

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
ATTENTION: RECORDS/EP1  
1001 North 14th Street Mall  
Omaha, NE 68102-2247

RECEIVED

AUG 10 10 35 AM '95

July 13, 1995

GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE



RIGHT-OF-WAY EASEMENT

1 Bennington Company, a Nebraska corporation Owner(s) of the real estate  
described as follows, and hereafter referred to as "Grantor",

Lot one (1) thru and including Lot Ten (10), together with Lot Thirteen (13) thru and including Lot Fifteen (15) of Villas of Huntington Woods Addition, 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, a public corporation, its successors and assigns, hereafter referred to as "District", 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:

AN 8.00 FOOT WIDE TRACT OF LAND LYING WITHIN LOTS 1 THRU 10, INCLUSIVE, VILLAS OF HUNTINGTON WOODS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, THE WEST LINE OF SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 1; THENCE S87°44'10"W (ASSUMED BEARING) 70.00 FEET ON THE SOUTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE N02°10'04"W 69.42 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE N04°07'12"E 59.54 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE N01°18'22"W 59.54 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE N00°08'59"E 62.46 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE N00°55'21"W 62.45 FEET TO THE SOUTH LINE OF SAID LOT 6; THENCE N00°27'59"W 62.44 FEET TO THE SOUTH LINE OF SAID LOT 7; THENCE N00°07'13"W 63.20 FEET TO THE SOUTH LINE OF SAID LOT 8; THENCE N01°00'54"E 63.06 FEET TO THE SOUTH LINE OF SAID LOT 9; THENCE N02°26'42"W 59.21 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE N10°10'21"W 99.14 FEET TO THE NORTH LINE OF SAID LOT 10, AND THE POINT OF TERMINATION. WITH THE EAST LINE OF SAID 8.00 FOOT WIDE TRACT OF LAND BEING EXTENDED TO MEET THE SOUTH LINE OF SAID LOT 1 AND THE NORTH LINE OF SAID LOT 10.

AN 8.00 FOOT WIDE TRACT OF LAND LYING WITHIN LOTS 13 THRU 15, INCLUSIVE, VILLAS OF HUNTINGTON WOODS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, THE SOUTH LINE OF SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 13; THENCE N02°29'51"W (ASSUMED BEARING) 91.98 FEET ON THE EAST LINE OF SAID LOT 13 TO THE POINT OF BEGINNING; THENCE N88°22'00"W 180.47 FEET TO THE WEST LINE OF SAID LOT 15, AND THE POINT OF TERMINATION WITH THE NORTH LINE OF SAID 8.00 FOOT WIDE TRACT OF LAND BEING EXTENDED TO MEET THE EAST LINE OF SAID LOT 13 AND THE WEST LINE OF SAID LOT 15.

The Grantor hereby grants to the District, its 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. 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/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 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.

2 IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 4th day of August, 1995

OWNERS SIGNATURE(S)

23 [Signature]

8519 MC-40332  
FEE 16.50 Comp  
DEL 0/0 0357 UP  
LEGAL PG SPAN

24

24

**CORPORATE ACKNOWLEDGEMENT**

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF Nebraska

STATE OF

COUNTY OF Douglas

COUNTY OF

On this 4th day of August, 19 95,  
before me the undersigned, a Notary Public in and for said  
County, personally came Robert P. Horgan  
Vice  
President of Bennington Company, a Nebraska

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
before me the undersigned, a Notary Public in and for said  
County and State, personally appeared \_\_\_\_\_

Corporation, on behalf of the corporation

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.

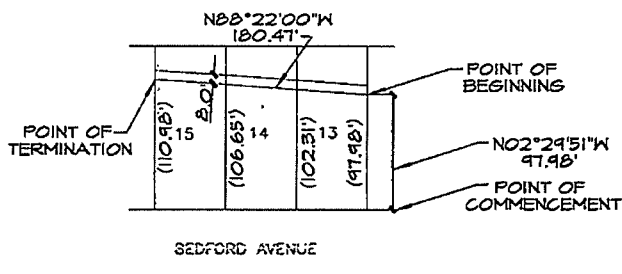
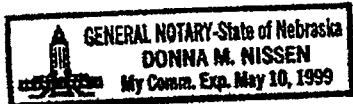
personally to me known to be the identical person(s) who  
signed the foregoing instrument as grantor(s) and who  
acknowledged the execution thereof to be his voluntary  
act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Witness my hand and Notarial Seal the date above written.

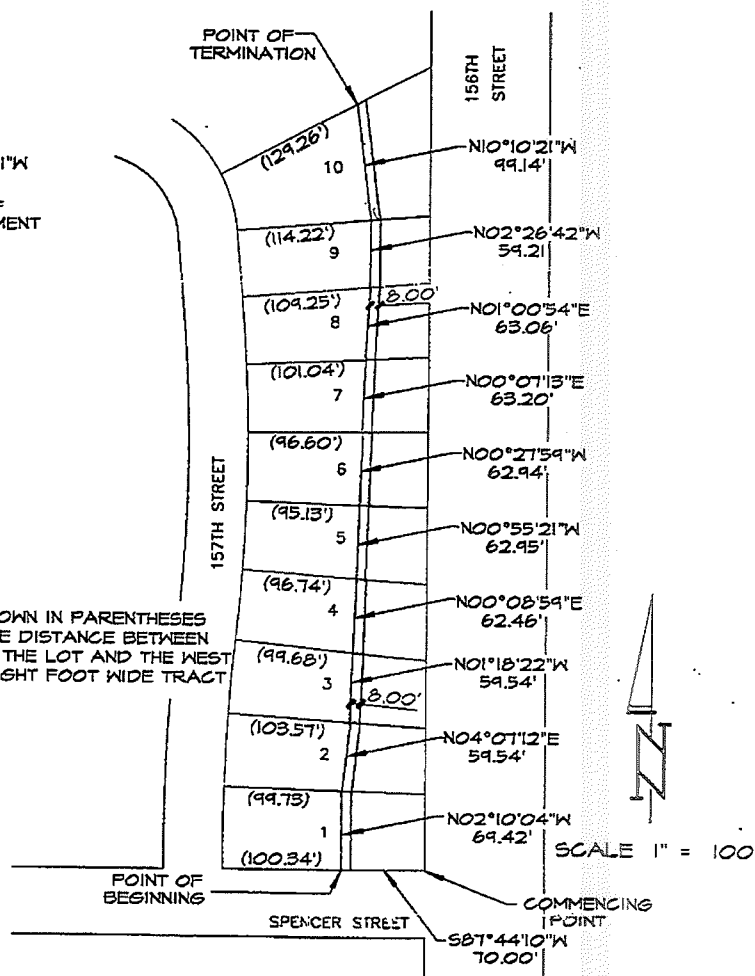
*Donna M. Nissen*  
\_\_\_\_\_  
NOTARY PUBLIC

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



NOTE:  
DISTANCES SHOWN IN PARENTHESES  
REPRESENT THE DISTANCE BETWEEN  
A CORNER OF THE LOT AND THE SOUTH  
LINE OF THE EIGHT FOOT WIDE TRACT  
OF LAND.

NOTE:  
DISTANCES SHOWN IN PARENTHESES  
REPRESENT THE DISTANCE BETWEEN  
A CORNER OF THE LOT AND THE WEST  
LINE OF THE EIGHT FOOT WIDE TRACT  
OF LAND.



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_

Section NE1/4 10 Township 15 North, Range 11 East

Salesman Rosales Engineer Padilla Est. # \_\_\_\_\_ W.O.# M1 9583