

RECORDER NOTE

Indexed in
Abrahams Sub of
Tax lot B

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2004-47575
2004 DEC 20 A 10:33 AM
Glenn J. Dowling
REGISTER OF DEEDS

COUNTER AE C.E. Sm
VERIFY PM D.E. a
PROOF _____
FEES \$ 15.50
CHECK# _____
CHG. OPPD CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

TRANS
December 13, 2004

Doc.# _____

RIGHT-OF-WAY EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, the undersigned owner(s) of the real estate hereinafter described, his/her its/their heirs, executors, administrators, successors and assigns, hereinafter called "Grantor", hereby grant and convey to OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, hereinafter called "District", a permanent right-of-way easement to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate thereon, electric transmission lines consisting of poles, pole foundations, towers, tower foundations, down guys, anchors, insulators, wires, underground cables, supports and other necessary fixtures and equipment over, upon, above, along, under, in and across the following described real estate, to wit:

Sub Lot 7, Abraham's Subdivision of the NW 1/4 of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska.

The area of the above described real estate to be covered by this easement shall be as follows:

(See Exhibit "A" attached hereto for description and drawing of easement area.)

CONDITIONS:

The District shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.

The District shall also have the right to burn, trim, or remove all trees and brush on said right-of-way as may be necessary to efficiently exercise any of the hereinbefore granted rights, together with the express provision that any and all Trees which, in falling would come within 15 feet of the nearest electric line conductor, may be topped or removed. All refuse from such tree cutting or trimming shall be disposed of by the District, and the District shall have the further right to control and impede the growth of all weeds, trees, and brush along the described right-of-way if said right-of-way is not being utilized for cultivated crops.

The District shall pay the Grantor or Lessee, as their interests may appear, for all damages to growing crops, fences and buildings on said land which may be caused by the exercise of the hereinbefore granted rights.

Grantor may cultivate, use and enjoy the land within the right-of-way provided that such use shall not, in the judgement of the District, endanger or be a hazard to or interfere with the hereinbefore granted rights; Grantor shall not allow any buildings, structures, hay or straw stacks or other property to remain or be placed upon the above described easement area; Grantor shall not change or alter the grade of the right-of-way herein described without the prior written approval from the District; Grantor shall not allow the burning of any materials of any nature within the limits of the above described right-of-way.

It is further agreed that the Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her its/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 whatsoever 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 16th day of December, 2004.

OWNERS SIGNATURE(S)

Herman A. Neumann

Rachel Neumann

47575

Handwritten notes:
444 S 16th St
Omaha 68102
OPPD
Handwritten initials and symbols

A

CORPORATE ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this ___ day of _____, 2004, before me the undersigned, a Notary Public in and for said County, personally came _____ of _____

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 _____ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF SARPY

On this 16th day of December, 2004, before me the undersigned, a Notary Public in and for said County and State, personally appeared Herman A. Neumann and Rachel Neumann

