

9/25/79

52-736

OPPD Form No. 1-75-1

Distribution

RIGHT-OF-WAY EASEMENT

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

Lots One Hundred (100) thru One Hundred Eighty-four (184), inclusive and Out Lots "B" & "C", Hawaiian Village, an addition to Sarpy County, Nebraska, as surveyed, platted and recorded.

FILED FOR RECORD 10-23-79 AT 1:15 P.M. IN BOOK 52 OF Misc Recs.
PAGE 736 Carl L. Hilleled REGISTER OF DEEDS, SARPY COUNTY, NEB. 24 75

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:

A strip of land five feet (5') in width, lying adjacent to and parallel to the side lot lines of Lots One Hundred (100) thru One Hundred Eighty-four (184), inclusive and Out Lot "C". Also a Strip of land five feet (5') in width, lying adjacent to and parallel to the Northeastly (side) lot line of Out Lot "B".

CONDITIONS:

- (a) 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').
- (b) 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.
- (c) 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.
- (d) 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 15 day of October, 1979.

William G Archibald
William G Archibald

STATE OF
COUNTY OF

STATE OF Nebraska
COUNTY OF Douglas

On this _____ day _____, 19____,
before me the undersigned, a Notary Public in and for said
County, personally came _____

On this 15 day of October, 1979,
before me the undersigned, a Notary Public in and for said County and
State, personally appeared
William G Archibald

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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at _____ in
said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.



Joan M Gossin
NOTARY PUBLIC
October 12, 1982

My Commission expires: _____

Distribution Engineer AA Date 10-9-79 Land Rights and Services
Recorded in Misc. Book No. _____ at Page No. _____ on _____ day of _____, 19____
Section 27 Township 13 North, Range 12 East Salesman _____ Engineer Dropinski Est. # 87816 R.O. # 5014

Act 10282