

STATE OF NEBRASKA COUNTY OF WASHINGTON) SS 1948  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 6th DAY OF June A.D. 19 97  
AT 11:36 O'CLOCK A.M. AND RECORDED IN BOOK  
267 AT PAGE 77  
COUNTY CLERK Charlotte L. Petersen  
DEPUTY Karen Madsen

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FILED

97 JUN -6 AM 11:36

CHARLOTTE L. PETERSEN  
WASHINGTON COUNTY CLERK  
BLAIR, NEBR.

Doc. #

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### RIGHT-OF-WAY EASEMENT

Evelyn J. Rogge & Benjamin J. Rogge Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

Tax Lot 63

A tract of land lying in the Northwest Quarter of the Northeast Quarter of Section 13, Township 17 North, Range 11 East of the 6th P.M., Washington County, Nebraska.

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:

A strip of land being Ten feet (10') in width, being Five feet (5') each side of and abutting the District's Underground facilities as constructed, together with a strip of land Sixteen feet (16') in width being Eight feet (8') each side of and abutting the District's Overhead facilities as constructed. To provide for customer service.

#### CONDITIONS:

Where the District's facilities are constructed the District 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 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.

Where the District'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 District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Where the District's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to the District's facilities.

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/its/their 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 Owner(s) have executed this instrument this 22 day of April, 19 97.

#### OWNERS SIGNATURE(S)

X Evelyn J. Rogge

#### CORPORATE ACKNOWLEDGMENT

STATE OF

COUNTY OF

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

President of \_\_\_\_\_

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 the date above written.

NOTARY PUBLIC

#### INDIVIDUAL ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Douglas

On this 22 day of April, 1997, before me the undersigned, a Notary Public in and for said County and State, personally appeared Evelyn J. Rogge

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.

Lisa Hansen

NOTARY PUBLIC

GENERAL NOTARY-State of Nebraska  
LISA HANSEN  
My Comm. Exp. Dec. 30, 1999.

Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section NW 1/4 13 Township 17 North, Range 11 East  
Salesman Salerno Engineer Salerno Est. # 270061301 W.O. # \_\_\_\_\_

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