

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2003-41617

2003 JUL 28 P 2:45

*Sharon J. Bowring*  
REGISTER OF DEEDS

Counter SM  
Verify SM  
D.E. SM  
Proof SM  
Fee \$ 38.50  
Ck ☐ Cash ☐ Chg ☒ OPPD

Joint  
July 8, 2003

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

### JOINT UTILITY EASEMENT

Rogers Development, Inc.

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

Lots 127A, 127B, 128A, 128B, 129A, 129B, 130A, 130B, 131A, 131B, 132A, 132B, 133A, 133B, Lot 134 through and including Lot 137, and Lot 188 through and including Lot 196 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 11th day of July, 2003.

#### OWNERS SIGNATURE(S)

Rogers Development, Inc.

*[Signature]*

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

41617

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 11 day of July, 2003, before me the undersigned, a Notary Public in and for said County, personally came Michael 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.

Patrick J. Carnazzo  
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 2003, 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

SW ¼ Section 19, T 14 N, R 13 E, County Sarpy ROW RAM  
Rep. Carnazzo Eng.      Serv Req # 14729 W.O.# 136707-01

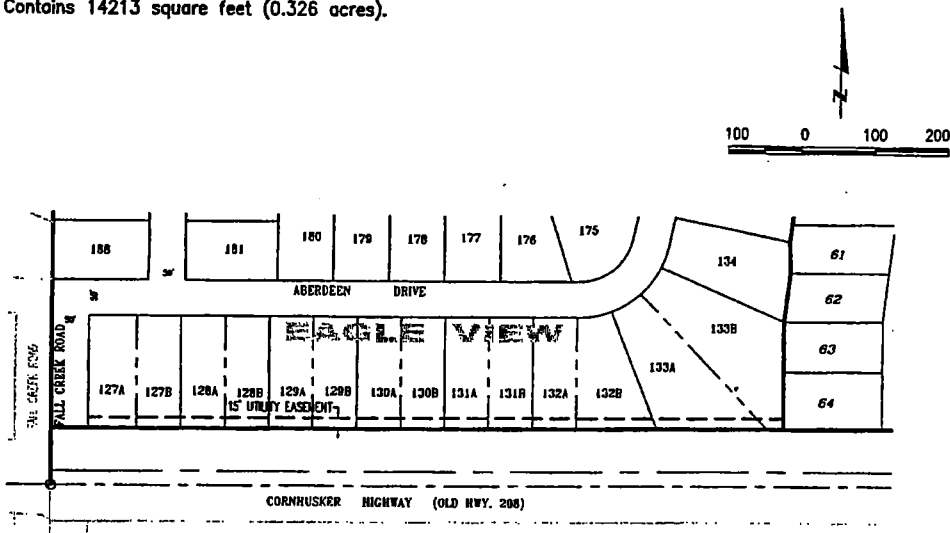
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**Exhibit "A"**

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**LEGAL DESCRIPTION**

A permanent fifteen foot (15') wide strip easement for the construction and maintenance of utility lines over the South fifteen foot (15') of Lots 127A through 133B, inclusive, EAGLE VIEW, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska. Contains 14213 square feet (0.326 acres).



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Book 98043

Page

Date June 27, 2003

Dwn.By JHVD

Job Number 98048.33 / 070

**Lamp, Rynearson & Associates, Inc.**

WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100  
Omaha, Nebraska 68154-2027(Ph) 402.496.2498  
(Fax) 402.496.2730

