



MISC 2008040270



APR 25 2008 10:15 P 5

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 FOR 27.00 FB OC-08150.  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ CGMP 200  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 4/25/2008 10:15:53.27



2008040270

UNG  
January 28, 2008

Doc.#

### RIGHT-OF-WAY EASEMENT

AVG-CFM Country Corporate Campus, LLC,

AVG-CFM 204 Q LLC & AVG-CFM Coventry Estates, LLC

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

Lots Sixty-seven, Sixty-eight, Eighty, and Eighty-seven (67, 68, 80, 87) all in Coventry, 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, 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 attached Exhibits "A", "B", and "C" for sketch and location 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 20<sup>th</sup> day of MARCH, 2008.

#### OWNERS SIGNATURE(S)

Joseph F. Carter, manager of \* \* /member of

\* AVG-CFM Country Corporate Campus LLC, \* AVG-CFM 204 Q LLC & \*\* AVG-CFM COVENTRY Estates, LLC

Arnold Schlesinger, manager of \* /member of \*\*

Gregory Scott, manager of \* /member of \*\*

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Land Rights 5E/EP2  
444 South 16th Street Mail  
Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Douglas

On this 17 day of March, 2008,  
before me the undersigned, a Notary Public in and for said  
County, personally came

Joseph F. Carter, manager of  
AVG-CFM Coventry Corporate Camps  
LLC &

President of manager of and  
AVG-CFM 2040, LLC the sole member  
personally to me known to be the identical person(s) who  
signed the foregoing instrument as grantor(s) and who AVG-CFM  
acknowledged the execution thereof to be voluntary  
act and deed for the purpose therein expressed. Coventry  
Estates, LLC

Witness my hand and Notarial Seal the date above written.

Jessica Cooper  
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this 20 day of MARCH, 2008,  
before me the undersigned, a Notary Public in and for said  
County and State, personally appeared

ARNOLD SCHLESINGER

GREGORY SCOTT and  
managers of AVG-CFM 2040, LLC, the sole members of  
AVG-CFM Coventry Estates, LLC  
personally to me known to be the identical person(s) who  
acknowledged the execution thereof to be their voluntary  
act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

James J. Day  
NOTARY PUBLIC



My comm. Expires Jun 18, 2009

EXHIBIT "A"

