

RIGHT-OF-WAY EASEMENT

I, Sander J. Kasin, President of Applewood Lane Development Co. Owner(s) of the real estate described below, and hereafter referred to as "Grantor(s)", 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, referred to as "Grantee", a permanent right-of-way easement to install, operate, maintain, repair, replace and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

A tract of land located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 9 - Twp. 14 North - Range 12 East of the 6th P.M., Douglas County, Nebraska; more particularly described as follows:

Commencing at the Southwest corner of the Northwest $\frac{1}{4}$ of said Section 9-14-12; thence S89°46'18"E along the South line of the Northwest $\frac{1}{4}$ of said Section 9-14-12 a distance of 50.0 feet to a point on the East right-of-way line of 108th Street and the Point of Beginning; thence N00°00'25"W along said East right-of-way of 108th Street a distance of 289.90 feet; thence N90°00'00"E a distance of 152.0 feet; thence N76°32'10"E a distance of 112.98 feet to a point of curve; thence along a circular curve to the right having a radius of 297.48 feet and subtended by a chord bearing S82°37'29"E and a length of 486.33 feet; thence N42°30'55"E a distance of 116.90 feet to a point of curve; thence along a circular curve to the right having a radius of 175.0 feet and subtended by a chord bearing N75°59'45"E and a length of 192.55 feet to a point of reverse curve; thence along a circular curve to the left having a radius of 80.0 feet and subtended by a chord bearing N75°57'50"E and a length of 88.15 feet to a point of curve; thence along a circular curve to the left having a radius of 352.58 feet and subtended by a chord bearing S21°23'39"W and a length of 254.86 feet; thence S00°13'30"W a distance of 174.50 feet to a point on . . . continued on reverse side hereof

CONDITIONS:

- (a) Where Grantee's facilities are constructed, Grantee shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power, including all services of the Grantee to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land Sixteen feet (16') in width, being Eight feet (8') on each side of the parallel to facilities as constructed by Grantee.
- (b) The Grantee 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.
- (c) Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where Grantee's facilities have been constructed.
- (d) Grantee shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be
- (e) It is further agreed 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 or 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.

WITNESS my hand and Notarial Seal this 23 day of January, 19 84.

SHERRY E. DUTCHER
GENERAL NOTARY

State of Nebraska

ATTEST: Comm. Exp. Sep. 2, 1984

ATTEST:

Sherry E. Dutcher *Sander J. Kasin*

STATE OF Nebraska
COUNTY OF Douglas

STATE OF _____
COUNTY OF _____

On this 23 day of January, 1984,
before me the undersigned, a Notary Public in and
for said County, personally came _____

On this _____ day of _____, 19____,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared _____

Sander J. Kasin
President of Applewood Lane Development Co.
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.

_____ personally to me known to be the identical person(s)
and who acknowledged the execution thereof to be
_____ voluntary act and deed for
the purpose therein expressed.

Witness my hand and Notarial Seal at _____
in said County the day and year _____

Witness my hand and Notarial Seal the date above
written.

~~SHERRY F. BLETCHER~~
Last above written.
GENERAL NOTARY

State of Nebraska

My Comm. Exp. Sep. 2, 1984

Sherry F. Bletcher
NOTARY PUBLIC

NOTARY PUBLIC

My Commission expires: 9.2.84

My Commission expires: _____

Legal description continues . . . the South line of said Northwest $\frac{1}{4}$ of Section 9-14-12; thence N89°46'18"W along said South line of the Northwest $\frac{1}{4}$ of Section 9-14-12 a distance 1001.79 feet to the point of beginning.

R-404
O.P.D.
30. Jan - 77

C. HAROLD OSILLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1984 FEB - 9 PM 12: 50

RECEIVED

20 [unclear]

Fee 10.50
Index _____
Comped _____

Book 705
Page 38
of Misc

Distribution Engineer RJD Date 1-25-84; Land & Facilities Management Elk Date 1/25/84.

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____.

Section NW $\frac{1}{4}$ 9 Township 14 North, Range 12 East

Salesman C. McCaw Engineer B. White Est. # 8303055 W.O. # _____

9-14-12