

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2006-03650

2006 FEB -3 P 1:27

*Glenn J. Lawling*  
REGISTER OF DEEDS

COUNTER 11.00 C.E. Ben  
VERIFY JPW D.E.  
PROOF  
FEES \$ 11.00  
CHECK#  
CHG OPPD CASH  
REFUND CREDIT  
SHORT NFR

January 25, 2006

Doc.#

### JOINT UTILITY EASEMENT

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

Lots Four Hundred One and Four Hundred Two (401, 402), in Bellbrook, an Addition as surveyed, platted and recorded in 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, Qwest Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, subject to matters of record, a permanent utility easement to erect, operate, maintain, repair, and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

(See reverse side hereof for sketch of easement areas.)

The Grantor hereby grants to said Utilities, their 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.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities 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 Owners(s) have executed this instrument this 31 day of January, 2006.  
OWNERS SIGNATURE(S)

Barbara L. L. L. L.

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

03650

2006-036-80A

**CORPORATE ACKNOWLEDGMENT**

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 31 day of January, 2006, before me the undersigned, a Notary Public in and for said County, personally came Barbara Udes Shaw, Manager

President of Bellbrook Development LLC 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 her voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Jana L. McDonald  
NOTARY PUBLIC

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006, 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

