

82-908

RIGHT-OF-WAY EASEMENT

I, X Delford U. Boyer and Francis V. Biskup, Trustees Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot 16 of the Donlee Industrial Park an addition to Douglas County, Nebraska as surveyed, platted and recorded.

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:

Within the North 10 feet of the South 30 feet of Lot 16 of Donlee Industrial Park, an addition to Douglas County, Nebraska as surveyed, platted and recorded.

19

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
25 DAY OF NOV 1974 AT 10:39A M. C. HAROLD OSTLER, REGISTER OF DEEDS 3.25

- 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 whatsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

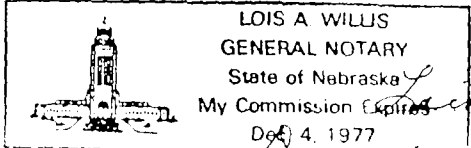
IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 4 day of Nov, 1974.

X Delford U. Boyer  
X Francis V. Biskup

STATE OF Nebraska  
COUNTY OF Douglas  
On this 4 day of November, 1974, before me the undersigned, a Notary Public in and for said County and State, personally appeared  
Delford U. Boyer  
Francis V. Biskup  
personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

STATE OF X  
COUNTY OF \_\_\_\_\_  
On this \_\_\_\_\_ day \_\_\_\_\_, 19\_\_\_\_, before me the undersigned, a Notary Public in and for said County, personally came \_\_\_\_\_  
President of \_\_\_\_\_ 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.

Witness my hand and Notarial Seal at \_\_\_\_\_ in said County the day and year last above written.  
\_\_\_\_\_  
NOTARY PUBLIC

Witness my hand and Notarial Seal the date above written.  
  
Lois A. Willis  
NOTARY PUBLIC  
My Commission expires December 4, 1977

My Commission expires \_\_\_\_\_  
Dist Sec \_\_\_\_\_ Engineer 11-4-74 Date 11/5/74; Contract and Specifications Engineer JKK Date 11-4-74  
Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
Section 2 Township 14 North, Range 12 East Saleban Janicek Engineer Kurtz Est. 25678 W.O. 6033