

RIGHT-OF-WAY EASEMENT

I, We, 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, 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:

Commencing at the Southwest corner of Tax Lot 26 in the East Half of the Southeast Quarter of Section Eight (8), Township Seventeen (17) North, Range Twelve (12), East and assuming the South line of Tax Lot 26 to rear due East-West; thence N 41°03'24"E a distance of 432.33 feet to the point of beginning; thence continuing N41°03'24"E a distance of 208.71 feet; thence N48°56'36"W a distance of 208.71 feet; thence S41°03'24"W a distance of 208.71 feet; thence S48°56'36"E a distance of 208.71 feet to the point of beginning; lying in the East Half of the Southeast Quarter of Section Eight (8), Township Seventeen (17) North, Range Twelve (12) East of the 6th P.M., Washington County, Nebraska.

STATE OF NEBRASKA, COUNTY OF WASHINGTON SS 1111

ENTERED IN THE INDEX AND FILED FOR RECORD

THIS 23rd day of July A.D. 1980

AT 9:00 AM AND RECORDED IN

BOOK 128-475

COUNTY CLERK Charles J. Peterson

DEPUTY Beverly Trautman

Recorded: [initials]
General: [initials]
Numerical: [initials]
Photostat: [initials]

RECORDED
JUL 23 11 AM 9:33

CONDITIONS:

- (a) Where Grantees' facilities are constructed, Grantees 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 and for the transmission of signals and sound of all kinds and the reception thereof, including all services of the Grantees 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 parallel to facilities as constructed by Grantees.
(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) 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 Grantees' facilities have been constructed.
(d) Grantees 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.
(e) It is further agreed 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 or assigns shall warrant and defend the same and will indemnify and hold harmless the Grantees 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 26 day of June, 1980.

ATTEST:

M. Elaine Dyer [Signature]
M. Elaine Dyer [Signature] Grantor(s)

STATE OF
COUNTY OF

On this 26 day of June, 1980, 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.

STATE OF
COUNTY OF

On this 26 day of June, 1980, before me the undersigned, a Notary Public in and for said County and State, personally appeared

Don F. Kozial - Mary F. Kozial

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

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

Witness my hand and Notarial Seal the date above written.

GENERAL NOTARY - State of Nebraska
M. ELAINE DYER
My Comm. Exp. May 4, 1983

My Commission expires:

My Commission expires: 5-4-83

Distribution Engineer B.N. Date 7/7/80 Land Rights and Services [Signature] Date 7/1/80.
Recorded in Misc. Book No. at Page No. on the day of 19
Section 8 Township 17 North, Range 12 East Salesman Fink Engineer Fink Est. #87676 W.O. # 6821