



BK 1394 PG 417-418



MISC 2001 12426

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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RECEIVED

Revised August 3, 2001

Misc FEE 17.50 FB \_\_\_\_\_  
 2 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP \_\_\_\_\_ Doc.# \_\_\_\_\_  
 15 DEL \_\_\_\_\_ SCAN CK FV \_\_\_\_\_

### JOINT UTILITY EASEMENT

PACESETTER HOMES, INC.

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Seventy-three through Eighty-one (73-81), Inclusive, and Lots Ninety-nine through One Hundred Four (99-104), Inclusive, Quail Hollow, as surveyed, platted and recorded in 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, Qwest Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

(See reverse side hereof for sketch of easement areas.)

The Grantor hereby grants to said Utilities, their successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip.

Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities 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 Owner(s) have executed this instrument this 10 day of AUGUST, 2001.

#### OWNERS SIGNATURE(S)

*Donna Umbricht*  
*Pacesetter Homes, Inc.*

\_\_\_\_\_  
 \_\_\_\_\_

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way 6W/EP1  
444 South 16th Street Mail  
Omaha, NE 68102-2247

**CORPORATE ACKNOWLEDGMENT**

STATE OF Nebraska

COUNTY OF Sarpy

On this 10 day of August, 2001, before me the undersigned, a Notary Public in and for said County, personally came Deanna Van Munkley President of Facetter Homes Inc 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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Joyce E. Perdue  
NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGMENT**

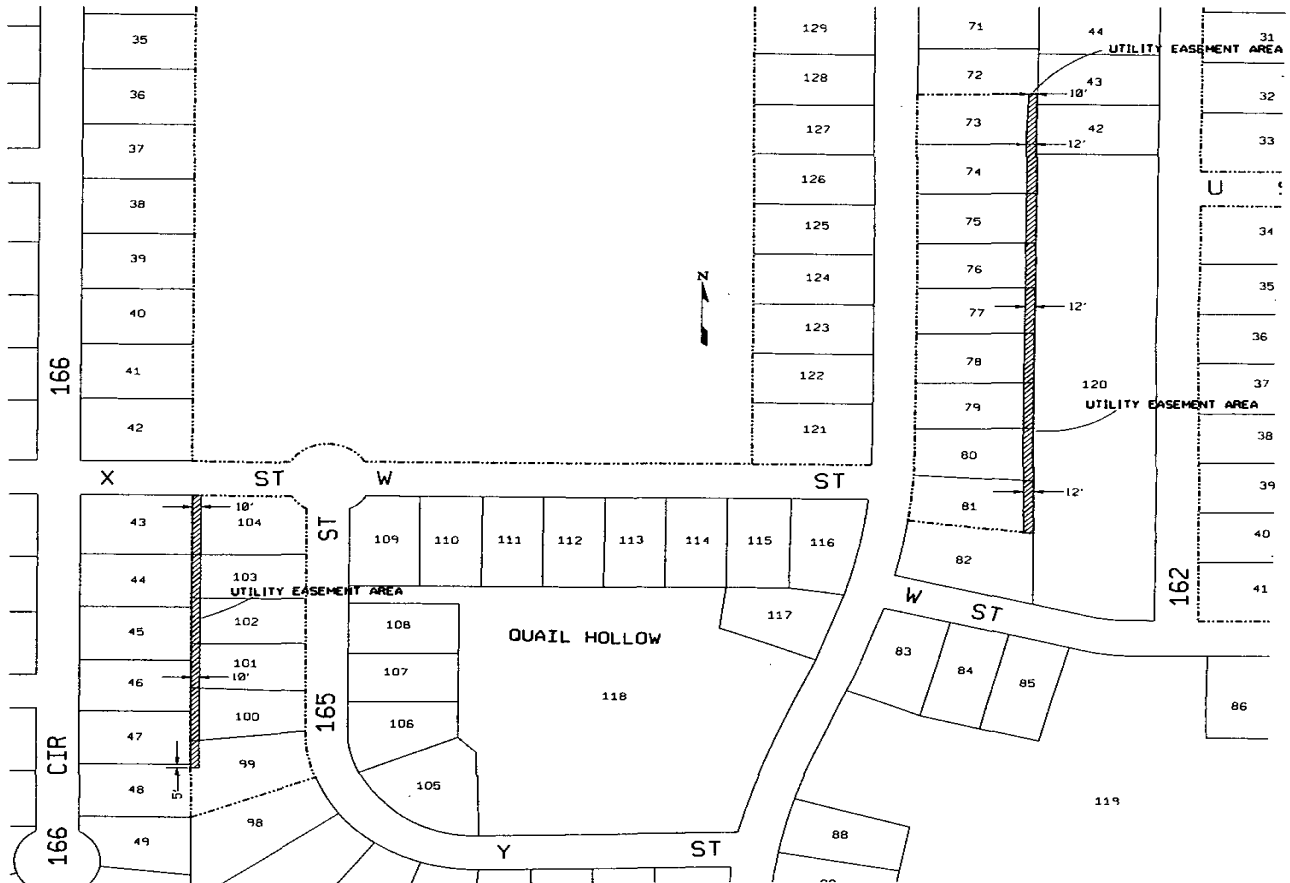
STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ personally to me known to be the identical person(s) and who acknowledged the execution thereof to be \_\_\_\_\_ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

\_\_\_\_\_  
NOTARY PUBLIC



NW 1/4, Section 10, T 14 N, R 11 E, County Douglas ROW RD Date August 3, 2001

Customer Rep. Wilkins Engineer Gabriel Srvc Req. # \_\_\_\_\_ W.O.# 00032317