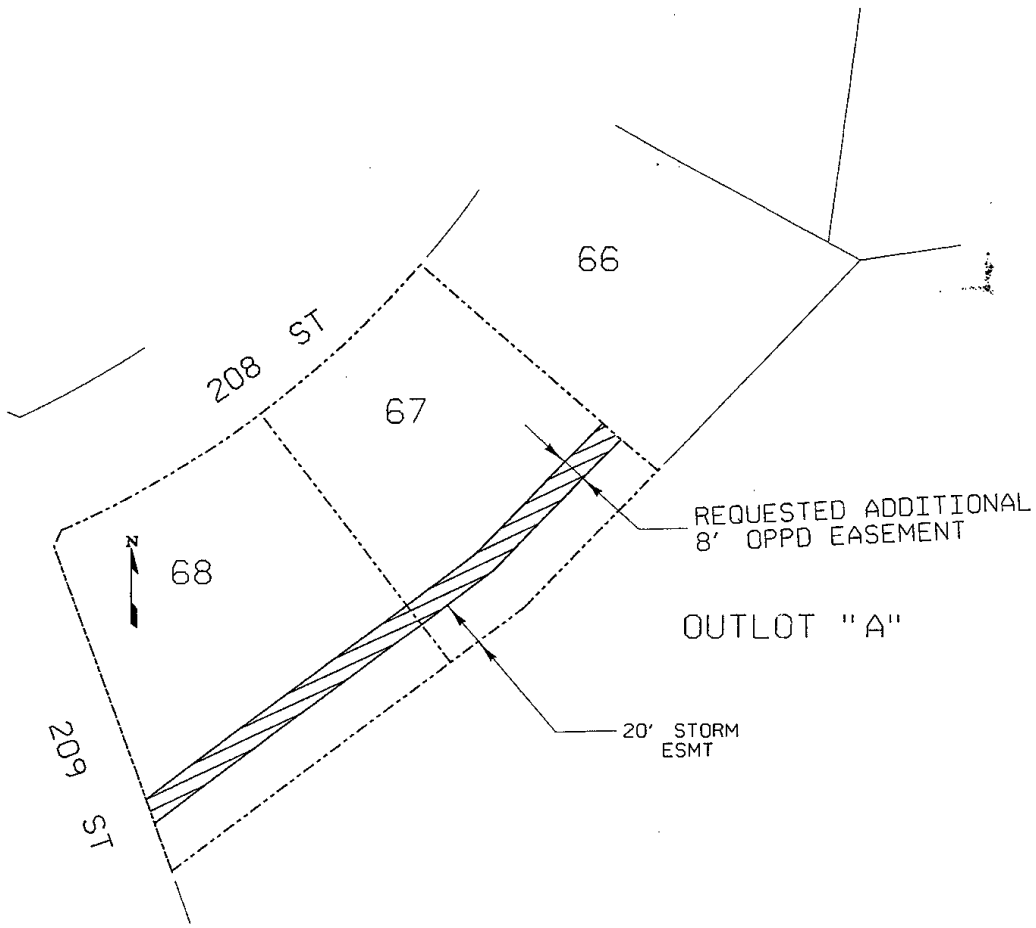


EXHIBIT "B"

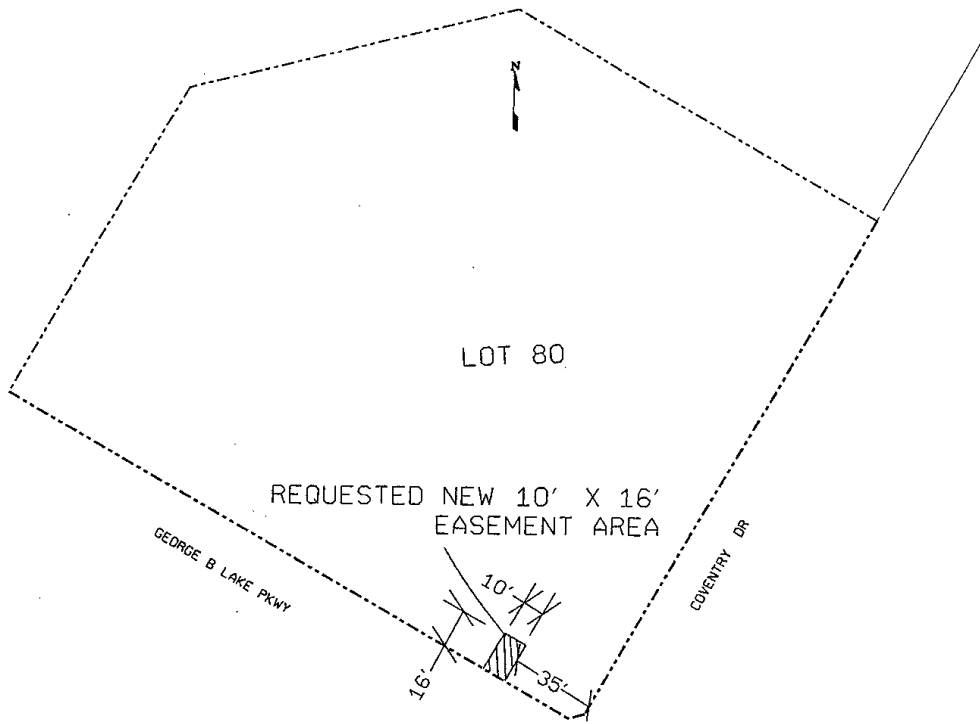


EXHIBIT "C"

