



BK 0989 PG 510-511



MISC 1991 26038

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RIGHT-OF-WAY EASEMENT

RECEIVED

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Grandmother's, Inc.

of the real estate described as follows, and hereafter referred to as "Grantor",

The North 150 feet of Lot Three (3), and also the East 120 feet of the South 83 feet of the North 233 feet of said Lot three (3), all located in Block Five (5), Rockbrook Heights, a subdivision located in the Northwest Quarter (NW 1/4) of Section Thirty-three (33), Township Fifteen (15) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska, except that part of said Lot Three (3), Block Five (5), Rockbrook Heights heretofore deeded to the State of Nebraska, said tract of land more particularly described as follows: Commencing at the Northwest corner of said Northwest Quarter (NW 1/4) of Section Thirty-three (33); thence S89°55'41"E (assumed bearing) along the North line of said Section Thirty-three (33), a distance of 39.66 feet; thence S00°04'19"W, a distance of 55.00 feet to a point on the South right-of-way line of West Center Road, said point also being the Point of Beginning; thence along said South right-of-way line of West Center Road, on the following described courses: thence N89°16'46"E, a distance of 216.84 feet; thence S00°25'59"W, a distance of 18.00 feet; thence S89°55'41"E, a distance of 16.2 feet to a point on the West right-of-way line of 107th Avenue; thence S00°25'59"W along said West right-of-way line of 107th Avenue, a distance of 195.49 feet; thence N89°38'53"W, a distance of 119.99 feet; thence N°25'50"E, a distance of 82.48 feet; thence N89°46'56"W, a distance of 112.99 feet to a point on the East right-of-way line of 108th Street; thence N00°25'42"E along said East right-of-way line of 108th Street, a distance of 127.14 feet to the Point of Beginning. Said tract of land contains an area of 39,686 square feet or 0.911 acres, more or less.

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 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:

A strip of land being Ten feet (10') in width, being Five feet (5') each side of and abutting the District's Underground facilities as constructed, together with a strip of land Twenty-four feet (24') in width being Twelve feet (12') each side of and abutting the District's Overhead facilities as constructed. See reverse side hereof for sketch of easement area.

CONDITIONS:

Where the District's facilities are constructed the District 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').

The District 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.

Where the District'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 District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Where the District'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 the District's facilities.

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 Owner(s) have executed this instrument this 31<sup>st</sup> day of October, 1991.

mic 26038  
BK 989 N 103A-45 C/O FEE 10.50 Grandmother's, Inc.  
PG 510-511 N 103A-45 DEL VK MC by Mark A. Tread  
OF Mo COMP VP F/B 57-33840 OWNERS SIGNATURE(S) Tread

Distribution Engineer RJR Date 12-9-91 Property Management JSR Date 11-6-91

Section NW 1/4 33 Township 15 North, Range 12 East

Salesman Kluver Engineer Kluver Est. # 910160101 W.O. # 9720

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

**CORPORATE ACKNOWLEDGEMENT**

STATE OF Nebraska  
COUNTY OF Douglas

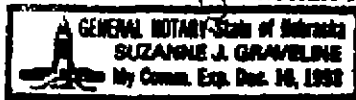
On this 31<sup>st</sup> day of October, 1991, before me the undersigned, a Notary Public in and for said County, personally came Mark A Sweet

Treasurer  
President of Grandmother's, 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.

Suzanne J. Graveline  
NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGEMENT**

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

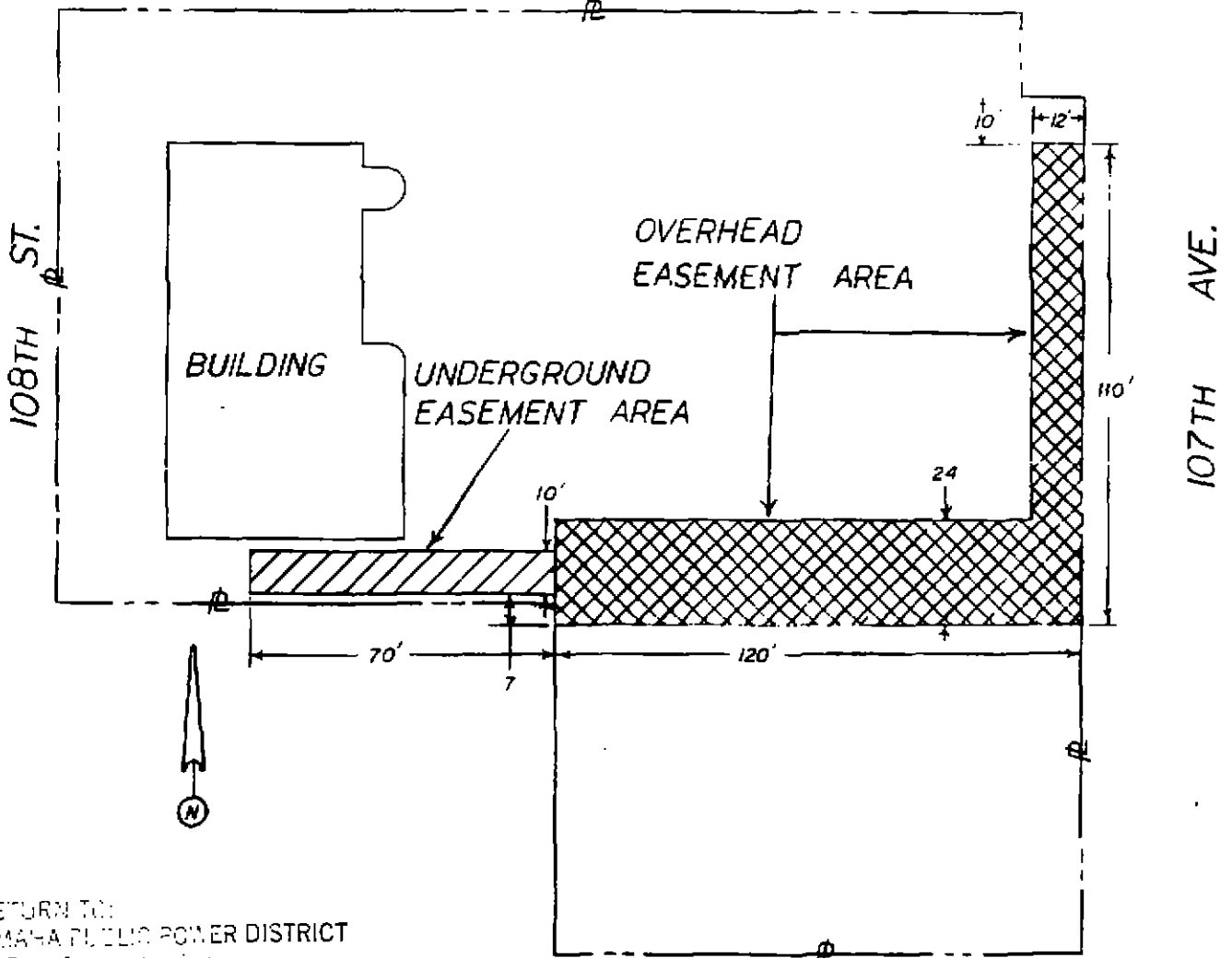
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_

\_\_\_\_\_ 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

WEST CENTER RD.



RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
1500 F Street, N.E.  
2500 Omaha Public Power Mall  
Omaha, NE 68131-2217