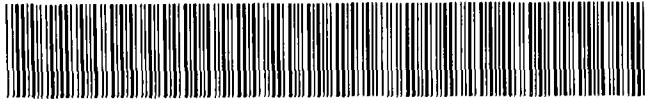


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BKP \_\_\_\_\_ C/O \_\_\_\_\_ CCMP AD

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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
4/14/2015 08:11:31.82



2015026965

# JOINT UTILITY EASEMENT

Elkhorn 204, LLC, a Nebraska Limited Liability Company, and William D. Sapp, being the Owners of the real estate described as follows, and hereafter referred to as "Grantor",

Lots 1 and 2, Pacific Street West Replat Five, a Subdivision in Douglas County, Nebraska

in consideration of the sum on One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the Omaha Public Power District, CentryLink, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, subject to matters of record, a permanent utility easement to erect, operate, maintain, repair and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kind including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

A Five (5') Foot Wide Strip of Land Abutting the Side Boundary Lot Line  
between said Lots 1 and 2, Pacific Street West Replat Five

The Grantors hereby grant to said Utilities, their 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.

Grantors agree that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping, sidewalks, driveways, and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

T D D I I

The Grantors covenant that they have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities forever against the claims of all person whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the Owners have executed this instrument this 2<sup>ND</sup> day of APRIL, 2015.

Lucille M. Sapp  
Lucille M. Sapp

William D. Sapp  
William D. Sapp

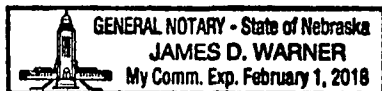
**Elkhorn 204 LLC,**  
A Nebraska Limited Liability Company

By: Steven L. Gosch  
Steven L. Gosch, Member

#### ACKNOWLEDGEMENT OF NOTARY

State of Nebraska }  
County of Douglas } ss.

The foregoing Grant of Easement was acknowledged before me this 2<sup>ND</sup> day of APRIL, 2015 by William D. Sapp. and Lucille M. Sapp, husband and wife.

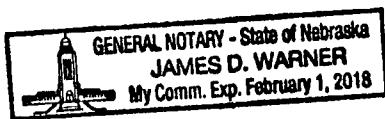


James Warner  
Notary Public

#### ACKNOWLEDGEMENT OF NOTARY

State of Nebraska }  
County of Douglas } ss.

The foregoing Grant of Easement was acknowledged before me this 30<sup>TH</sup> day of MARCH, 2015 by Steven L. Gosch, Member of Elkhorn 204, LLC, A Nebraska Limited Liability Company on behalf of said Corporation.



James Warner  
Notary Public