

51-239

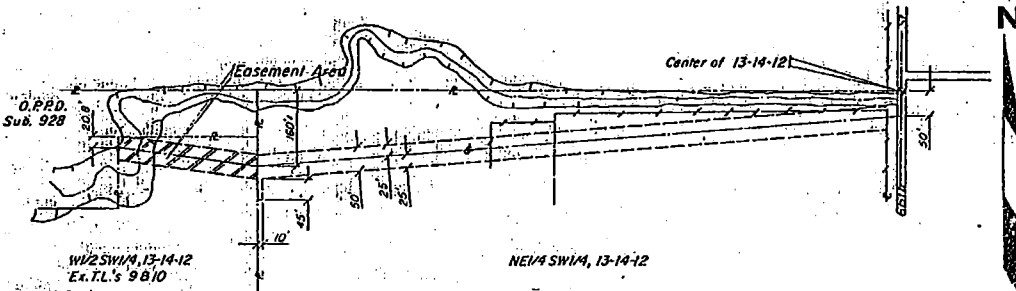
OLC ONLY

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:

The West One-half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$), except Tax Lots Nine (9) and Ten (10) of Section Thirteen (13), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORD 4-27-78 AT 9:30 A.M. IN BOOK 51 OF Misc Recs. PAGE 239 Carl L. Hillis REGISTER OF DEEDS, SARPY COUNTY, NEB. 325

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



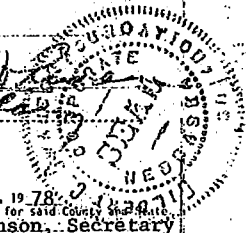
CONDITIONS:

- (a) 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.
(b) The District shall also have the right to 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...
(c) 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.
(d) 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...
(e) It is further agreed that 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 parties hereto have signed their names and caused the execution of this instrument this 18th day of April, 1978.

G. E. Sawall, Treasurer
Gilbert C. Swanson Foundation, Inc.
a Nebraska Corporation

Attest: Cecil A. Johnson, Secretary
of the Gilbert C. Swanson Foundation, Inc.



STATE OF Nebraska
COUNTY OF Douglas
On this 18 day of April, 1978, before me the undersigned, a Notary Public in and for said County, personally appeared G. E. Sawall, Treasurer of Gilbert C. Swanson Foundation, Inc. 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.

STATE OF Nebraska
COUNTY OF Douglas
On this 20 day of April, 1978, before me the undersigned, a Notary Public in and for said County, personally appeared Cecil A. Johnson, Secretary of the Gilbert C. Swanson Foundation, Inc. personally to me known to be the identical person(s) and who acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed.

GENERAL NOTARY - State of Nebraska
RAE ALBRIGHT
My Comm. Exp. Sept. 19, 1980

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RAE ALBRIGHT
My Comm. Exp. Sept. 19, 1980

Transmission Engineers Date 2-15-78 at Land Rights and Services RWP Date 4/20/78
Records in Misc. Book No. at Page No. on the day of 1978

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