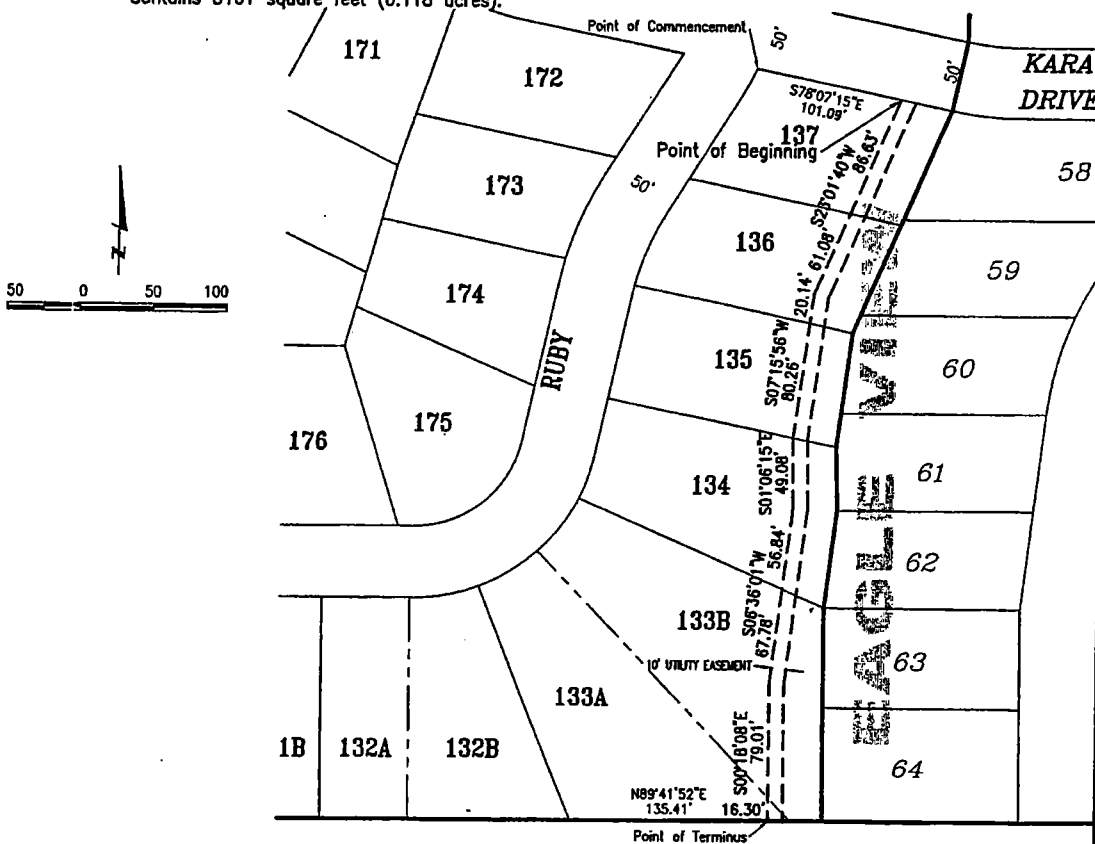
# Exhibit "A"

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## LEGAL DESCRIPTION

A permanent ten foot (10) wide strip easement for the construction and maintenance of utility lines over that part Lots 133A and 133B, AND Lots 134 through 137, inclusive, EAGLE VIEW, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, the west line of which is described as follows:

Commencing at the northwest corner of said Lot 137;  
Thence South 78°07'15" East (bearings referenced to the Final Plat of EAGLE VIEW) for 101.09 feet along the north line of said Lot 137 to the TRUE POINT OF BEGINNING;  
Thence South 23°01'40" West for 147.71 feet along said west line;  
Thence South 07°15'56" East for 100.40 feet along said west line;  
Thence South 01°06'15" East for 49.08 feet along said west line;  
Thence South 06°36'01" West for 124.62 feet along said west line;  
Thence South 00°18'08" East for 95.31 feet along said west line to the south line of said Lot 133A and the Point of Terminus.  
Said Point of Terminus falls North 89°41'52" East for 135.41 feet along the south line of Lot 133A from the southwest corner thereof.  
Contains 5161 square feet (0.118 acres).



