

5/15/86

OPPD Form No. 1-75-1
Rev. 3/83

BOOK 781 PAGE 99
RIGHT-OF-WAY EASEMENT

Distribution

I, Hunters Glen Joint Venture, a Nebraska joint venture Owner(s)
We, of the real estate described as follows, and hereafter referred to as "Grantor",

That part of the Northeast 1/4 of Section 2, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the Southwest corner of said Northeast 1/4 of Section 2; thence N0°18'15"W (assumed bearings) for 2481.43 feet along the West line of said Northeast 1/4 to a point that is 33 feet South of the Northwest corner of said Northeast 1/4; thence N89°00'28"E for 2612.27 feet, parallel with and 33 feet South of the North line of said Northeast 1/4; thence S0°20'47"E for 2457.36 feet parallel with and 33 feet West of the East line of said Northeast 1/4; thence S89°08'18"W for 95.07 feet parallel with and 30 feet North of the South line of said Northeast 1/4; thence along a curve to the left (having a radius of 196.43 feet and a chord bearing S73°05'49"W for 108.56 feet) for an arc distance of 109.99 feet to the South line of said Northeast 1/4; thence S89°08'18"W for 2414.91 feet to the point of beginning, less the Colonias Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

In consideration of the sum of One Dollar (\$1.00) and other valuable consideration, recapt of which is hereby acknowledged, do hereby grant to the OHAWA 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:

That part of the Northeast 1/4 of Section 2, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the Southeast corner of the Northeast 1/4 of said Section 2; thence N 0° 20' 47" W (Bearings based on The Colonias recorded plat) for 900.00 feet along the East line of the Northeast 1/4 of said Section 2; thence S 89° 39' 13" W for 80.00 feet to a point on the South right-of-way line of Hillisdale Avenue and the TRUE POINT OF BEGINNING; thence continuing S 89° 39' 13" W for 30.00 feet along said South right-of-way line; thence S 0° 20' 47" E for 10.00 feet; thence N 85° 39' 13" E for 25.00 feet parallel with and 10.00 feet South of the South right-of-way line of Hillisdale Avenue; thence S 0° 20' 47" E for 40.00 feet parallel with and 55.00 feet West of the East line of the Northeast 1/4 of said Section 2; thence N 89° 39' 13" E for 5.00 feet; thence N 0° 20' 47" W for 80.00 feet parallel with and 80.00 feet West of the East line of the Northeast 1/4 of said Section 2 to the TRUE POINT OF BEGINNING.

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 _____ day of _____, 19 _____.

HUNTERS GLEN, INC.
By: [Signature]

HUNTER CVF, INC.
By: [Signature]

12823 MISC.

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 18th day of June, 1986, before me the undersigned, a Notary Public in and for said County, personally came Glenn L. Buck

President of Hunters Glen, 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 at Omaha in said County the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission expires: November 30, 1989

STATE OF
COUNTY OF

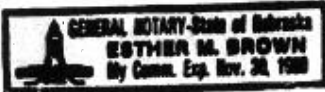
On this 20th day of June, 1986, before me the undersigned, a Notary Public in and for said County and State, personally appeared Lawrence J. Fallon

on behalf of Hunter CVF, Inc., 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.

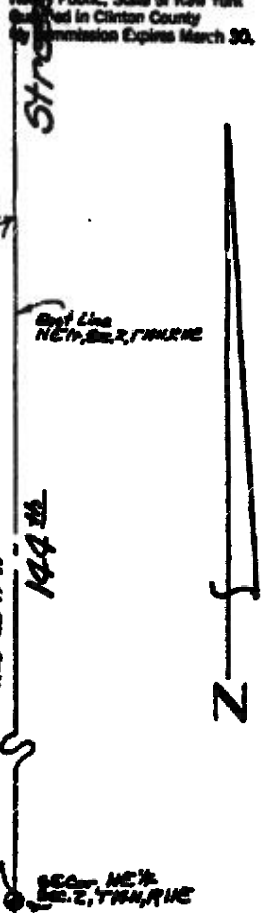
[Signature]
NOTARY PUBLIC

My Commission expires: March 30, 1989



Hilledale Avenue

DEBRA PALMER
Notary Public, State of New York
Qualified in Clinton County
Commission Expires March 30, 1989



12824 F MISC

RECEIVED

1986 JUL 11 PM 3:26

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

bk 781 Del VI No 2-14-11 JV Fee 10.50
Pg 99-100 Indx. VI 2-14-11 MC B.C
no Misc GI LI

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 403,
OMAHA, NE 68102

Distribution Engineer _____ Date _____ Property Management: L.H. Date 6-30-86
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section NE 1/4 2 Township 14 North, Range 11 East
Salesman Doll Engineer _____ Est. # 2672 W.O. # 1829

17000 F M.