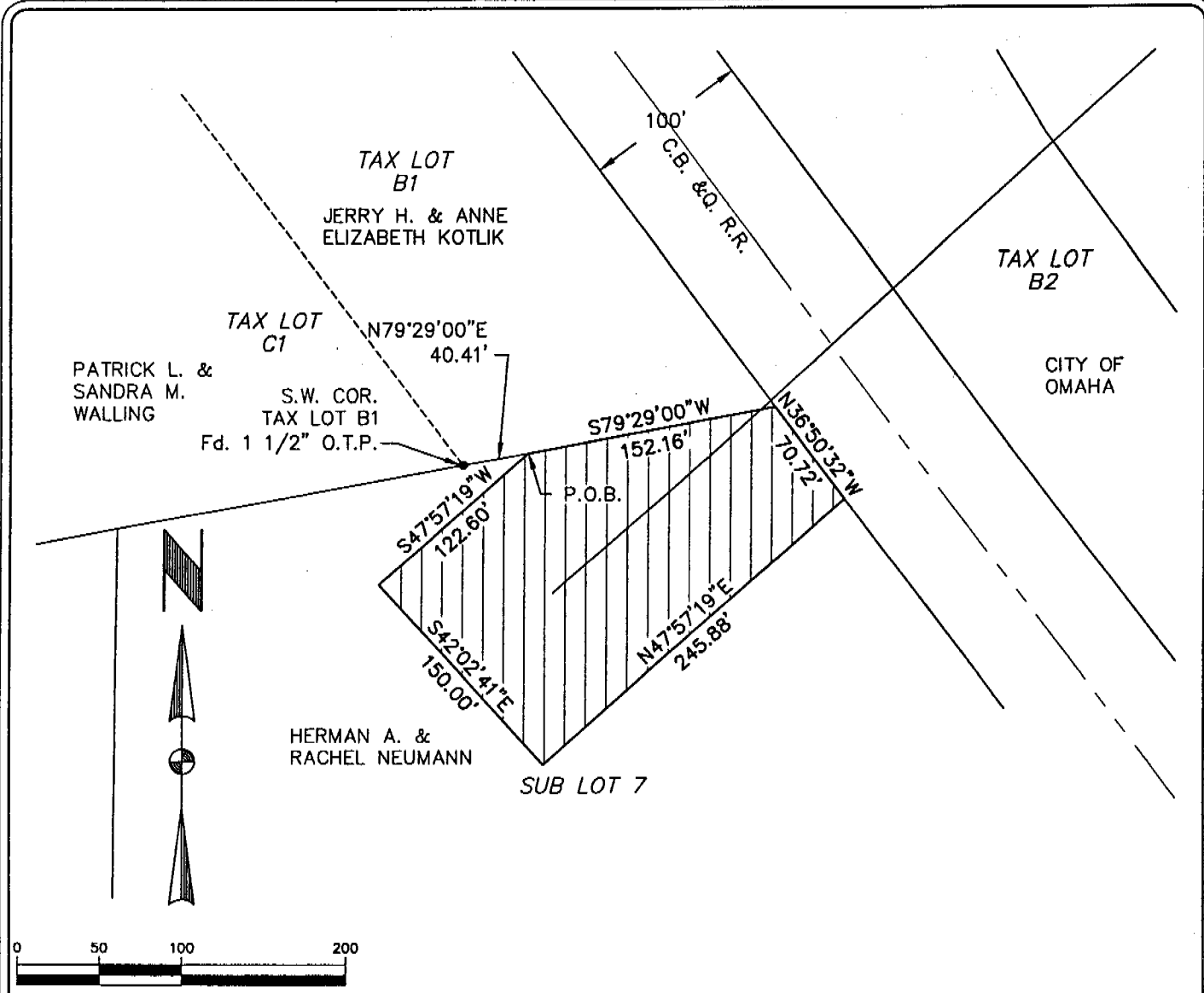
personally, to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof, to be Their voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Ronald A. Marshall
NOTARY PUBLIC



fb: hgm: 11104 SURVEY\DRAWING\11104-002 MIDAM PROPERTY OPPD\DWG\PARCEL.DWG



LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SUB LOT 7, ABRAHAM'S SUBDIVISION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 13 EAST, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TAX LOT B1 IN SAID ABRAHAM'S SUBDIVISION;

THENCE ALONG THE SOUTHERLY LINE OF SAID TAX LOT B1, NORTH 79 DEGREES 29 MINUTES 00 SECONDS EAST, 40.41 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING 75.00 FEET NORMAL DISTANT NORTHWESTERLY OF A PROPOSED OVERHEAD TRANSMISSION LINE;

THENCE PARALLEL WITH SAID LINE, SOUTH 47 DEGREES 57 MINUTES 19 SECONDS WEST, 122.60 FEET;

THENCE SOUTH 42 DEGREES 02 MINUTES 41 SECONDS EAST, 150.00 FEET TO A POINT 75.00 FEET NORMAL DISTANT SOUTHEASTERLY OF SAID OVERHEAD TRANSMISSION LINE;

THENCE PARALLEL WITH SAID LINE, NORTH 47 DEGREES 57 MINUTES 19 SECONDS EAST, 245.88 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF C.B. & Q. RAILROAD;

THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE NORTH 36 DEGREES 50 MINUTES 32 SECONDS WEST, 70.72 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT B1;

THENCE ALONG THE SOUTHERLY LINE OF SAID TAX LOT B1, SOUTH 79 DEGREES 29 MINUTES 00 SECONDS WEST, 152.16 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.745 ACRES MORE OR LESS.



I HEREBY CERTIFY THAT THIS SURVEY DOCUMENT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

SIGNED: Mel Samples DATE: 10-12-04
MELVIN G. SAMPLES L.S. RE. REG NO. 486

1 OF 1
OCT '04
sheet
project no. 11104
date

project **OMAHA PUBLIC POWER DISTRICT**
 NW1/4 SEC. 14 T14N R13E
 client **MIDAMERICAN ENERGY**
 PO BOX 778 SIOUX CITY, IOWA
 sheet

DEF drawn
 DEF designed
 MGS approved

