

10-7-87

FILE 60-322  
ENC.

RIGHT-OF-WAY EASEMENT

I, Kenneth J. Foley and Audrey M. Foley Owner(s)  
of the real estate described as follows, and hereinafter referred to as "Grantor",

Lot Eighty-eight (88) and the Southernly Ten Feet (10') of Lot Eighty-nine (89) in  
Iowa Hills as surveyed, platted and recorded in Sarpy 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  
referred to as "Grantee", a permanent right of way easement with rights of ingress and egress thereto, to  
construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires,  
conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following  
described real estate, to wit:

The Northernly Five Feet (5') of the above described property.

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60-322  
1987 OCT 29 AM 10:30  
Shirley J. Dunning  
RECORDED 10/29/87

CONDITIONS: The Grantor hereby grants to the District, its successors and assigns, the right,  
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  
two feet (2') in elevation without the prior approval of the District. The Grantor understands that a single  
pole and appurtenances may be used to provide service to this property.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not  
interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the  
construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/she 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 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 20th day of October, 1987.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
X Kenneth J. Foley  
X Audrey M. Foley

Distribution Engineer R.H. Date 10-27-87 Property Management R.H. Date 10-27-87

Township 14 North, Range 17 East  
Salesman Hostetter Engineer Hostetter Est. # 8701326 v.o. # 7831

17903

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

69-3223

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF

STATE OF Nebraska

COUNTY OF

COUNTY OF Lincoln

On this \_\_\_\_\_ day of \_\_\_\_\_, 1957,  
before me the undersigned, a Notary Public in and  
for said County, personally came \_\_\_\_\_

On this 26 day of Oct, 1957,  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

President of \_\_\_\_\_

Harold J. ...  
Wendy M. Foley

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  
Wendy 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

Mary G. Sortino  
NOTARY PUBLIC

FEDERAL NOTARY - State of Nebraska  
MARY G. SORTINO  
My Comm. Exp. Oct. 13, 1968

TO: PUBLIC USE  
OMAHA PUBLIC POWER DISTRICT  
3623 HARRIS ST. - RM. 401  
OMAHA, NE 68102