

EASEMENT

I, TEXACO INC. Owner(s)
We, _____ of (agent for) the real estate described as follows:

Top of the Mark 2nd Platting
Tax Lot Twenty-one A (T.L. 21A), being a part of the Northwest Quarter (NW 1/4), Section Thirty-five (35) Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., Sarpy County, Nebraska.

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, TEN 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 hereindescribed:

See exhibit on reverse side of this document for easement area.

FILED FOR RECORD 5-18-71 AT 9:00 A.M. IN BOOK 44 OF Misc Recs.
PAGE 242 Carl L. Hibbler REGISTER OF DEEDS, SARPY COUNTY, NEB. 625

After electric and telephone facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change in grade elevation or any excavations shall be made therein without prior approval, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

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 SEVENTH day of MAY, 1971.

ATTEST:

[Signature]

[Signature]

J. P. Dierks - District Sales Manager

ATTEST:

Grantors

STATE OF _____)
COUNTY OF _____) ss

STATE OF Nebraska)
COUNTY OF Douglas) ss

On this _____ day of _____, 19 _____, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____

On this 7th day of May, 19 71, before me the undersigned, a Notary Public in and for said County, personally came _____

J. P. Dierks - District Manager of Texaco Inc. (a corporation), to me personally known to be the ~~identical person~~ identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the Corporate Seal of said corporation was thereto affixed by its authority. (APPROVED BY EXECUTIVE MANAGEMENT 4-23-71)

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 at Omaha, in said County, this _____ day and year last above written.

Witness my hand and Notarial Seal the date above written.

Notary Public

Fred J. Marinelli
Notary Public

My Commission expires _____

3-25-74

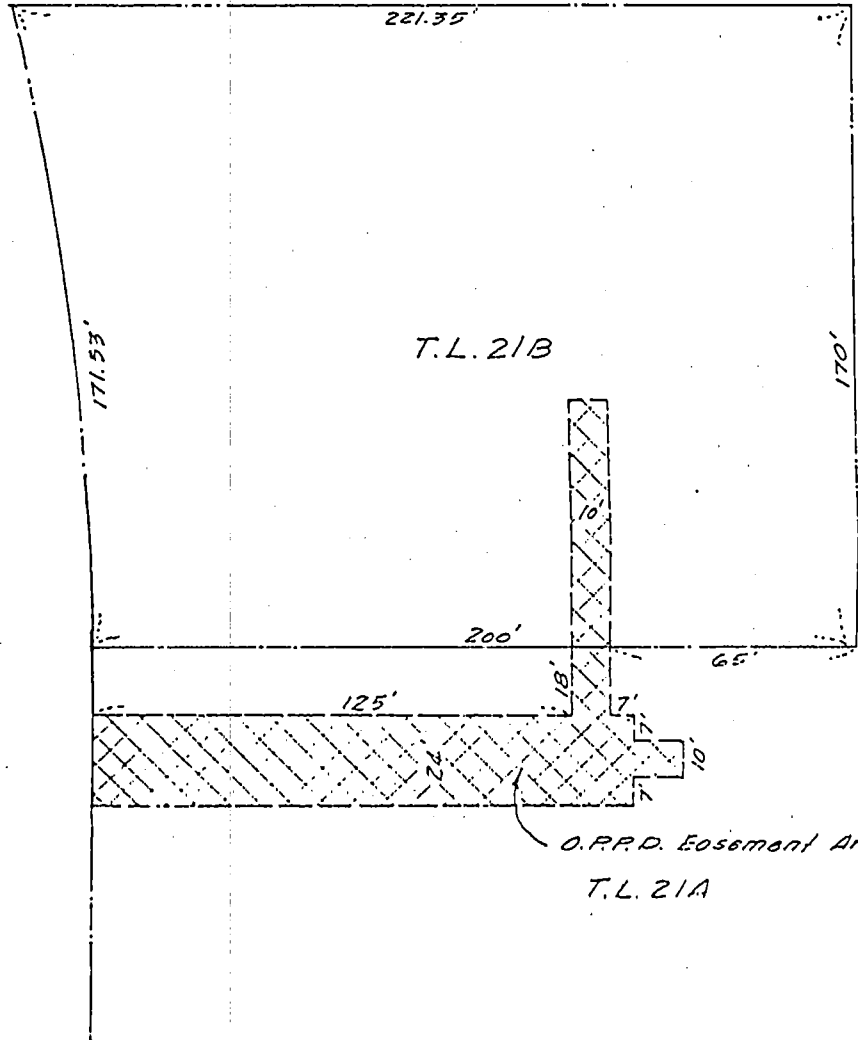
Rec # 007790

APPD.

44-242A



GOLD COAST ROAD



O.P.P.D. Easement Area

T.L. 21A

HIGHWAY 370