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BOOK 941 PAGE 746

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

**PARTIAL RELEASE OF EASEMENT AND CONSENT TO CONSTRUCT
WITHIN LIMITED HEIGHT DECK BUILDING ZONING OF EASEMENT**

This Partial Release of Easement and Consent to Construct within the Limited Height Deck Building Zoning of Easement ("Partial Release and Consent to Construct") is made and executed this 15th day of October, 1990.

W I T N E S S E T H:

WHEREAS, the Omaha Public Power District ("OPPD") is the owner and holder of an easement which runs through Lots 30 through 40, inclusive, of Lake Cunningham Hills, a subdivision in Douglas County, Nebraska, which easement is set forth in the Plat and Dedication of Lake Cunningham Hills recorded on March 31, 1988 in Book 1823, Page 41 of the Plat Records of the Register of Deeds, Douglas County, Nebraska, and which easement is also set forth in an instrument recorded with the Register of Deeds, Douglas County, Nebraska, on September 24, 1931 in Miscellaneous Record No. 98 at Page 19, and in a Grant of Easement recorded on July 2, 1974 in the Miscellaneous Records Book No. 538, Page 479 of the records of the Register of Deeds, Douglas County, Nebraska, which Grant of Easement was assigned to OPPD by an Assignment of Easement document dated August 21, 1975 from the United States of America to OPPD, and which easement is further described on Exhibit "A" attached hereto, all of which is hereinafter referred to as the "OPPD Easement"; and

WHEREAS, OPPD is agreeable to releasing that portion of the OPPD Easement set forth in Exhibit "A" attached hereto, and giving its consent and permission to construct within the Limited Height Deck Building Zone which is described in Exhibit "A" attached hereto, all pursuant to the terms of Exhibit "A" attached hereto; and

WHEREAS, the real property to which this Partial Release and Consent to Construct relate is described as follows and is further described on Exhibit "A" attached hereto:

Lot 39, Lake Cunningham Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

For valuable consideration receipt and sufficiency of which is hereby acknowledged, OPPD hereby releases from the OPPD Easement the area described as the Release Area in Exhibit "A" attached hereto; and, further, hereby consents to the

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construction, repair, maintenance and reconstruction of structures within the Limited Height Deck Building Zone up to the Maximum Height of Deck Structure, all of which is described in Exhibit "A" attached hereto, and all pursuant to Exhibit "A" attached hereto.

This Partial Release and Consent to Construct runs with the land and inures to the benefit of the real property described herein and to the owners of such real property, and to their successors, invitees, assigns and representatives.

OPPD hereby represents and warrants that it is the owner of the OPPD Easement described herein and that it has the right and authority to execute and grant this Partial Release and Consent to Construct that is set forth herein.

IN WITNESS WHEREOF, OPPD has caused these presents to be executed in its name and on its behalf and its corporate seal to be affixed on the day and year first above written.

OMAHA PUBLIC POWER DISTRICT

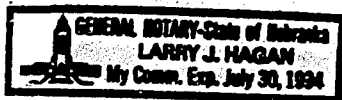
By: Larry Troutman
Larry Troutman
Its: Manager - Transmission Engineering

By: Glenn Pyle
Glenn Pyle
Its: Manager - Facilities Serv. & Real Estate

STATE OF NEBRASKA] COUNTY OF DOUGLAS] SS.

