



BK 0958 PG 660-661



MISC 1991 06106

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

RIGHT-OF-WAY EASEMENT

January 2, 1991

A/

1. We, Fuchs Machinery, Inc. Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot 5, Spring Valley Industrial Park, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, together with Lot 6, described as follows: Beginning at the NW corner of said Lot 6; thence S89°40'14"E (assumed bearing) 84.29 feet on the North line of said Lot 6; thence S00°19'46"W 374.39 feet to the South line of said Lot 6; thence N89°40'14"W 105.62 feet on the South line of said Lot 6; thence N03°35'25"E 375.00 feet on the West line of said Lot 6 to the point of beginning.

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 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:

See reverse side hereof for sketch of easement area.

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.

#2 IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 14<sup>th</sup> day of March, 19 91.

#3 [Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Distribution Engineer RJA Date 4-5-91 Property Management JSR Date 3-20-91

Section NE 1/4 06 Township 14 North, Range 13 East

Salesman Rosales Engineer Rosales Est. # 900311701 w.o. # 1-7867

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska  
COUNTY OF Douglas

On this 17<sup>th</sup> day of March, 19 91,  
before me the undersigned, a Notary Public in and  
for said County, personally came J. Michael

Fuchs  
President of Fuchs Machinery 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  
a voluntary act and deed for  
the purpose therein expressed.

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



Jane Lewis  
NOTARY PUBLIC

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.

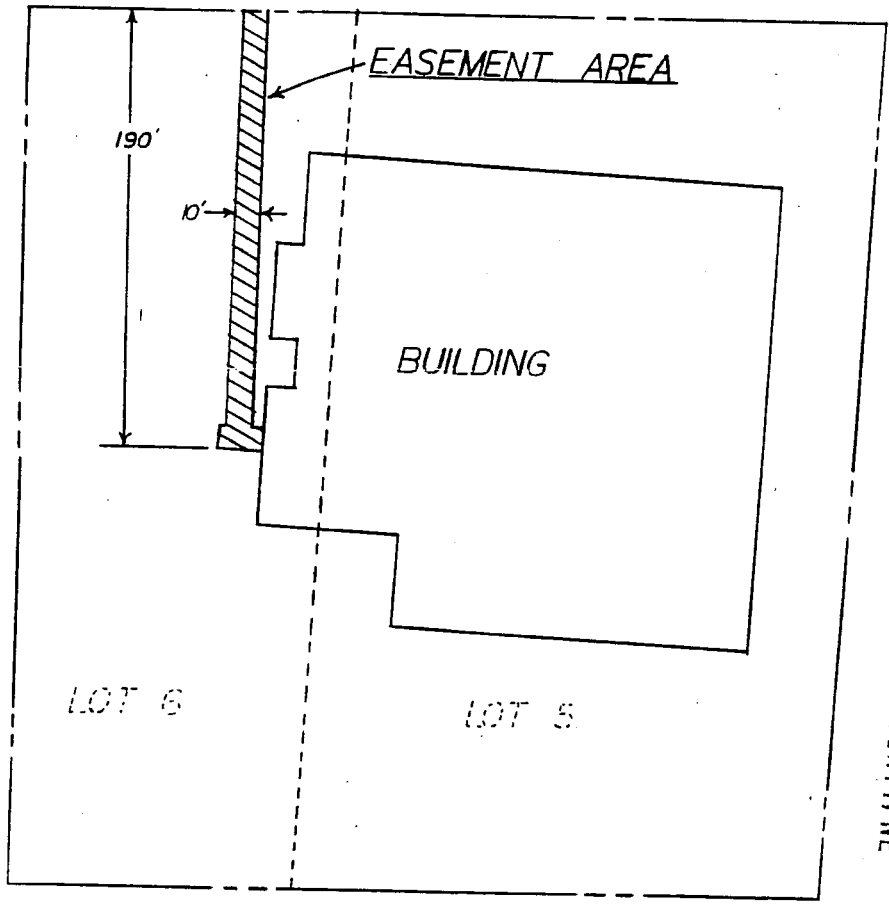
Witness my hand and Notarial Seal the date above  
written.

\_\_\_\_\_  
NOTARY PUBLIC

BK 958 IN \_\_\_\_\_ FEE 11  
PG 660-661 N \_\_\_\_\_ DEL MA MC Wc  
OR Misc COMP ✓ F/B 47-36765

"F" ST.

6106  
Main



RECEIVED  
Apr 5 10 41 AM '91  
GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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