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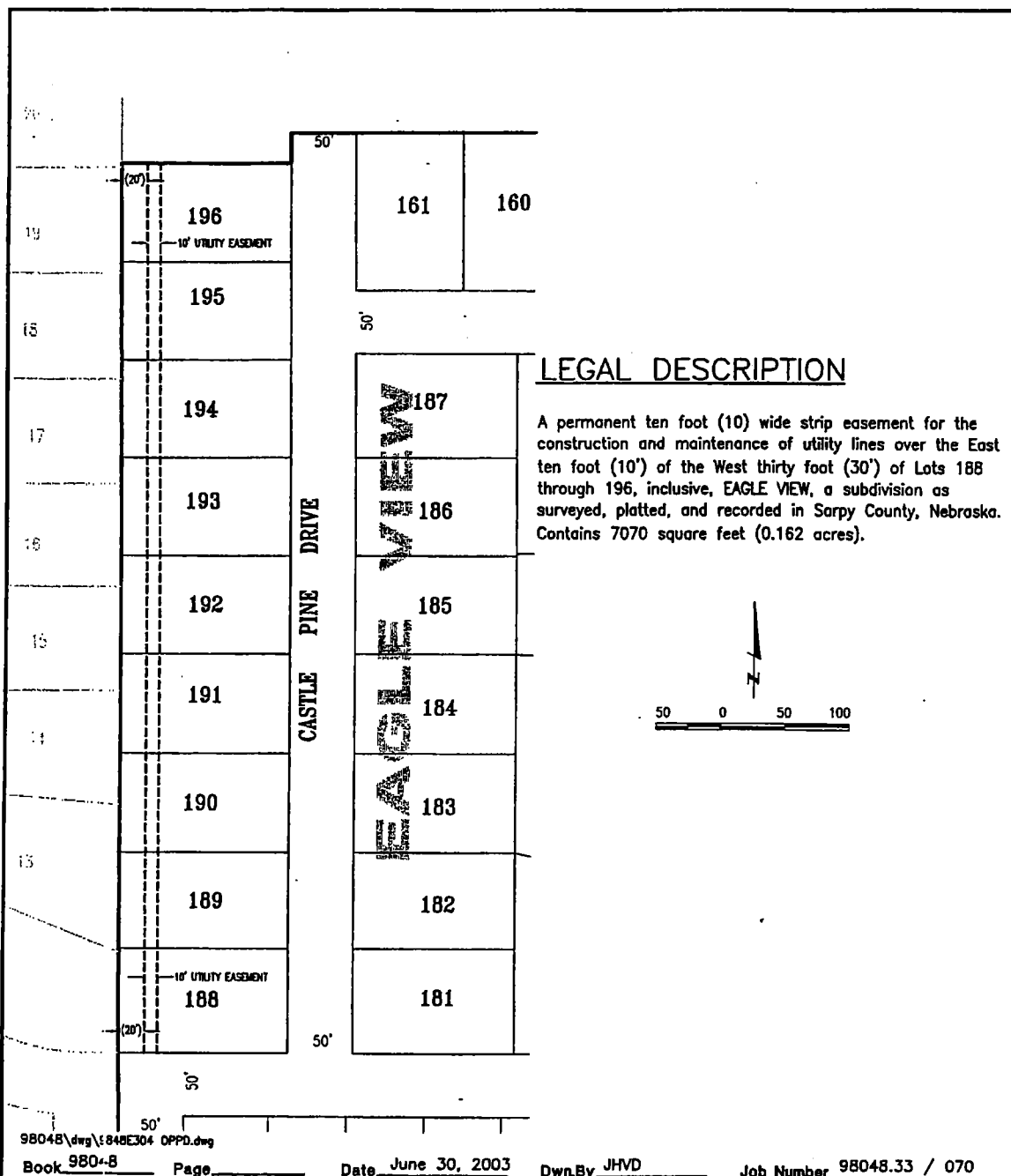
14710 West Dodge Road, Suite 100  
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498  
(Fax) 402.496.2730

2003-4617 D

**Exhibit "A"**

Page 3 of 3



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