

Lakeside Hills check DOC

BOOK 581 PAGE 32

OPPD Form No. 1-75-2

Distribution

RIGHT-OF-WAY EASEMENT

I, Sheldon J. Harris, Trustee of the real estate described as follows, and hereafter referred to as "Grantor",

The Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-eight (28), Township Fifteen (15) North, Range Eleven (11) East of the 6th P.M., Douglas 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, 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:

See sketch on reverse side of this document for easement area.

Grantees shall install no more than two 45 foot (maximum) poles in the easement area.

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, structures, 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 hereinbefore 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 (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 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 15th day of April, 1977.

Sheldon J. Harris, Trustee

STATE OF
COUNTY OF
On this ___ day of ___, 19__
before me the undersigned, a Notary Public in and for said
County, personally came

STATE OF Nebraska
COUNTY OF Douglas
On this 15th day of April, 1977,
before me the undersigned, a Notary Public in and for said County and
State, personally appeared
Sheldon J. Harris, Trustee

Personally to me known to be the identical person(s) who signed the foregoing instrument or grantor(s) and who acknowledged the execution thereof to be voluntary act and deed for the purpose therein expressed.

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.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

Albert L. Feldman
NOTARY PUBLIC

My Commission expires: _____

My Commission expires: _____

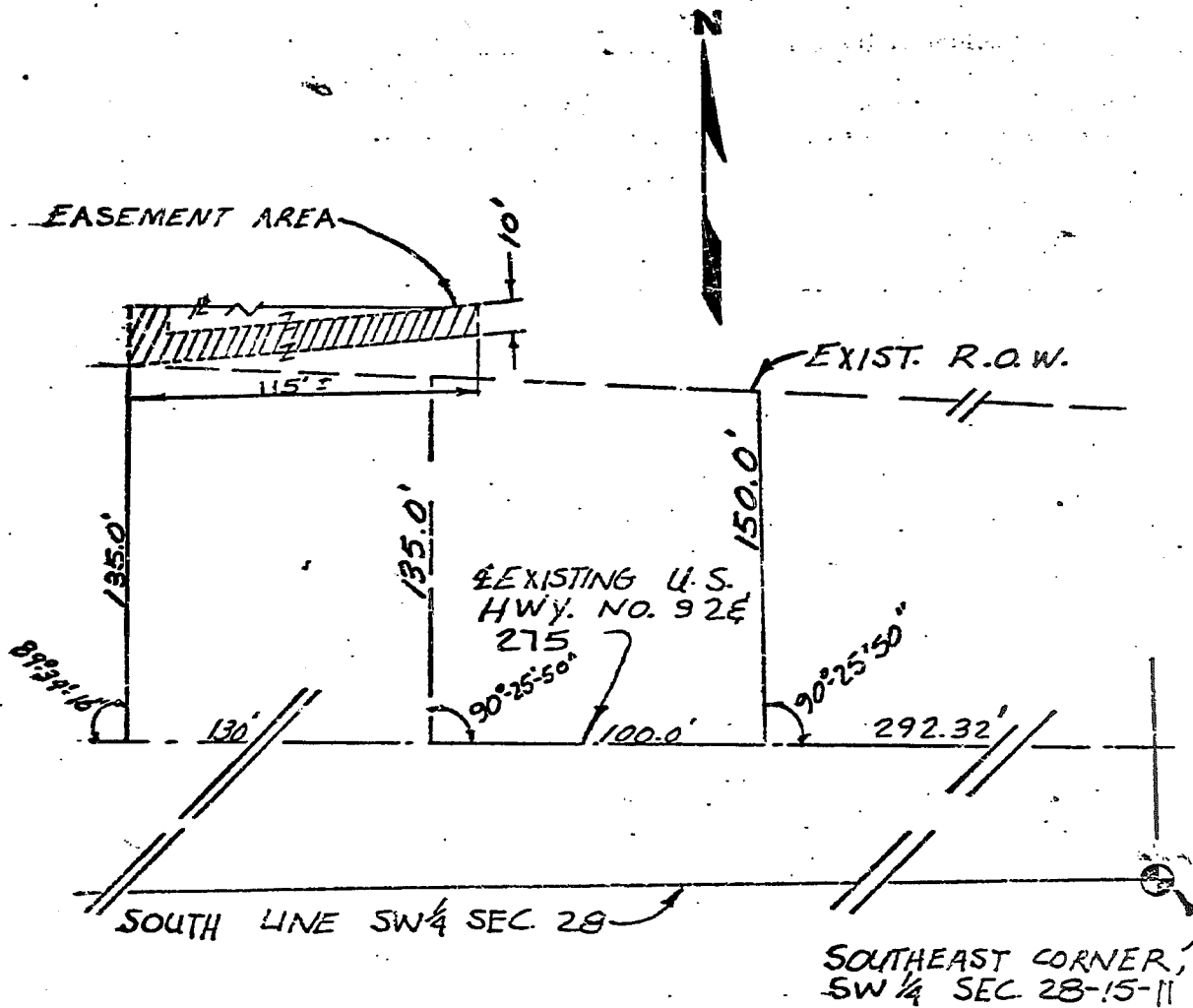
Distribution Engineer _____ Date _____ Land Rights and Services RWP Date 5-5-77

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____
Section 28 Township 15 North, Range 11 East Saleman Minor Engineer Hultman

GENERAL NOTARY - State of Nebraska
ALBERT L. FELDMAN
My Comm. Exp. 12-1-1980
Est. 28229 N.B. 4959

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of Elkhorn, Nebraska

33 Misc.



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33 Misc.

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L. HAROLD ESTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 581
Page 33
of 7

Fee 6.27
Index 11
Compe 15-11
N 15-11

Est. O.P.P.D.