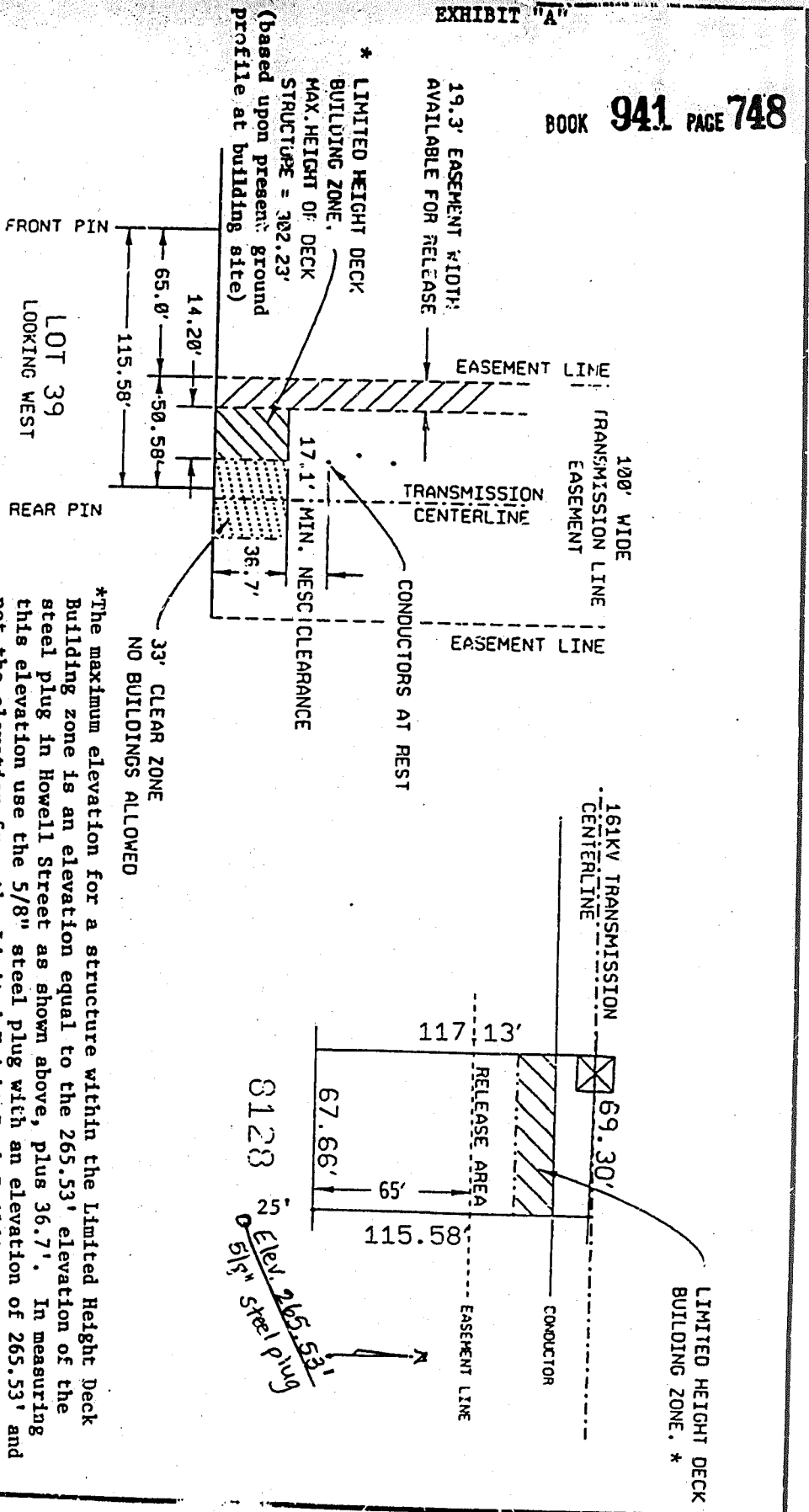
On this 15th day of October, 1990 before me, a notary public in and for said county and state, personally appeared Glenn Pyle, known to me to be Mgr. - Fac. Serv. & Real Estate of the Omaha Public Power District and acknowledged that the execution of this document to be his voluntary act and deed on behalf of said corporation, and the voluntary act and deed of said corporation, and that such signator is duly authorized to execute the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal at Omaha, Douglas County, Nebraska.



Larry J. Hagan
Notary Public

EXHIBIT "A"



REV.	BY	DATE	SCALE	1"=40'
1	R	11-02-89	DRAFT	
2	T		CHECK	
3	M		APPROVING	
4			APPD.	P. L. ODDO
5			DEPT.	TRANSMISSION

161KV TRANSMISSION LINE EASEMENT RESTRICTIONS

LOT 39

LAW DUNNOWN HILLS

B-6079 SH. 10