

HTS

98-22509

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
98-022509  
98 AUG 13 AM 11:35  
*Glenn J. [Signature]*  
REGISTER OF DEEDS

Counter S  
Verify [Signature]  
D.E. Sy  
Proof [Signature]  
Fee \$ 16.00  
Ck  Cash  Chg

HTS

BKUG  
June 26, 1998

Doc.# \_\_\_\_\_

**RIGHT-OF-WAY EASEMENT**

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

Lots One, Two, Three, Six, Seven, Twelve, Thirteen, Sixteen, Nineteen, Twenty, Twenty-four & Twenty-five, all of Brook Valley II Business Park, a Subdivision, 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, 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:

(See reverse side hereof for sketch of approximate locations 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. 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.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 15th day of July, 1998.

OWNERS SIGNATURE(S)  
Brook Valley II, Ltd, Prime Realty, Inc.,  
General Partner  
James V. Mc Cart, President

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

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022509

98-2250 9A

**CORPORATE ACKNOWLEDGMENT**

STATE OF Nebraska  
COUNTY OF Douglas

On this 15 day of July, 1998, before me

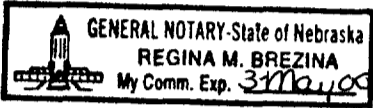
Jim McCarty, President, Prime Realty Inc., Brook Valley II, General Partner

President of Jim McCarty

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.

Regina M. Brezina  
NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGMENT**

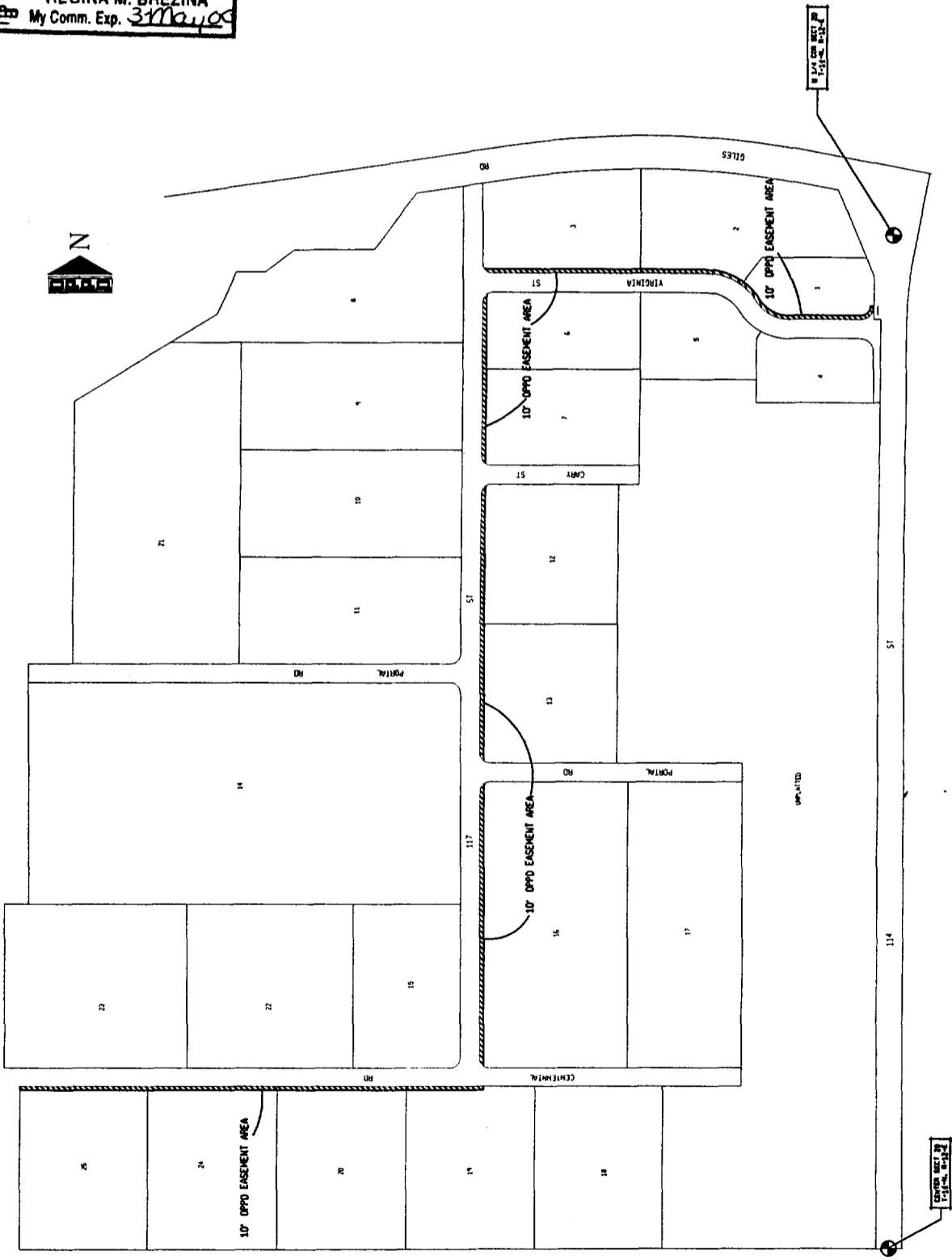
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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 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



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section NW 1/4 20 Township 14 North, Range 12 East  
Salesman Wilkins Engineer Broschat Est# \_\_\_\_\_ W.O.# M18300