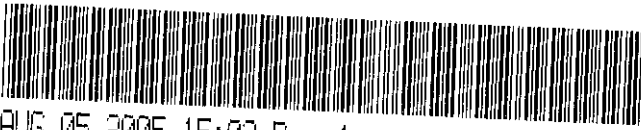




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FEE 22.50 FB OC-43331  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP <sup>BW</sup>  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
8/5/2005 15:03:36.38



2005095747

UNG  
July 11, 2005

Doc.#

### RIGHT-OF-WAY EASEMENT

Village West LLC, a Nebraska Limited Liability Company

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

Lots One (1), Six (6), and Seven (7), all in West Village Pointe, and also Out Lots "C" & "D", West Village Pointe, an 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, does 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, under the following described real estate, to wit:

(See attached Exhibits A and C <sup>+C1</sup> for sketch of easement areas.)

#### CONDITIONS:

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.

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 landscaped areas arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that it has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that its 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 Owner has executed this instrument this 3<sup>rd</sup> day of August, 2005.

Village West LLC, a Nebraska Limited Liability Company

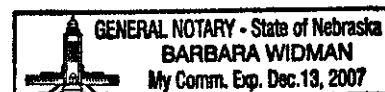
By: *Salvadore Carta*  
Salvadore Carta, Member

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

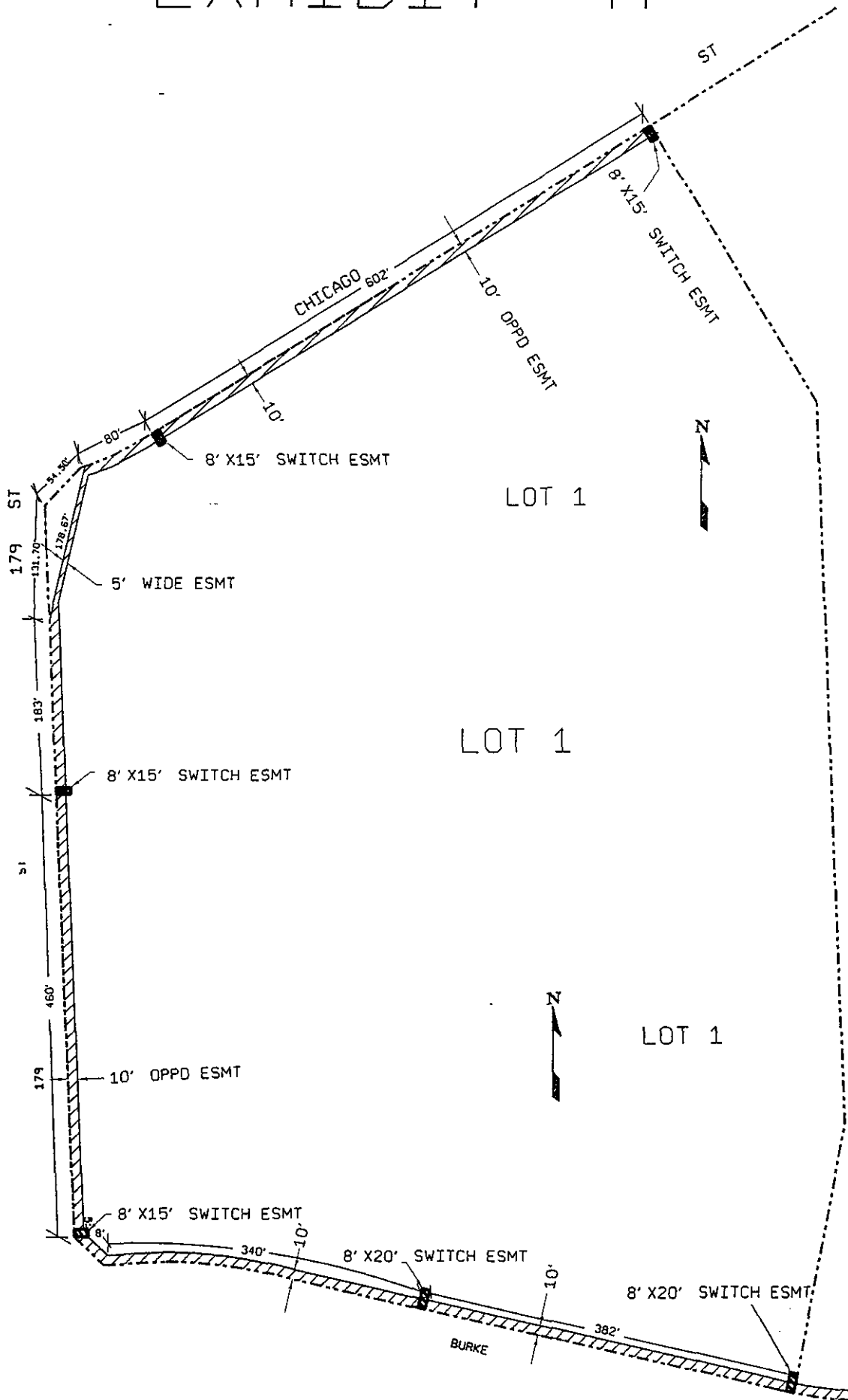
The foregoing instrument was acknowledged before me on August 3, 2005, by Salvadore Carta, Member of Village West LLC, a Nebraska limited liability company, on behalf of such limited liability company.

