

RIGHT-OF-WAY EASEMENT

I. Gottsch Feeding Corporation

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

Lots One (1) and Two (2), Block "A"; Lots One (1); Block "B"; Lots Four (4), Five (5), Seven (7) and Eight (8), Block "C"; Lots (1), Two (2) and Three (3), Block "D"; Lots One (1) and Two (2), Block "E"; Lots One (1), Two (2), Five (5), Six (6), Ten (10) and Eleven (11), Block "F"; Lot One (1), Block "G" and Lots One (1) thru Five (5), inclusive, Block "H", and the following Drives, Cady, Ash, Poplar, Hickory and Gottsch, all in Gottsch Addition, an addition to the Village of Arlington, Washington County, Nebraska, as surveyed, platted and recorded.

STATE OF NEBRASKA, COUNTY OF WASHINGTON) SS 1616

ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD

THIS 26th DAY OF July A.D. 1978

AT 8:48 O'CLOCK A.M. AND RECORDED IN

BOOK 119 AT PAGE 159

COUNTY CLERK Charlotte S. Petersen

DEPUTY Karen Madson

1978 JUL 26 AM 8:48

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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its successors and assigns, collectively referred to as "Grantees", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to wit:

The South and West Five feet (5') of Lot One (1), the South and East Five feet (5') of Lot Two (2), Block "A"; the North Five feet (5') of Lot One (1), Block "B"; the South Five feet (5') of Lots Four (4) and Seven (7), the North Five feet (5') of Lots Five (5) and Eight (8), Block "C"; the South Five feet (5') of Lots One (1), Two (2) and Three (3), Block "D"; the South Five feet (5') of Lots One (1) and Two (2), Block "E"; the South Five feet (5') of Lots One (1), Five (5) and Eleven (11), the North Five feet (5') of Lots Two (2), Six (6) and Ten (10), Block "F"; the North Five feet (5') of Lot (1), Block "G"; the South Five feet (5') of Lots One (1) and Three (3), the North Five feet (5') of Lots Two (2) and Four (4) and the East Thirty feet (30') of the West Forty feet (40') of the South Five feet (5') of Lot Five (5), Block "H" and within the platted limits of Cady, Ash, Poplar, Hickory and Gottsch Drives, all in Gottsch Addition, an addition to the Village of Arlington, Washington County, Nebraska, as surveyed, platted and recorded.

CONDITIONS:

- Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least twelve feet (12').
- The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her 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.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 6 day of June, 1978.

STATE OF NEBRASKA
COUNTY OF Washington

On this 6 day of June, 1978,
before me the undersigned, a Notary Public in and for said

County, personally came Robert Gottsch

President of Gottsch Feeding Corporation,
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 at Arlington in said County the day and year last above written.

EDWARD E. BAKER
GENERAL NOTARY - State of Neb.
My Commission Expires

NOTARY PUBLIC

My Commission expires: August 23, 1979

STATE OF
COUNTY OF

On this day of 19
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

My Commission expires:

Distribution Engineer 14 Date 6/20/78 Land Rights and Services 2008 Date 7/5/78

Recorded in Misc. Book No. at Page No. on the day of 19

Section 12 Township 17 North, Range 9 East Salesman Kuhn Engineer Jones Est. 186076 W.O. 5015(18)