

EASEMENT

The undersigned, hereinafter called "Grantor", hereby grants and conveys to OMAHA PUBLIC POWER DISTRICT, hereinafter called "District", its successors and assigns, a perpetual right, easement and authority to survey, construct, reconstruct, operate and maintain its high voltage electric transmission lines, with all poles, towers, crossarms, cables, wires, guys, supports and other fixtures and appliances on the terms and conditions set forth, over, upon, along and above the property herein described.

CONSIDERATION: One Dollar and other consideration Dollars (\$ 1.00).

PROPERTY DESCRIPTION AND APPROXIMATE CENTERLINE OF EASEMENT (as scaled from aerial photographs):

The East One Half of the Southeast Quarter (E 1/2 of SE 1/4) of Section 5, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska.

Centerline Description:

Beginning at a point on the South line of Section 5, 40 feet East of the West line of the East One Half of the Southeast Quarter of said section, thence in a Northerly direction and parallel to said West line to a point of leaving located on the East-West centerline of said section, 40 feet East of the West line of the East One Half of the Southeast Quarter of Section 5.

The wood pole structures to be set upon above described premises shall not exceed four in number, except that none additional wood two-pole "H" frame structure may be placed, upon an additional payment of \$ ----- per such additional structure, to Grantors, their successors and assigns.

CONDITIONS: The Grantor hereby grants to the District, its successors and assigns the right, privilege and authority to enter upon and pass over said property and the property of the Grantor adjacent thereto for the purpose of surveying, constructing, repairing, operating and maintaining said lines and equipment upon the property above described.

The Grantor hereby grants to the District, its successors and assigns, the permanent right, privilege and authority to cut down trees under or within 40 feet of the centerline of the District's transmission line, and to cut down or trim any trees or limbs of trees on either side thereof as would be a hazard to said transmission line in breaking off and falling over or against said transmission line. All refuse or debris from such tree cutting and trimming shall be disposed of by the District.

The Grantor reserves the right to cultivate, use and occupy said land except that, without the prior written approval of the District, he shall not erect any structures, hay or straw stacks, or other objects, permanent or temporary or plant any trees, within 40 feet on either side of said centerline.

The District shall at all times exercise all due care and diligence to avoid any injury or damage to the crops, livestock and other personal property of the Grantor and the District agrees to indemnify and save harmless the Grantor from any and all such damage and loss which may arise or occur to such property solely by reason of the District's ~~negligence~~ construction, operation and maintenance of said electric line.

This easement is binding on the heirs, executors, administrators and assigns of Grantors.

EXECUTED in ^{duplicate} ~~triplicate~~ this 12th day of April, 19 60

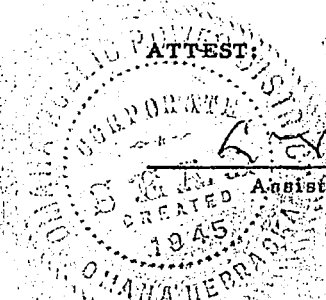
Benton Hay Kuhns, Administrator
Estate of Paul William Kuhns

Grantor

OMAHA PUBLIC POWER DISTRICT

L. Roberts
Assistant Secretary

A. G. Johnson
Assistant General Manager



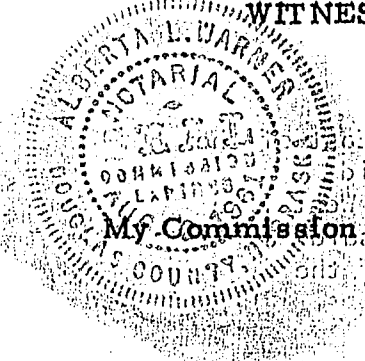
STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

ss.

On this 12th day of April, 19 60, before me the undersigned, a notary public in and for said County and State, personally appeared BARTON H. KUHNS, Administrator,

personally to me known to be the identical person (s) who signed the foregoing instrument as Grantor 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.



Albert L. Warner
Notary Public

My Commission expires on the 2nd day of August, 19 61.

STATE OF NEBRASKA)
)
COUNTY OF _____)

ss.

On this _____ day of _____, 19 _____, 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) who signed the foregoing instrument as Grantor 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

My Commission expires on the _____ day of _____, 19 _____.

12-9-58

DATE	APPROVED	LEGAL
4/14/60	<i>[Signature]</i>	DEPT.
4/14/60	<i>[Signature]</i>	ENCL.
4/18/60	<i>[Signature]</i>	REC'D
		DEPT.

CONSENT BY LESSEE IN INTEREST TO EASEMENT FOR TRANSMISSION LINE

In consideration of \$ 75⁰⁰ , the undersigned hereby consents to the survey for and construction of the Electric Transmission Line across the property therein described, in accordance with the terms of the said easement, and, insofar as the interest of the undersigned is affected by the said Electric Transmission Line, the undersigned does hereby waive any and all objections thereto and does hereby consent to all terms of said Easement and hereby expressly subordinates such interest to the rights granted to the Omaha Public Power District by such Easement.

IN WITNESS WHEREOF, the said undersigned has executed this instrument or caused the due execution thereof this 17th day of April , 1960 .

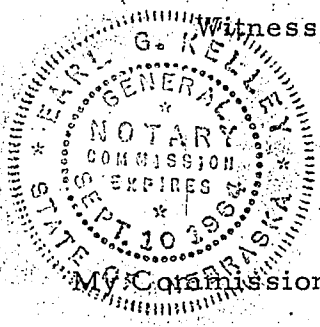
ATTEST:

Carl J. Leithoff
Carl J. Leithoff
E 1/2 SE 1/4 S. 5 - 15 - 12

STATE OF Nebraska)
COUNTY OF Douglas) ss.

On this 17th day of April , 1960 , before me, a Notary Public within and for said County, personally appeared Carl J. Leithoff personally to me known to be the identical person who signed the foregoing instrument as Lessee and who acknowledged the execution hereof to be his voluntary act and deed for the purpose therein expressed.

Witness my hand and notarial seal the date above written.



Earl G. Kelley
Notary Public

My Commission expires September 10 , 1964 .

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10. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
20 DAY April 1960 AT 3:37 P M. THOMAS J. O'CONNOR, REGISTER OF DEEDS