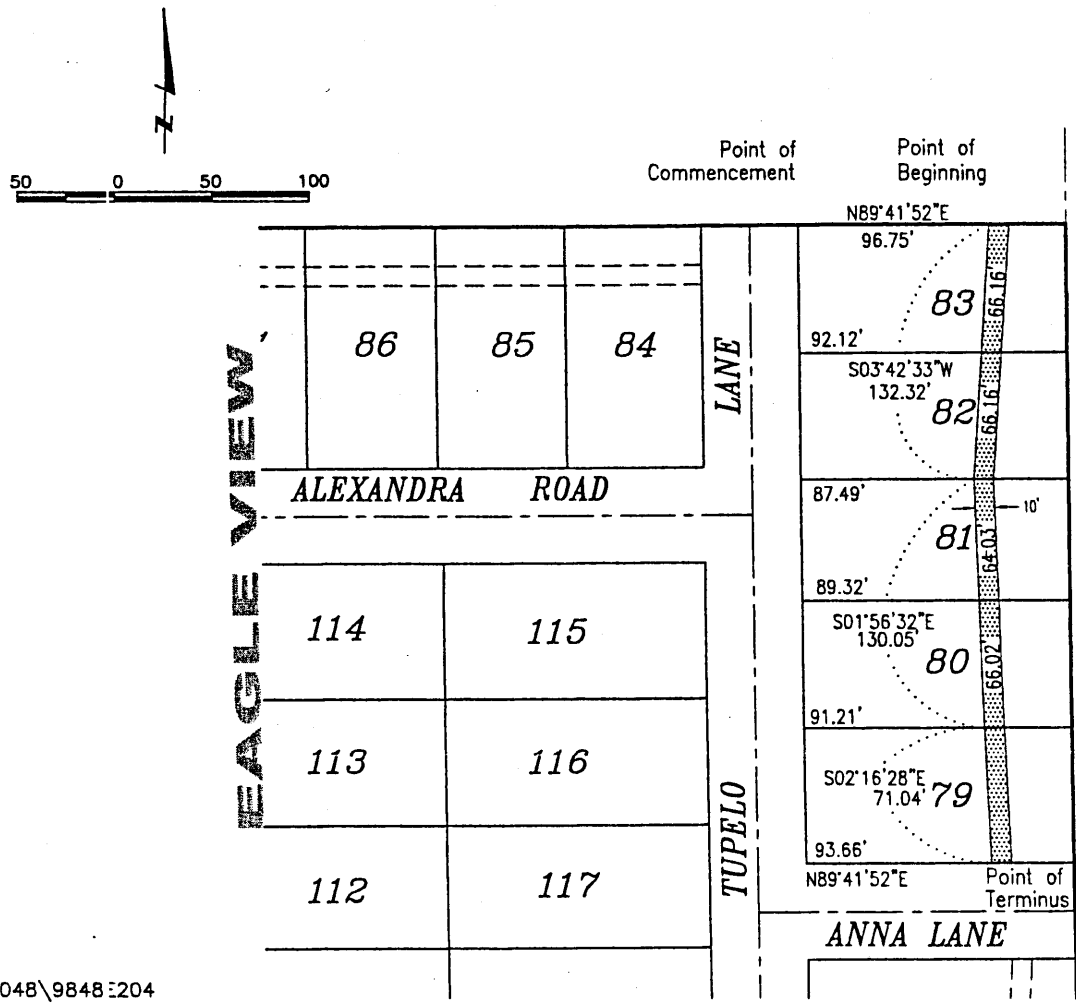
14710 west dodge road, suite 100
omaha, nebraska 68154-2029


ph 402-496-2498
fax 402-496-2730

2003 20459C

LEGAL DESCRIPTION

A permanent ten foot (10) wide strip easement for the construction and maintenance of utility lines over that part of Lots 79 through 83, inclusive, EAGLE VIEW, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; the West line which is described as follows:
Commencing at the northwest corner of Lot 83,
Thence North 89°41'52" East (bearings referenced to the final plat of EAGLE VIEW) for 96.75 feet along the North line of Lot 83 to the west line of said easement and the TRUE POINT OF BEGINNING;
Thence South 03°42'33" West for 132.32 feet on the North line of Lot 81;
Thence South 01°56'32" East for 130.05 feet the North line of Lot 79;
Thence South 02°16'28" East for 71.04 feet to the Point of Terminus, said point falls North 89°41'52" East for 93.66 feet from the southwest corner of Lot 79.





lamp, rynearson & associates, inc.
engineers surveyors planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2029

ph 402-496-2498
fax 402-496-2730