

EASEMENT

I, Robert A. Falk & Katharine S. Falk Owner(s) of (agent for) the real estate described as follows, and hereafter referred to as "Grantor:" Part of the North One-half (1/2) of Section Twenty-three (23), Township Seventeen (17) North, Range Twelve (12), East of the 6th P.M., Washington County, Nebraska.

In consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, its successors and assigns, referred to as "Grantee," a permanent easement, with rights of ingress and egress thereto, to install, operate, maintain, repair, replace and renew its electric ~~transmission~~ facilities over, upon, along and under the following described real estate, to wit: A strip of land Ten feet (10') in width, lying South of and adjacent and parallel to the following described line: From the North Quarter (1/4) corner of said Section Twenty-three (23) and assuming the North line of said section to bear S89°38'10"E; thence S89°38'10"E a distance of One Hundred Fifty-two and Six Hundredths feet (152.06'); thence S45°01'41"E a distance of Eighty-six and Ninety-two Hundredths feet (86.92') to the point of beginning; thence N45°01'41"W a distance of twenty-five and thirty-one Hundredths feet (25.31'); thence S53°57'25"W a distance of Four Hundred Forty-three and Nine tenths feet (443.9'); thence S67°52'01"W a distance of Three Hundred Fifty-two and Twenty-three Hundredths feet (352.23'); thence S31°27'21"W a distance of Two Hundred Forty-seven and Forty-nine Hundredths feet (247.49');continued on reverse side.....

CONDITIONS:

- (A) Where Grantee's facilities are constructed they shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cable, fixtures, guys and anchors 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) After electric ~~transmission~~ facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change in grade elevation or any excavations shall be made therein without prior written approval of the Grantee, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
(C) The foregoing right is granted upon the express condition that the Grantees will assume liability for all damages to the above described property caused by Grantees' failure to use due care in its exercise of the granted right.
(D) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 19th day of September, 1973.

ATTEST: [Signature]
ATTEST: [Signature]
Grantors

STATE OF _____ COUNTY OF _____
On this 21st day of September, 1973, before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert A. Falk and Katharine S. Falk

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 their voluntary act and deed for the purpose therein expressed.

D. A. CAVALERI GENERAL NOTARY State of Nebraska My Commission expires September 1976
Witness my hand and Notarial Seal the date above written. [Signature] Notary Public
My Commission expires 9/21/76

