

TYPE man PG 415 C/O --- COMP 8 SCAN DP  
FEE. 550 OF man LEGL PG --- MC --- FV ---

OCT 14 3 16 PM '93

GEORGE J. DUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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

BKUG  
September 2, 1993

RIGHT-OF-WAY EASEMENT

Larry Wagner, KIMBERLY WAGNER Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

A parcel of land situate in the Northwest Quarter of Section 6, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, as described as follows: Beginning at the Northeast corner of said Northwest Quarter; thence along the Easterly line of said Northwest Quarter, S01°44'42"E, 1286.16' to the Southeast corner of the North half of said Northwest Quarter; thence along the Southerly line of said North half, S86°56'18"W, 1107.79' to the centerline of a branch of the Box Elder Creek; thence N22°28'39"E, 1432.61' to a point on the Northerly line of said Northwest Quarter; thence along said Northerly line and along the centerline of "F" Street, N87°41'21"E, 519.76' to the Point of Beginning. Said parcel contains an area of 24.11 acres, more or less. Said parcel is located in the NE 1/4 of NW 1/4.

NE  
NW

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 permanent right of way easement 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 facilities as constructed, to provide for the installation of customers service.

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 easement, 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 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 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 Owner(s) have executed this instrument this 8 day of September, 1993.

Kimberly B. Wagner  
OWNERS SIGNATURE(S)

Larry E. Wagner

CORPORATE ACKNOWLEDGEMENT

STATE OF

COUNTY OF

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

President of \_\_\_\_\_

\_\_\_\_\_ 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 \_\_\_\_\_ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF

COUNTY OF

On this 8 day of September, 1993, before me the undersigned, a Notary Public in and for said County and State, personally appeared

Kimberly Wagner  
Larry Wagner

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

Witness my hand and Notarial Seal the date above written.

Ronald A. Wagner  
NOTARY PUBLIC



RONALD A. WAGNER  
GENERAL NOTARY - State of Neb.

NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS