

91-05478

RSBK

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

**RIGHT-OF-WAY EASEMENT**

April 3, 1991

Kersten & Lee, a partnership,

Owner(s)

of the real estate described below, and hereafter referred to as "Grantor(s)", 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, hereafter referred to as "District", a permanent right-of-way easement to install, operate, maintain, repair, replace and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

Part of Tax Lot 1 in the SE1 of the SE1 of Section 25, T14N, R10E of the 6th P.M., Sarpy County, Nebraska, together with part of the SW1 of Section 30, T14N, R11E of the 6th P.M., Sarpy County, Nebraska lying South of the South line of the C.B. & Q. Railroad all more particularly described as follows: Commencing at the SE corner of said Section 25; thence North (assumed bearing) 77.00 feet on the East line of said Section 25 to the point of beginning said point being on the North line of Highway 370; thence Westerly on the North line of Highway 370 on the following described four courses: thence S89°45'54"W 476.37 feet; thence N70°15'14"W 175.57 feet; thence N45°14'05"W 127.28 feet; thence S62°35'55"W 65.69 feet to the West line of said Tax Lot 1; thence N00°05'06"W 669.79 feet on the West line of said Tax Lot 1 to the Southeasterly line of the C.B. & Q. Railroad; thence N62°20'09"E 141.70 feet on the Southeasterly line of the C.B. & Q. Railroad to a point of curve; thence Northeasterly on the Southeasterly line of the C.B. & Q. Railroad on a 2793.15 foot radius curve to the left; chord bearing N55°18'30"E, chord distance 683.44 feet, an arc distance of 685.16 feet to the North line of said Tax Lot 1; thence N89°31'09"E 103.82 feet on the North line of said Tax Lot 1 to the West line of the SW1 of said Section 30; thence North 166.02 feet on the West line of said SW1 to the Southeasterly line of the C.B. & Q. Railroad; thence N45°54'45"E 733.53 feet on the Southeasterly line of the C.B. & Q. Railroad; thence S00°01'15"E 244.29 feet; thence S66°53'29"E 1150.67 feet; thence S40°09'36"W 1597.17 feet to the North line of Highway 370; thence S89°47'01"W 555.18 feet on a line 77.00 feet North of and parallel to the South line of said Section 30 and on the North line of Highway 370 to the point of beginning.

**CONDITIONS:**

Where the District's facilities are constructed, the District shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power, including all services of the District to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land Sixteen feet (16') in width, being Eight feet (8') on each side of and abutting the District's facilities as constructed.

The District 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.

Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where the District's facilities have been constructed.

The District shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be.

It is further agreed Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and that his/hers/their heirs, executors, administrators, successors or 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 Owner(s) have executed this instrument this 8<sup>th</sup> day of April, 19 91.

\_\_\_\_\_  
\_\_\_\_\_  
X Ernest V Kersten  
X Ralph Lee

OWNERS SIGNATURE(S)

Distribution Engineer RLQ Date 4-18-91 Property Management JSR Date 4-22-91  
Section SE 1/4 25 Township 14 North, Range 10 East  
Salesman Edwards Engineer Edwards Est. # 910042101 w.o. # 8396

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

05478

024

25-14-10

30-14-11

91-05478 A

SE  
P  
4

SW P P  
P P 3 4  
1 2 3 4

**CORPORATE ACKNOWLEDGEMENT**

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF

STATE OF *Nebraska*

COUNTY OF

COUNTY OF *Sarpy*

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
before me the undersigned, a Notary Public in and for said  
County, personally came President of \_\_\_\_\_

On this *8<sup>th</sup>* day of *April*, 19 *91*,  
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) 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.

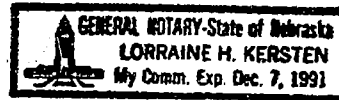
\_\_\_\_\_ personally to me known to be the identical person(s) and  
who acknowledged the execution thereof to be *Lorraine Kersten Ralph Lee*  
voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

NOTARY PUBLIC



Proof	<u>        </u>
D.E.	<u>        </u>
Verify	<u>        </u>
Filmed	<u>        </u>
Checked	<u>        </u>
Fee \$	<u>10.50</u>

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
91-05478

91 APR 22 PM 3:06

*Carol A. Gavin*  
REGISTER OF DEEDS

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Real Estate Division  
444 South 16th Street Mall  
Omaha, NE 68102-2247