

47-145

EASEMENT

The undersigned, CHARLES G. SMITH and NELLIE M. SMITH, herein-  
after referred to as "Owners", hereby grant a perpetual license and  
easement to Omaha Public Power District and Northwestern Bell Tele-  
phone Company, their successors and assigns.

1. To erect and operate, maintain, repair, replace and renew  
buried or underground cables, conduits, poles with the necessary  
supports, sustaining wires, cross arms, guys and anchors to other  
instrumentalities, and to extend thereon wires for the carrying and  
transmission of electric current for light, heat and power and for  
all telephone and telegraph message service over, under, through and  
upon a five (5) foot strip of land adjoining the rear and side boundary  
lines of the parcels of property described as:

- Lot 45; All of Lot 46 along with the West 10' of Lot 47;
- East 55' of Lot 47 along with the West 20' of Lot 48;
- The West 30' of Lot 49 along with the East 45' of Lot 48;
- The West 40' of Lot 50 along with the East 35' of Lot 49;
- The West 49.77' of Lot 51 along with the East 25' of Lot 50;
- All of Lot 52 along with the East 20' of Lot 51; Lot 53;
- All of Lot 54 along with the West 10' of Lot 55;
- East 55' of Lot 55 along with the West 25' of Lot 56;
- West 35' of Lot 57 along with the East 40' of Lot 56;
- West 50' of Lot 58 along with the East 30' of Lot 57;
- West 60' of Lot 59 along with the East 15' of Lot 58;
- All of Lot 60 along with the East 5' of Lot 59; Lot 92;
- The East 15' of Lot 94 along with all of Lot 93;
- The East 30' of Lot 95 along with the West 50' of Lot 94;
- East 40' of Lot 96 along with the West 35' of Lot 95;
- East 61.03 of Lot 97 along with the West 25' of Lot 96;
- East 66.03 of Lot 98 along with the West 15' of Lot 97;
- East 71.03 of Lot 99 along with the West 10' of Lot 98;
- All of Lot 100 along with the West 5' of Lot 99;
- The South 52.63 of Lot 129 along with North 15' of Lot 130;
- The South 45.68 of Lot 130 along with the North 25' of Lot 131;
- The South 40' of Lot 131, along with the North 35' of Lot 132;
- The North 45' of Lot 133 along with the South 30' of Lot 132;
- The North 55' of Lot 134 along with the South 20' of Lot 133;
- All of Lot 135 along with the South 10' of Lot 134; and Lot 136;
- All in Park Hills III, a subdivision in Sarpy County, Nebraska  
as surveyed, platted and recorded.

Said license being granted for the use and benefit of all present and  
future owners of Lots in said Addition, provided, however, that said  
side lot line easement is granted upon the specific conditions that  
if both of said utility companies fail to construct cables, conduits  
or poles along any of said side lot lines within 36 months of date  
hereof or if any poles or wires are constructed but are thereafter

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removed without replacement within 60 days after their removal, then this side line easement shall automatically terminate and become void as to such unused or abandoned easementways.

2. To erect and operate, maintain, repair, replace and renew buried or underground cables, conduits, poles with the necessary supports, sustaining wires, cross arms, guys and anchors and other instrumentalities and to extend thereon wires for the carrying and transmission of electric current for light, heat and power and for all telephone and telegraph and message service over, under, through and upon a ten (10) foot strip of land adjoining the rear boundary along the county road and five (5) foot strip on the side boundary lines on the following described property; Lots 109, 110, 111, 112, 113, 114, 115, 116, 117 and 118 all in Park Hills III subdivision; said license being granted for the use and benefit of all present and future owners of lots in said Addition, provided, however, that said side lot line easement is granted upon the specific condition that if both of said utility companies fail to construct cables, conduits, or poles along any of said side lot lines within 36 months of date hereof, or if any poles or wires are constructed, but are thereafter removed without replacement within 60 days after their removal, then this side line easement shall automatically terminate and become void as to such unused or abandoned easementways.

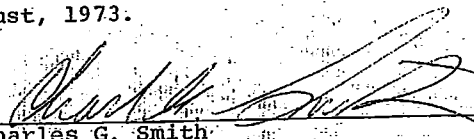
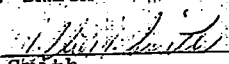
3. To erect and operate, maintain, repair, replace and renew buried or underground cables, conduits, poles with the necessary supports, sustaining wires, cross arms, guys and anchors and other instrumentalities and to extend thereon wires for the carrying and transmission of electric current for light, heat and power and for all telephone and telegraph and message service, over, under, through and upon a twelve (12) foot strip of land adjoining the rear boundary lines of the property and a five (5) foot strip on the side boundary lines on the following described property:

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All of Lot 119 along with the West 5' of Lot 120;  
East 70' of Lot 120 along with the West 10' of Lot 121;  
East 60' of Lot 121 along with the West 20' of Lot 122;  
East 45' of Lot 122 along with the West 30' of Lot 123;  
East 35' of Lot 123 along with the West 40' of Lot 124;  
West 44.17' of Lot 125 along with the East 25' of Lot 124;  
West 34.48' of Lot 126 along with the East 15' of Lot 125;  
All of Lot 127 along with the East 5' of Lot 126;  
All of Lot 128 along with the North 5' of Lot 129;  
All in Park Hills III Addition, a subdivision in Sarpy  
County, Nebraska.

Said license being granted for the use and benefit of all present  
and future owners of lots in said Addition provided, however, that  
said side lot line easement is granted upon the specific condition  
that if both of said utility companies fail to construct cables,  
conduits or poles along any of said side lot lines within 36 months of  
date hereof or if any poles or wires are constructed but are thereafter  
removed, without replacement within 60 days after their removal, then  
this side line easement shall automatically terminate and become void  
as to such unused or abandoned easementways.


Dated this \_\_\_\_\_ day of August, 1973.


  
\_\_\_\_\_  
Charles G. Smith  
  
\_\_\_\_\_  
Nellie M. Smith

OWNERS

STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

On this \_\_\_\_\_ day of August, 1973, came Charles G. Smith and Nellie  
M. Smith, known to me to be the identical persons whose names are  
affixed above and acknowledge the same to be their voluntary act and  
deed.

 **STEVEN G. WARING**  
General Notary - State of Neb.  
My Commission Expires  
April 2, 1977

  
\_\_\_\_\_  
Notary Public