

43-206

EASEMENT

I, Irma B. Wittmuss, widow Owner(s)

of ~~(xxx)~~ the real estate described as follows: The South 72' of the North 94' of the East 140' of Lot 9 of Thompsons Addition to Papillion, Sarpy County, Nebraska, as surveyed, platted and recorded.

in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, its successors and assigns, an easement, twelve (12') feet in width, to construct, operate and maintain its electric transmission and distribution line(s), consisting of poles, wires, cables, fixtures, guys and anchors, together with the right to trim any trees, along said line(s) where necessary to secure a clearance of at least twelve feet (12') for the wires.

The electric line(s) are to be located as herein described:

The West Twelve feet (12') of the above described real estate.

This Easement cancels and supercedes that certain easement dated April 24, 1970 and recorded in Book 43 of Miscellaneous Records at Page 176, in the Register of Deeds office, Sarpy County, Nebraska.

The Grantor also grants the OMAHA PUBLIC POWER DISTRICT power to extend to the Telephone Company the right to use jointly with the OMAHA PUBLIC POWER DISTRICT any pole placed pursuant to the provisions hereof.

The foregoing right is granted upon the express condition that the OMAHA PUBLIC POWER DISTRICT will assume liability for all damages to the above described property caused by said District's failure to use due care in its exercise of the granted right.

It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 26th day of May, 1970.

ATTEST:

Irma B. Wittmuss
Irma B. Wittmuss, widow

Grantors

STATE OF Nebraska)
COUNTY OF Sarpy) ss

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, personally appeared Irma B. Wittmuss, widow

Harold W. Wittmuss, deceased 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 her voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Harold W. Wittmuss
Notary Public

My Commission expires Sept 10, 1970

#13a 9-6-68

FILED FOR RECORD May 26, 1970 AT 3 P. M. IN BOOK 43 OF Misc. Recs.

PAGE 206 Aloise Benker-Horn REGISTER OF DEEDS, SARPY COUNTY NEB. 335

file # 001864