*Barbara Widman*  
Notary Public

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
444 South 16th Street Mall  
Omaha, NE 68102-2247

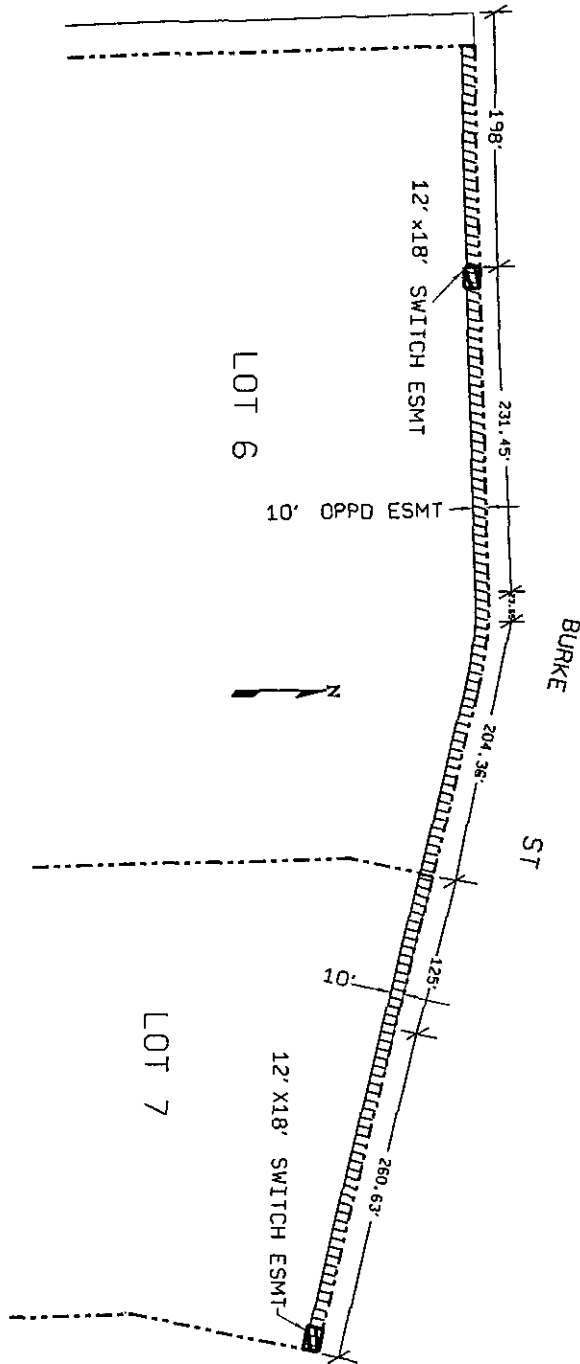


# EXHIBIT "A"



# EXHIBIT "C"

180 ST



# EXHIBIT "C1"

