

RIGHT-OF-WAY EASEMENT

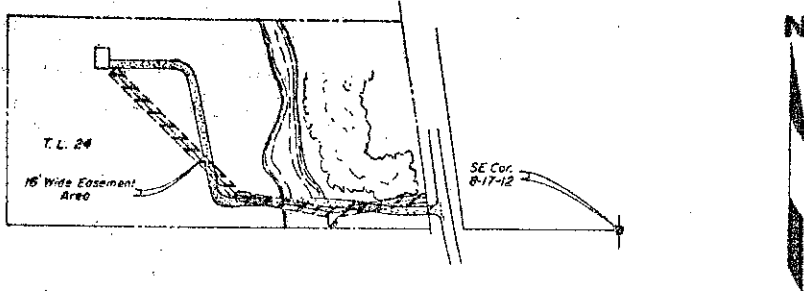
1. JOHN W. TARBORG Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor".

Tax Lot Twenty-four (T.L. 24), being a part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) 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 1339  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 22 DAY OF June AD 1978  
AT 9:29 O'CLOCK P.M. AND RECORDED IN  
BOOK 118 AT PAGE 551  
COUNTY CLERK Barbara Peterson  
DEPUTY

1978 JUN 22 AM 9:29

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:



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 heretofore 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 whatsoever 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

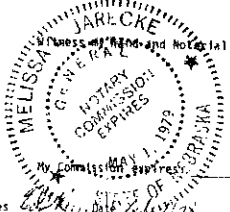
*John W. Tarborg*

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.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
On this 13th day of June, 1978,  
before me the undersigned, a Notary Public in and for said County and  
State, personally appeared John W. Tarborg

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.  
\_\_\_\_\_  
NOTARY PUBLIC



*Melissa Jarlock*  
NOTARY PUBLIC  
May 1, 1979

My Commission Expires: \_\_\_\_\_  
Distribution Engineer RD Date 6/22/78 Land Rights and Services \_\_\_\_\_  
Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
Section 8 Township 17 North, Range 12 East Salesman Kuhn Engineer R. Jones Est. # 86635 K.O. # 8964

Recorded \_\_\_\_\_  
General \_\_\_\_\_  
Numerical \_\_\_\_\_  
Photostat \_\_\_\_\_

118-551