

RIGHT-OF-WAY EASEMENT

I, Maenner Acres One, Ltd., Limited Partnership, a Nebraska Limited Partnership Owner(s)
we, of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Four Hundred Ninety-eight (498) thru Five Hundred Five (505), Armbrust Acres 4th Addition, an addition to Douglas County, Nebraska, as surveyed, platted and recorded.

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 strip of land Twenty-four feet (24') in width, lying adjacent to and parallel to the Westerly (rear) lot lines of said Lots Four Hundred Ninety-eight (498) thru Five Hundred Five (505).

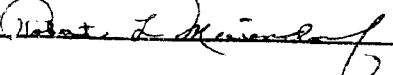
CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least Twelve feet (12').
- (b) The Grantees 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) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (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 whomsoever 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 15th day of October, 19 85.

Maenner Acres One, Ltd., Limited Partnership,
a Nebraska Limited Partnership

Maenner Co., a Nebraska Corporation, General
Partner

By: 
Robert L. Mierendorf, Vice President

STATE OF NEBRASKA

STATE OF

COUNTY OF DOUGLAS

COUNTY OF

On this 15th day of October, 1985, 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

Robert L. Mierdorf
Vice President of Mason 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.

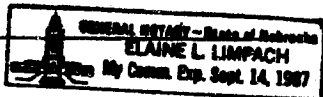
Witness my hand and Notarial Seal at Omaha in said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.

Elaine L. Limpach
NOTARY PUBLIC

NOTARY PUBLIC

My Commission expires: _____



My Commission expires: _____

757 Del WK N 89-35-700 RP 14.00
444 Invk WLN 89-367W MC P.C.
Mied Comp A Comp

1985 NOV 14 PM 3:54
RECEIVED
GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

8815 F Misc

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
OMAHA, NE 68102

Distribution Engineer John J. Dempsey Date 10/29/85 Property Management: [Signature] Date 10/23/85
Recorded in Misc. Book No. ___ at Page No. ___ on the ___ day of ___, 19___
Section NW 1/4 34 Township 15 North, Range 11 East
Salesman Dempsey Engineer Keating Est. # 8402982 W.O. # 9251
165 THE GROVER RD. ST. LOUIS, MO