

RIGHT-OF-WAY EASEMENT

I, Roger D. Haney Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section - Thirty-six (36), Township Fifteen (15) North, Range Twelve (12), East of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the Southwest corner of said Southwest Quarter (SW $\frac{1}{4}$); thence S89°51'00"E (assumed bearing) on the South line of said Southwest Quarter (SW $\frac{1}{4}$), Thirty-four feet (34.0'); thence North on a line Thirty-four feet (34.0') East of and parallel to the West line of said Southwest Quarter (SW $\frac{1}{4}$), One Hundred Forty-three feet (143.0'); thence N04°19'43"E, Three Hundred Seventy and ninety-eight hundredths feet (370.98') to a point that is Sixty-two feet (62.0') East of the West line of said Southwest Quarter (SW $\frac{1}{4}$) and Five Hundred Sixty-eight feet (568.0') North of the South line of said Southwest Quarter (SW $\frac{1}{4}$); thence S89°51'00"E on a line Five Hundred Sixty-eight feet (568.0') North of and parallel to the South line of said Southwest Quarter (SW $\frac{1}{4}$), Thirty-

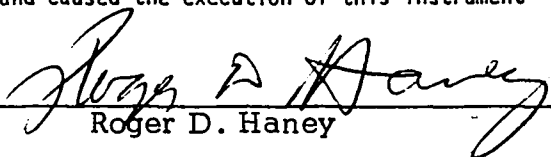
. . . . continued on reverse side
in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, referred to as "Grantee", a permanent right 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:

The East Twenty-four feet (24') of the South One Hundred Seventy feet (170') of the above described real estate.

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) Where Grantee'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 Grantee's facilities.
- (e) 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 parties hereto have signed their names and caused the execution of this instrument this 26 day of August, 19 85.


Roger D. Haney

STATE OF
COUNTY OF

On this _____ day of _____, 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

My Commission expires: _____


STATE OF Nebraska
COUNTY OF Douglas

On this 26 day of August, 19 85,
before me the undersigned, a Notary Public in and
for said County and State, personally appeared

Roger D. Haney

personally to me known to be the identical person(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.

 GENERAL NOTARY - State of Nebraska
MERTHLENE M. ANDERSEN
My Comm. Exp. May 17, 1986
Merthlene M. Andersen
NOTARY PUBLIC

My Commission expires: May 17, 1986

LEGAL DESCRIPTION (Cont'd):

seven and eighty-five hundredths feet (37.85'); thence Southeasterly on a Two Hundred Seventy-eight and twenty-six hundredths foot (278.26') radius curve to the right, chord bearing S32°14'33"E, chord distance of Two Hundred Fifty-two and thirty-nine hundredths feet (252.39'), an arc distance of Two Hundred Sixty-one and ninety-five hundredths feet (261.95') to a point Two Hundred Thirty-four and five tenths feet (234.5') East of the West line of said Southwest Quarter (SW $\frac{1}{4}$); thence South on a line Two Hundred Thirty-four and five tenths feet (234.5') East of the parallel to the West line of the Southwest Quarter (SW $\frac{1}{4}$), Three Hundred Twenty-one and eighty-eight hundredths feet (321.88'); thence N89°51'00"W on a line Thirty-three feet (33.0') North of and parallel to the South line of said Southwest Quarter (SW $\frac{1}{4}$), One Hundred Seventy-five and five tenths feet (175.5'); thence N48°34'04"W, Thirty-three and thirty-four hundredths feet (33.34') to the point of beginning.

5898 F MISC

RECEIVED
1985 SEP 26 PM 3:27
GEORGE J. GULEWICZ
REGISTERED CLERK
COUNTY OF DOUGLAS

BK 752 Del ✓ N 36-15-12 Fee 10.50
Pg 731 Indx 121-12 36-15-12 MC B.C
OF Misc A Comp 12 Comp 11

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1623 HARNEY ST. - RM. 401
OMAHA, NE 68102

Distribution Engineer _____ Date _____; Land & Facilities Management 244 Date 9/3/85
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____.
Section SW $\frac{1}{4}$ 36 Township 15 North, Range 12 East
Salesman Kulisek Engineer White Est. # 8501909 W.O. # 3434
8205

7130 'F' ST