

49-599

RIGHT-OF-WAY EASEMENT

Huntington Park Care Center, Inc.

Owner(s)

I, of the real estate described as follows, and hereafter referred to as "Grantor". All of Lots 26 thru 28, inclusive, and also part of Lots 25 and 29, all in Huntington Park Replat, a subdivision located in the SW 1/4 of Section 35, Township 14 North, Range Twelve East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows: Beginning at the point of intersection of the Easterly right-of-way line of Huntington Parkway and the Northerly right-of-way line of Fenwick Drive, said point also being the Southwesterly corner of said Lot 27, Huntington Park Replat; thence Northerly, along the Easterly right-of-way line of Huntington Parkway, on a curve to the left with a radius of 243.60 feet a distance of 104.52 feet, said curve having a long chord which bears N03°26'09"E, (Assumed bearing), a distance of 103.72 feet; thence N08°51'20"W, along said Easterly right-of-way line of Huntington Parkway, a distance of 77.50 feet; thence Northwesterly, along said Easterly right-of-way of Huntington Parkway on a curve to the right with a radius of 1654.49 feet a distance of 67.27 feet, said curve having a long chord which bears N07°41'27"W a distance of 67.26 feet; thence N82°46'53"E, a distance of 203.70 feet, to a point on the East line of said Lot 29, Huntington Park Replat; thence S85°06'41"E, a distance of 230.74 feet, to a point on the Westerly right-of-way line of Grandview Avenue; thence, along said Westerly right-of-way line of.....(Legal Description continued on reverse side)

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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its successors and assigns, collectively referred to as "Grantees", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to wit:

For location of Easement area, refer to sketch on the reverse side of this document.

FILED FOR RECORD 9-27-76 AT 8:30 AM IN BOOK 49 OF Misc Recs
No. 597 Carl L. Hibbeled REGISTER OF DEEDS, SARPY COUNTY NEB 6.50

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) 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 7 day of Sept., 1976

Huntington Park Care Center, Inc.

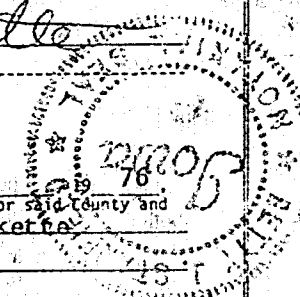
Huntington Park Care Center, Inc.

Thomas F. Juckette
Secretary

Thomas F. Juckette
President

STATE OF
COUNTY OF
On this 7th day September, 1976
before me the undersigned, a Notary Public in and for said
County, personally came Parold F. Juckette
President of Huntington Park Care Center, 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 voluntary act and deed for the purpose
therein expressed.

STATE OF
COUNTY OF
On this 7th day of September
before me the undersigned, a Notary Public in and for said County and
State, personally appeared Thomas F. Juckette
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 at Des Moines, Iowa in
said County, the day and year last above written.

Witness my hand and Notarial Seal the date above written.

Betty J. Stanfield
NOTARY PUBLIC
My Commission expires: September 30, 1978

Betty J. Stanfield
NOTARY PUBLIC
My Commission expires: September 30, 1978

Distribution Engineer: M.D. Date 9/10/76 Land Rights and Services R.W.P. Date 9/17/76
Recorded in Misc. Book No. 14 at Page No. on the day of 1976
Section 35 Township 14 North, Range 12 East Salesman Janicek Engineer Jones Est. 28483 N.O.

Sec# 59517 X

49-597A

Legal Description continued..... Grandview Avenue, on the following described courses; thence $S06^{\circ}03'40''W$ a distance of 3.59 feet; thence Southeasterly, on a curve to the left with a radius of 819.22 feet a distance of 257.36 feet; thence $S11^{\circ}56'20''W$ a distance of 131.94 feet, to the point of intersection of said Westerly right-of-way line of Grandview Avenue and said Northerly right-of-way line of Fenwick Drive, said point also being the Southeasterly corner of said Lot 26, Huntington Park Replat; thence along said Northerly right-of-way line of Fenwick Drive, on the following described courses; thence Northwesterly on a curve to the right with a radius of 291.24 feet a distance of 176.59 feet, said curve having a long chord which bears $N84^{\circ}34'08''W$ a distance of 173.89 feet; thence $N67^{\circ}11'56''W$ a distance of 308.30 feet to Point of Beginning.

