

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2005 26906

2005 AUG -1 A 11:25 8

Steve J. Morrison
REGISTER OF DEEDS

COUNTER 5 C.E. a
VERIFY MA D.E. p
PROOF MA
FEES \$ 22.50
CHECK# _____
CHG OPPD CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

UNG
July 12, 2005

Doc.#

RIGHT-OF-WAY EASEMENT

Dodge-Lots Joint Venture, a Nebraska joint venture
Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Five Hundred Twenty-six thru Five Hundred Forty (526 - 540), Inclusive, Lakewood Villages, 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 attached exhibit "A" 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. 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, 2005.

OWNERS SIGNATURE(S)

Dodge-Lots Joint Venture

By: Dodge Land Co., A Nebraska
corporation & one of two members of
the joint venture

W.L. Morrison
BY: W.L. Morrison, Jr., President

By: Lots, Inc., a Nebraska
corporation & one of two members of
the joint venture

W.L. Morrison
By: W.L. Morrison, Jr., President

P.A.R.®

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

26906

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Douglas

On this 15th day of July, 2005, before me the undersigned, a Notary Public in and for said County and State, personally came W. L. Morrison, Jr., President of Dodge Land Co., a Nebraska Corporation, and one of two members of the Dodge-Lots Joint Venture, and President of Lots, Inc., a Nebraska Corporation and one of two members of the Dodge-Lots Joint Venture, a Nebraska joint venture, 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 its voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Kristy J. Gregath
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this _____ day of _____, 20____, 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

2005 26906 B

EXHIBIT "A"

