



MISC 2003234427



DEC 08 2003 08:34 P 2

DIST  
October 8, 2003

**RIGHT-OF-WAY EASEMENT**

VETERANS DRIVE VENTURES LLC

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

Lot Four (4), High Point, an Addition as surveyed, platted and recorded in Douglas County, Nebraska.

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 to install, operate, maintain, repair, replace, and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

(See reverse side hereof for sketch of easement area.)

**CONDITIONS:**

Where the District's facilities are constructed the District 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, and 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').

The District 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.

Where the District'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 District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Where the District's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to the District's facilities.

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 Owner(s) have executed this instrument this 14 day of NOVEMBER, 2003.

**OWNERS SIGNATURE(S)**

VETERANS DRIVE VENTURES LLC

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OT W 89232

Doc.# OC-16225  
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BKP C/O CUMH  
DEL SCAN FV

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 14 day of NOVEMBER, 2003, before me the undersigned, a Notary Public in and for said County, personally came

RICK L. NORTH

MEMBER

President of VETERANS DRIVE VENTURES LLC 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 HIS voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Lisa Naylon  
NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 2003, before me the undersigned, a Notary Public in and for said County and State, personally appeared

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 the date above written.

NOTARY PUBLIC

