

Form No. 9-71-1 Rev. 2-74-4

EASEMENT

FILED

I, Fred Klug and Arlene Klug Gene Gnuse and Clarice Gnuse (Owner(s) of (agent for) the real estate described as follows, and hereafter referred to as "Grantor(s)..."

Beginning at the Northeast corner of Lot 21 in Elkhorn Bluffs Addition No. 2; thence as follows: Easterly along a 152.96 foot radius curve to the left, initial tangent of which bears S 80°02'E., a distance of 162.18 feet; N. 39°13'E. a distance of 66.0 feet; N 50°47'W a distance of 50.00 feet; N 50°39' W a distance of 285.00 feet; No. 39°13'E a distance of 179.14 feet; S 50°47' E a distance of 232.00 feet; N. 40°37' 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, 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:

See reverse side of this document for easement areas.

STATE OF NEBRASKA, COUNTY OF WASHINGTON, 11639 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD THIS 31st DAY OF August AD 1974 AT 9:32 O'CLOCK A.M. AND RECORDED IN BOOK X AT PAGE 716-717 COUNTY CLERK Charlotte S. Peterson

STATE OF NEBRASKA, COUNTY OF WASHINGTON, SS 11639 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD THIS 31st DAY OF August AD 1974 AT 9:32 O'CLOCK A.M. AND RECORDED IN BOOK X AT PAGE 716-717 COUNTY CLERK Charlotte S. Peterson CITY of Fremont Nebraska

CONDITIONS:

- (A) Where Grantee's facilities are constructed they shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cable, fixtures, guys and anchors 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) 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 of the Grantee, 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 his/their 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 26th day of July, 1974.

APPEAR:

Fred Klug (husband & Gene Gnuse (husband &

ATTEST:

Arlene Klug (wife) Clarice Gnuse (wife)

STATE OF Nebraska COUNTY OF Washington On this 26th day of July 1974 before me the undersigned, a Notary Public in and for said County and State, personally appeared Fred Klug & Arlene Klug personally appeared upon the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

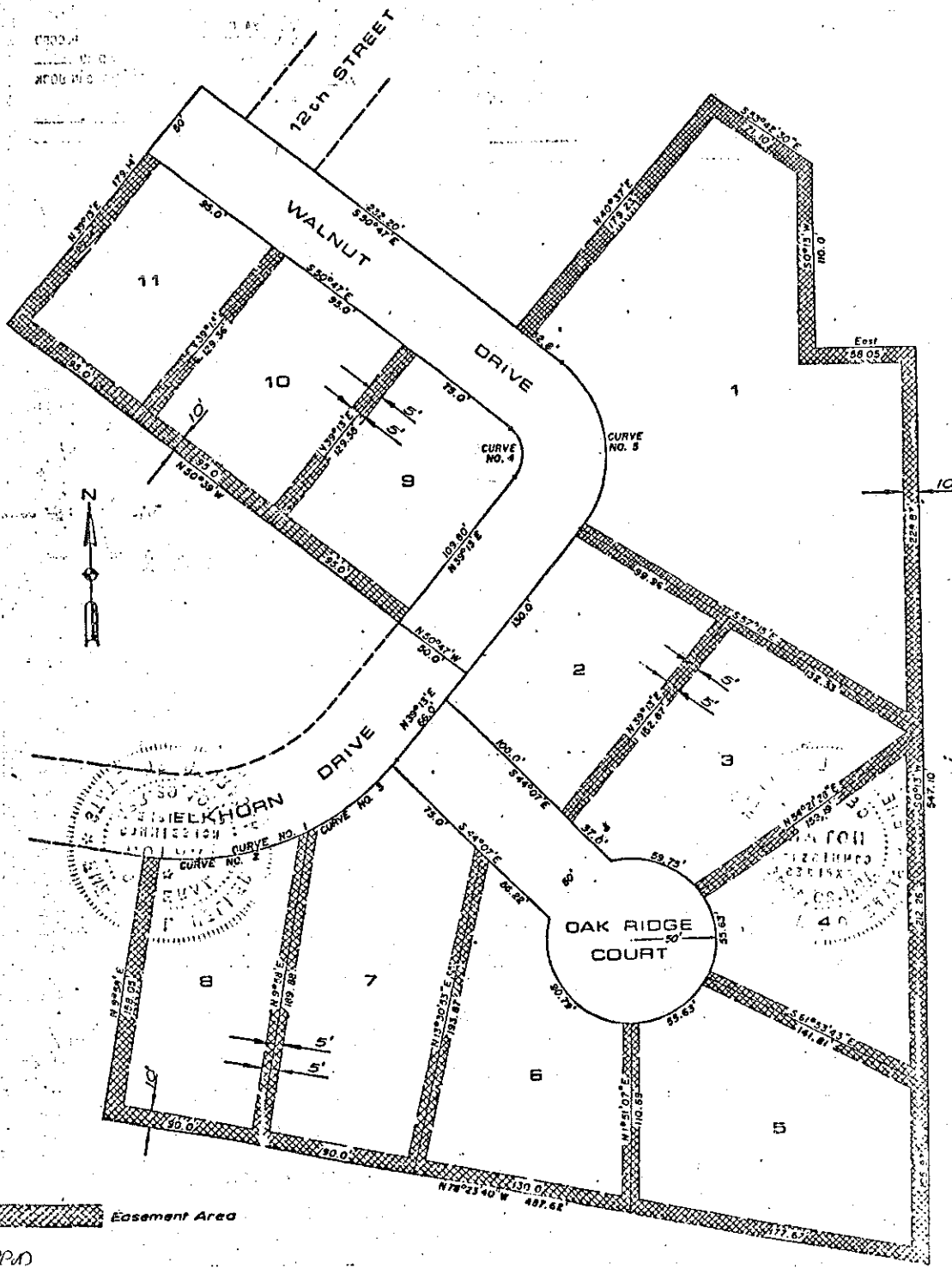
STATE OF Nebraska COUNTY OF Washington On this 26th day of July 1974 before me the undersigned, a Notary Public in and for said County, personally appeared Gene Gnuse & Clarice Gnuse (husband & wife) to me personally known to be the husband and wife of identical person whose name is stated on above conveyance, and acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed and that the Corporate Seal of said corporation was thereto affixed by its authority.

Witness my hand and Notarial Seal the date above written. Emelina L. Miller Notary Public My Commission expires April 29, 1975

Witness my hand and Notarial Seal at Washington in said County the day and year last above written. Emelina L. Miller Notary Public My Commission expires April 29, 1975

APPROVED: Dist. Eng. Date 8/1/74 Section 12 Township 17 Range 9 Salesman Cope Engineer Oak Ridge Heights, Arlington NF W.2. Recorded in Misc. Book No. at Page No. on the day of 1974.

a distance of 179.23 feet; S. 53°42'30"E a distance of 71.10 feet; S 0°13'W. a distance of 110.0 feet; East a distance of 58.05 feet; S. 0°13'W. a distance of 547.10 feet; N 78°23'40" W. a distance of 487.62 feet N. 9°58'E a distance of 158.05 feet to the point of beginning, being part of Tax Lot 81 in Section 12, Township 17 North, Range 9 East of the 6th P.M., Washington County, Nebraska, and containing 5.6 acres, more or less.



APPD
673 Nannup,
maha NE 68102