

FILED SARPY CO. NE.
INSTRUMENT NUMBER
0005-32687

2005 SEP -7 A 11:15 AM

Glenn J. Dowling
REGISTER OF DEEDS

COUNTER JS C.E. A
VERIFY AM D.E. P
PROOF AM
FEES \$ 11.50
CHECK# _____
CHG OPPD CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

ROADWAY EASEMENT

WHEREAS L. PATRICK WALLING and SANDRA M. WALLING, husband and wife, hereinafter referred to as "GRANTORS," are the owners in fee of the following described property to wit:

Tax Lot C1 in the Northwest Quarter (NW ¼) of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th PM and the East Thirty (30) feet of Lot 15, Hocter Terrace an addition to the City of Bellevue as surveyed, platted and recorded in Sarpy County, Nebraska. ("GRANTORS' PROPERTY")

AND WHEREAS OMAHA PUBLIC POWER DISTRICT, a public corporation, hereinafter referred to as "GRANTEE" has acquired easements for overhead electric power lines across the following described property to wit:

Tax Lots B1 and C1 and Sub Lot 7 of Abraham's Sub of Tax Lot D all in the Northwest Quarter (NW ¼) of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th PM, Sarpy County, Nebraska. ("GRANTEE'S EASEMENTS ")

AND WHEREAS access to the easement area is limited and restricted.

NOW THEREFORE IN CONSIDERATION of One dollar (\$1.00) and other valuable consideration, GRANTORS hereby convey to GRANTEE a permanent easement for purposes of ingress and egress over and upon certain property described as follows and over which an unimproved roadway exits (the "Roadway"):

That portion of Tax Lot B1 in the Northwest Quarter (NW ¼) of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th PM, shown on Exhibit "A" on the reverse side hereof and the East Twenty-five (25) feet of Lot 15, Hocter Terrace an addition to the City of Bellevue as surveyed, platted and recorded in Sarpy County, Nebraska, also shown on Exhibit "A".

GRANTEE agrees that this easement shall be solely for the purpose of ingress and egress from Oak Avenue to GRANTEE'S EASEMENTS located on Tax Lots B1 and C1 and Sub Lot 7 of Abraham's Sub of Tax Lot D.

Neither GRANTORS nor GRANTEE have an obligation to maintain the Roadway. The GRANTEE shall repair any damage to the Roadway caused by GRANTEE'S use of the Roadway.

The GRANTORS covenant that they have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the GRANTEE forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

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

32687

