

MISC

2003159123



AUG 22 2003 12:14 P 2

UNG

RIGHT-OF-WAY EASEMENT

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One (1), West Dodge Office Park Replat, as surveyed, platted and recorded, in Douglas County, Nebraska, except that part taken for road purposes.

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 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.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 20 day of August, 2003.

OWNERS SIGNATURE(S)

ge Office Park L.L.C

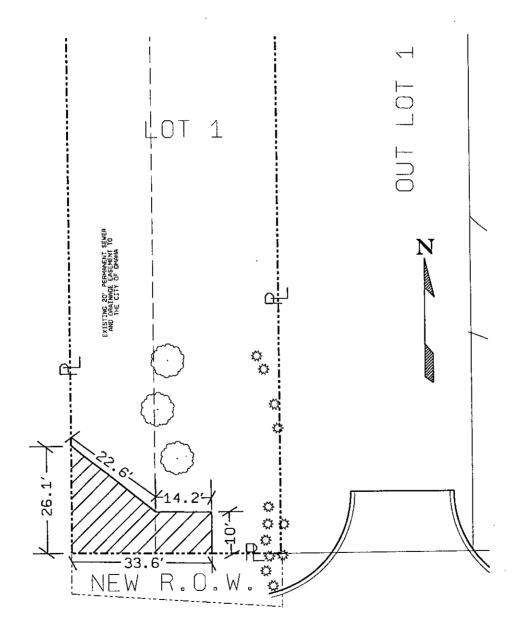
RETURN TO:
OMAHA PUBLIC POWER DISTRICT
Right of Way 6W/EP1

444 South 16th Street Mall Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

INDIVIDUAL ACKNOWLEDGMENT

STATE OF	STATE OF
COUNTY OF	COUNTY OF
On this 20 day of www. 2003, before me the undersigned, a Notary Public in and for said County, personally came	On this day of, 20, before me the undersigned, a Notary Public in and for said County and State, personally appeared
GENERAL NOTARY - State of Nebraska BARBARA METZ My Comm. Exp. May 14, 2007	-
President of CAPICE PARK, LLC President of CAPICE PARK, LLC	personally to me known to be the identical person(s) 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.	Witness my hand and Notarial Seal the date above written.
Sterbara Metz	NOTARY BURLIG
NOTARY PUBLIC	NOTARY PUBLIC



WEST DODGE RD

SW_4, Section	o <u>n 18</u> , T	<u>15</u> N, R	. <u>12</u> E,	County <u>Douglas</u>	ROW _	RD Date	August 5, 2003
Customer Rep.	De George	Engineer	Oropeza	Srvc Reg. #	W.0.#	108975	