

33-553

EASEMENT

WHEREAS, Southroads Corporation is the owner of Westmont, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, and

WHEREAS it is to the benefit of the owner to have utilities servicing said real estate,

NOW, THEREFORE, in consideration of these premises and other valuable consideration, Southroads Corporation does hereby grant an easement to the Northwestern Bell Telephone Company and the Omaha Public Power District, their successors and assigns, to install, lay, construct, renew, operate and maintain underground conduits and cables, with all other equipment necessary for the purpose of serving the above described real estate and other property with electric and telephone service under and upon a five (5) foot strip of land adjoining the rear and side boundary lines of all lots in said Westmont Subdivision; said license being granted for the use and benefit of all present and future owners of lots in said subdivision; provided, however, that said side lot easement is granted upon the specific condition that if both said Public Power District and said Telephone Company fail to install, lay or construct underground conduits, cables or other equipment along any of said side lot lines within thirty-six (36) months of the date thereof, or if any of such conduits or cables or other equipment installed, laid or constructed but hereafter removed or abandoned without replacement or reuse within one (1) year after their removal or abandonment, then the side lot easement shall automatically terminate and become void as to such unused or abandoned easement way.

It is mutually agreed that no permanent buildings or trees shall be placed in said easement, but same may be used for gardens, shrubs, landscaping and other purposes that do not then, or later, interfere with the aforesaid uses or the rights herein reserved and the Southroads Corporation hereby grants to the aforementioned utilities, their successors and assigns, the further right to cut down and remove or trim any trees, shrubs or saplings that interfere with any of the said Public Utility equipment.

FILED FOR RECORD IN SARPY COUNTY NEBR. June 18, 1964 AT 2 O'CLOCK P.M.

ATTEST:

Ronald Knight

Secretary

Joseph E. Thurston

President



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STATE OF NEBRASKA
COUNTY OF OSAGE

On this 21st day of May, 1968

before me, the undersigned, a Notary Public in and for the County and State,
personally came Frank E. Thornton President

and Richard L. Sluiter Secretary

of Southroads Corporation known personally to me to be the same and identical
persons whose names are affixed to the above instrument and acknowledged the
execution thereof to be their voluntary act and deed and as such officer the
voluntary act and deed of the said corporation and that the Seal of the said
corporation was thereto affixed by its authority.

Witness my hand and official Seal at Omaha, Nebraska, in said County
the date aforesaid.



Wesley Pauline Anderson
Notary Public

My Commission Expires: December 6, 1969