

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
Real Estate Division  
South 16th Street Mail  
Omaha, NE 68102-2247

94-22446

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Proof	<input checked="" type="checkbox"/>
D.E.	<input checked="" type="checkbox"/>
Verify	<input checked="" type="checkbox"/>
Filed	<input checked="" type="checkbox"/>
Checked	<input checked="" type="checkbox"/>
Fee \$	5.50
Dec. #	265

REC

September 23, 1994

**RIGHT-OF-WAY EASEMENT**

**BEACON VIEW INC**

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor".

Government Lot Two (2) located in the West Half of Section 29,  
Township 13 North, Range 10 East of the 6th P.M., Sarpy County,  
Nebraska.

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, hereafter referred to as "District", a right of entry with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

A strip of land Ten feet (10') in width, being Five feet (5') each side of  
and abutting the Districts Underground facilities as constructed.

**CONDITIONS:**

The Grantor hereby grants to the District, its successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip. Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

In granting this right-of-entry, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to grant such right and that their 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 right. Grantee shall exercise good judgement in the installation or modification of said Underground services, and shall be responsible for its own negligence.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 10th day of October, 1994.

OWNER'S SIGNATURE(S)

Paul Kennedy  
CHAIRMAN  
BEACON VIEW, INC

**CORPORATE ACKNOWLEDGMENT**

STATE OF NEBRASKA  
COUNTY OF SARPY

On this 10th day of October, 1994,  
before me the undersigned, a Notary Public in and  
for said County, personally came

PAUL C. KENNEDY  
CHAIRMAN  
Beaconview 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.

Witness my hand and Notarial Seal the date above  
written.

Randy J. DeGeorge  
NOTARY PUBLIC

Paul Kennedy, Chairman  
Beaconview Inc.

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF  
COUNTY OF

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

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 the date above  
written.

NOTARY PUBLIC

Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section W4 29 Township 13 North, Range 10 East  
Salesman De George Engineer Broschat Est. # 930055706 U.O.# M1 5253

22446

GENERAL NOTARY-STATE OF NEBRASKA  
RANDY J. DE GEORGE  
My Comm. Exp. June 12, 1996