

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, the undersigned owner(s) of the real estate hereinafter described, his/her its/their heirs, executors, administrators, successors and assigns, hereinafter called "Grantor", hereby grant and convey to OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, hereinafter called "District", a permanent right-of-way easement to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate thereon, electric transmission lines consisting of poles, pole foundations, towers, tower foundations, down guys, anchors, insulators, wires, underground cables, supports and other necessary fixtures and equipment over, upon, above, along, under, in and across the following described real estate, to wit:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Twenty-two (22), Township Fifteen (15) North, Range Twelve (12), East of the 6th p.m., Douglas County, Nebraska, more particularly described as follows: Commencing at a point Thirty-three feet (33') North of and Twenty feet (20') West of the Southeast corner of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4), said point being on the North right of way line of Pacific Street and the West right of way line of 93rd Street; thence due North (assumed bearing) along said West right of way line of 93rd Street for Six Hundred Two and fifty-three hundredths feet (602.53') (Six Hundred Four and thirteen hundredths feet (604.13') plat) to the South right of way line of Shamrock Road; thence S89°44'51"W along said South right of way line for Six Hundred Thirty-nine and eleven hundredths feet (639.11') to the point of beginning; thence continuing S89°44'51"W along said South right of way line for Fifty-six and ninety-six hundredths feet (56.96') to a point of curvature; thence on a One Hundred Twenty foot (120') radius curve to the right for an arc distance.....

continued on the reverse side hereof

the area of the above described real estate to be covered by this easement shall be as follows:

See sketch on the reverse side hereof for right of way location

CONDITIONS:

- (a) The District 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.
- (b) The District shall also have the right to burn, trim, or remove all trees and brush on said right-of-way as may be necessary to efficiently exercise any of the hereinbefore granted rights, together with the express provision that any and all trees which, in falling would come within 15 feet of the nearest electric line conductor, may be topped or removed. All refuse from such tree cutting or trimming shall be disposed of by the District, and the District shall have the further right to control and impede the growth of all weeds, trees, and brush along the described right-of-way if said right-of-way is not being utilized for cultivated crops.
- (c) The District shall pay the Grantor or Lessee, as their interests may appear, for all damages to growing crops, fences and buildings on said land which may be caused by the exercise of the hereinbefore granted rights.
- (d) Grantor may cultivate, use and enjoy the land within the right-of-way provided that such use shall not, in the judgement of the District, endanger or be a hazard to or interfere with the hereinbefore granted rights; Grantor shall not allow any buildings, structures, hay or straw stacks or other property to remain or be placed upon the above described easement area; Grantor shall not change or alter the grade of the right-of-way herein described without the prior written approval from the District; Grantor shall not allow the burning of any materials of any nature within the limits of the above described right-of-way.
- (e) 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 whomsoever 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 5th day of January, 19 84.

Elizabeth A. Larson

Elizabeth A. Larson

RETURN TO:
STATE OF OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
COUNTY OF OMAHA, NE 68102

STATE OF *Nebraska*
COUNTY OF *Douglas*

On this _____ day of _____, 19____,
before me the undersigned, a Notary Public in and
for said County, personally came _____

On this *5th* day of *January*, 19*84*,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared
Barry L. & Elizabeth G. Carlson
husband + wife

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.

personally to me known to be the identical person(s)
and who acknowledged the execution thereof to be
that 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.

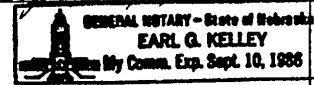
Witness my hand and Notarial Seal the date above
written.

NOTARY PUBLIC

Earl G. Kelley
NOTARY PUBLIC

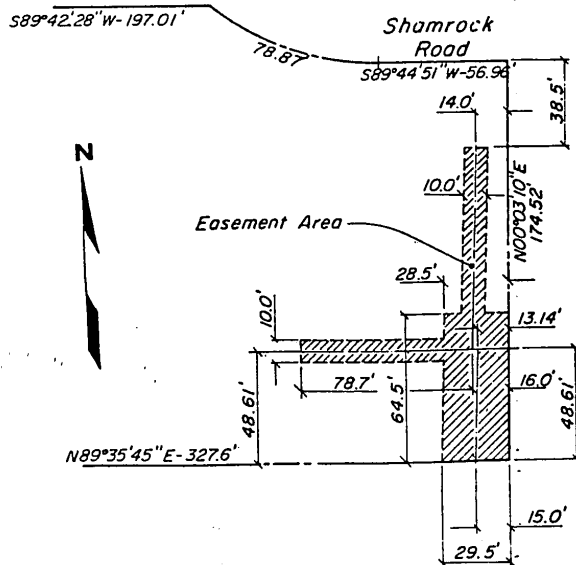
My Commission expires: _____

My Commission expires: *Sept 10 1986*



Legal Description continued from front side

of Seventy-eight and eighty-seven hundredths feet (78.87'), chord bearing N71°25'35"W for Seventy-seven and forty-six hundredths feet (77.46') to the North line of the North Two Hundred feet (200') of the East One-half of the West One-half of the South One-half (E 1/2 W 1/2 S 1/2) of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); thence S89°42'28"W along said North line for One Hundred Ninety-seven and one hundredth feet (197.01') (One Hundred Ninety-seven and fifty-nine hundredths feet (197.59') plat) to the West line of said North Two Hundred feet (200'); thence S00°06'20"W along said West line for Two Hundred and twenty-five hundredths feet (200.25') (Two Hundred feet (200') plat) to the South line of said North Two Hundred feet (200'); thence N89°35'45"E along said South line for Three Hundred Twenty-seven and six tenths feet (327.60') (Three Hundred Twenty-nine and sixty four hundredths feet (327.64') plat) to the East line of said North Two Hundred feet (200'); thence N00°03'10"E for One Hundred Seventy-four and fifty-two hundredths feet (174.52') (One Hundred Seventy-five feet (175') plat) to the point of beginning, containing 1.441 acres, more or less.



Transmission Engineer _____ Date _____; Land and Facilities Management _____ Date _____

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____.

38 Misc

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1984 JUL -5 PM 12: 51

C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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