

RIGHT-OF-WAY EASEMENT

50-25

Dana College

Owner(s)

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

That part of the East Three Quarters of the North One-half of the Northwest Quarter (E 3/4 N 1/2 NW 1/4), lying West of County Road in Section Thirty (30), Township Thirteen (13) North, Range Thirteen (13), East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORD 1-12-77 AT 8:45 A.M. IN BOOK 50 of Misc Recs. PAGE 25 Carl L. Hillebo REGISTER OF DEEDS, SARPY COUNTY, NEB

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:

A strip of land Twenty feet (20') in width, being Ten feet (10') on each side of and parallel to the following described centerline: Commencing at the Northwest corner of Section Thirty (30); thence 00°00'E (assumed bearing), a distance of Six Hundred Sixty-one feet (661') to the Northwest corner of the East Three Quarters of the North One-half of the Northwest Quarter (E 3/4 N 1/2 NW 1/4); thence S01°24'W along the West line thereof a distance of Six Hundred Fifty-two feet (652') and the true point of beginning; thence N81°23'E, a distance of Four Hundred Twenty-four feet (424'); thence S66°07'E, a distance of Fifty-eight feet (58'); thence N81°23'E, a distance of Two Hundred Thirty-seven feet (237'); thence S67°44'E, a distance of Ninety-five feet (95'); thence N81°23'E, a distance of One Hundred Eighty-eight feet (188'); thence N85°07'E, a distance of Two Hundred Forty-two feet (242') to a point on the West right of way line of County Road.

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 11th day of November, 1976.

DANA COLLEGE E. H. Goldstein, Chairman, Board of Regents Ben Krantz, Secy

STATE OF NEBRASKA COUNTY OF Washington

STATE OF COUNTY OF

On this 11th day of November, 1976, before me the undersigned, Notary Public in and for said

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

County, personally came E. H. Goldstein, Chairman, Board of Regents of Dana College, Ben Krantz 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.

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 Blaney, Nebraska in said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.



My Commission expires: 2/25/80

My Commission expires: _____

Distribution Engineer Date; Land Rights and Services Date 1/4/77.

Recorded in Misc. Book No. at Page No. on the day of Section 30 Township 13 North, Range 13 East Salesman Engineer Doll 1st. # k.O. 3967

Rec # 62733

50-25A