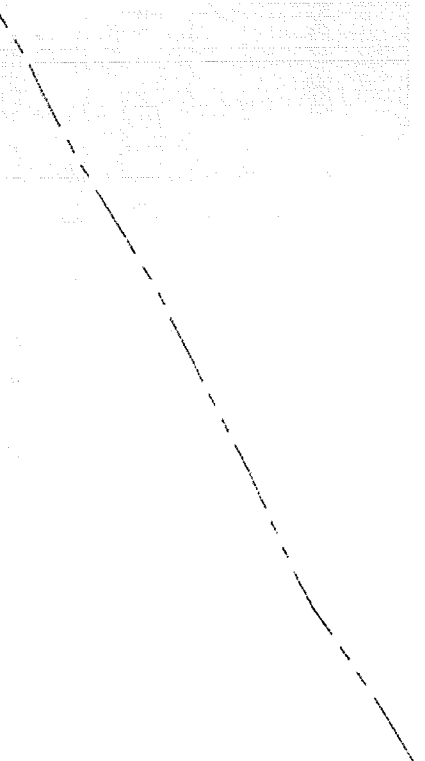
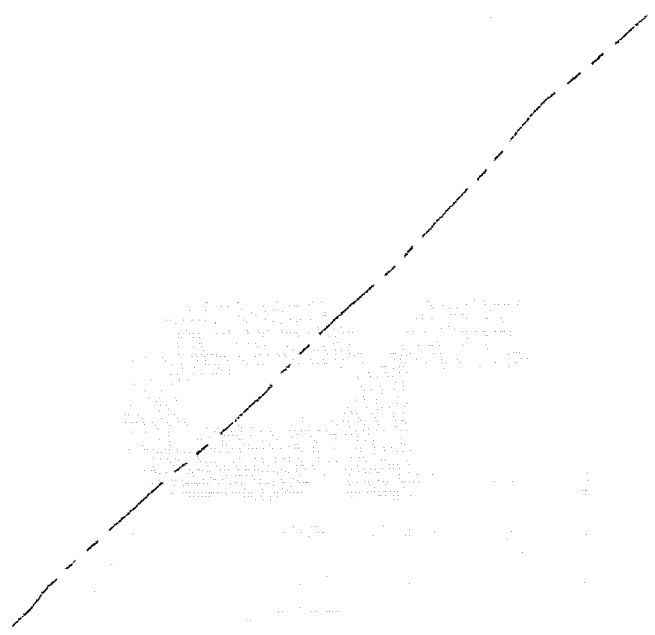
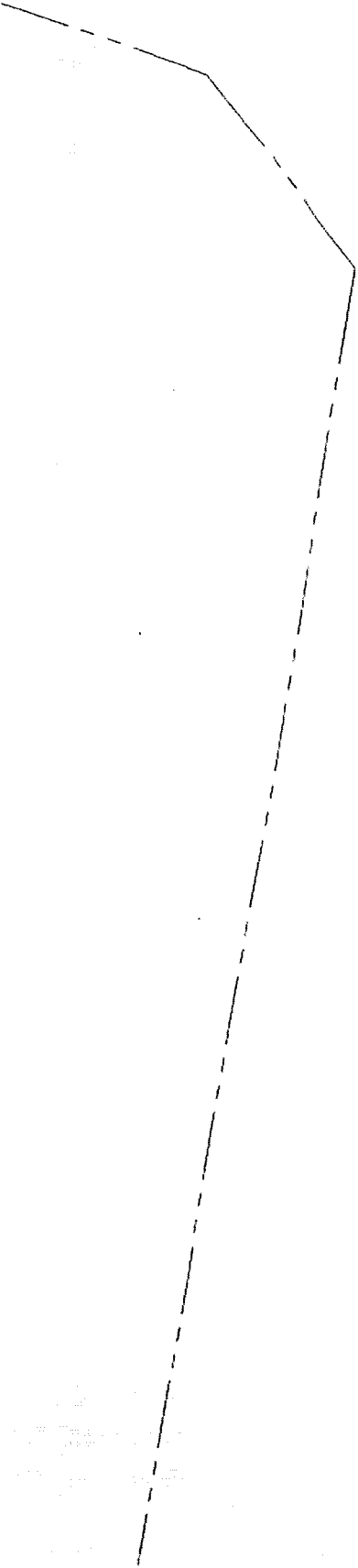
APPROVED: [Signature] Date 9/14/73
Distr. Engr. [Signature] Date 9-24-73
Section 23 Township 17 Range 12 Salesman Cope Engineer Scott
Est. 30259 Address N.O. 8012

Public Power Dist
123 Thurney St
Omaha, Nebraska 68102

Easement Description continued..... thence N83°48'16"W a distance of Three Hundred Three and Six tenths feet (303.60'); thence N54°01'13"W a distance of Four Hundred Eleven and Ninety-five Hundredths feet (411.95') to the point of termination.

STATE OF NEBRASKA, COUNTY OF WASHINGTON SS 1600
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 26th DAY OF September A.D. 1923
AT 9:19 O'CLOCK A.M. IN RECORDED IN BOOK
X AT PAGE 88-89
COUNTY CLERK Charlotte L. Pittman
DEPUTY Elyse M. Hays

TAX LOT 21



TAX LOT 21

TOT



TAX LOT 21

N50°54'39"W
397.93'

S50°54'39"E
403.42'

RADIUS: 62.50'
CHORD BEARING: N39°01'50"E
CHORD DISTANCE: 66.00'
ARC DISTANCE: 323.17'

STATE OF
ENTERI
THIS
AT 11:00
288
COUNTY
DEPUT

