

EASEMENT

HILLHAVEN PROPERTIES, INC., owner of the real estate described as follows, and hereafter referred to as "Grantor":

- Lots 708 through 724, inclusive,
- Lots 760 through 767, inclusive,
- Lots 780 through 819, inclusive,
- Lots 831 through 842, inclusive,
- All in LaVista, Sarpy County, Nebraska,

in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, its successors and assigns, and the NORTHWESTERN BELL TELEPHONE COMPANY, its successors and assigns, collectively referred to as "Grantee", a permanent easement, with rights of ingress and egress thereto, to install, operate, maintain, repair, replace and renew its electric and telephone facilities over, upon, along and under the following described real estate, to-wit:

A five-foot wide strip of land adjoining the side lot lines of each of said lots for street lights.

CONDITIONS:

- (A) Where Grantee's facilities are constructed they shall have the right to install, operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cable, fixtures, guys and anchors within a strip of land five (5) feet in width, 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) After electric and telephone facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change in grade elevation or any excavations shall be made therein without prior written approval, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (C) The foregoing right is granted upon the express condition that the Grantees will assume liability for all damages to the above described property caused by Grantees' failure to use due care in its exercise of the granted right.
- (D) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that its heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee 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 15th day of November, 1971.

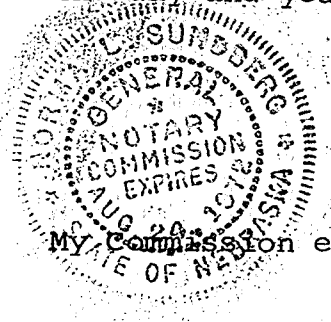


HILLHAVEN PROPERTIES, INC.  
By: John W. Delehant  
President

STATE OF NEBRASKA)  
  ) ss.  
COUNTY OF DOUGLAS)

On this 15th day of November, 1971, before me the under-  
signed, a Notary Public in and for said County, personally came  
JOHN W. DELEHANT, President of HILLHAVEN PROPERTIES, INC., to me  
personally known to be the President and the identical person whose  
name is affixed to the above conveyance, and acknowledged the  
execution thereof to be his voluntary act and deed as such officer  
and the voluntary act and deed of said corporation and that the  
Corporate Seal of said corporation was thereto affixed by its  
authority.

WITNESS my hand and Notarial Seal at Omaha, in said County,  
the day and year last above written.



*Norma L. Sundberg*  
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Notary Public

My Commission expires August 24 1972 .