



1040 564 MISC



30001 92 564-565

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

BKUG

August 27, 1992

Doc.# _____

RIGHT-OF-WAY EASEMENT

United-A-G. Cooperative, Inc. Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

A tract of land located in the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the Sixth Principal Meridian in Douglas County, Nebraska, the boundaries of which are described as follows:

Commencing at the Northeast corner of said Section 2 which is also the intersection of the centerlines of 72nd Street and "F" Street; thence North 89 degrees 49' 44" West along the said centerline of "F" Street or the north line of said Section 2 for a distance of 71.91 feet to a point; thence South 00 degrees 10' 16" West, a right angle to said "F" Street centerline for a distance of 53.00 feet to a point of intersection of the Right-of-Way line of said "F" Street with a boundary line between Union Pacific Railroad (U.P.R.R.) and United A-G Co-Op Distribution Center (United A-G); thence North 89 degrees 49' 44" West along the line between said U.P.R.R. and United A-G which is 53.00 feet south and parallel to the said centerline of "F" Street for a distance of 603.10 feet to a point; thence South 00 degrees 00' 27" West along said line between the U.P.R.R. and United A-G for a distance of 5.83 feet to the Point-Of-Beginning; thence continuing South 00 degrees 00' 27" West for a distance of 294.21 feet to a point; thence North 89 degrees 51' 03" West along said line between the U.P.R.R. and United A-G for a distance of 295.99 feet to a point; thence continuing North 89 degrees 51' 03" West along a new ROW line for the U.P.R.R. for a distance of 42.56 feet to a point; thence along the arc of a circular curve to the right which is the southeasterly line of a new 31 foot wide U.P.R.R. ROW for a distance of 435.17 feet, having a radius of 367.56 feet a chord length of 418.19 feet, and a bearing of North 45 degrees 13' 41" East to a point; thence North 84 degrees 39' 03" East continuing along the said southeasterly ROW line of the U.P.R.R. which is not tangent to the last described curve for a distance of 47.59 feet to the Point-Of-Beginning containing 73,416.2 square feet (1.685 acres) more or less.

In this description used centerline bearing of 72nd Street as North 00 degrees 00' 07" East from a previous survey of United A-G Co-Op Distribution Center dated 4-30-86.

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 with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

A strip of land Ten feet (10') in width being Five feet (5') each side of and abutting the Districts facilities as constructed, to provide for the installation of customers service.

CONDITIONS:

The Grantor hereby grants to the District, its 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. Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/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 28th day of September, 1992.

United-A-G. Cooperative, Inc.
by [Signature] V. Pres.
OWNERS SIGNATURE(S)

Distribution Engineer _____ Date _____ Property Management _____ Date _____

Section NE 4 2 Township 14 North, Range 12 East

Salesman Citta Engineer Rokicki Est. # 920102601 W.O.# 4333

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

CORPORATE ACKNOWLEDGEMENT

STATE OF Nebraska

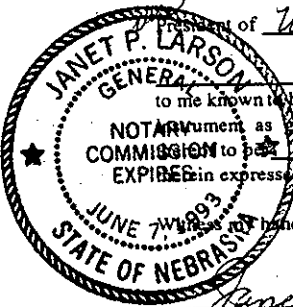
COUNTY OF Douglas

On this 28th day of September, 1992, before me the undersigned, a Notary Public in and for said County, personally came Wm. J. Wiedemeyer

President of United-A.G. Corporation, Inc.
 personally to me known to be the identical person(s) who signed the foregoing
 NOTARY Public in and for said County, and who acknowledged the execution
 COMMISSION to be voluntary act and deed for the purpose
 EXPIRES in expressed.

Witness my hand and Notarial Seal the date above written.

Janet P. Larson
 NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19____, 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

BOOK 1040 PAGE 565

CASH 30001 # 1040 2-14-12 VP
 TYPE Misc BK PG 544-565 SCAN MC
 FEE 108 OF Misc 01-60000

CASH _____ BK _____ R _____ FV _____
 TYPE _____ PG _____ C/O _____ SCAN _____ MC _____
 FEE _____ OF _____ FR _____

RECEIVED
 Nov 5 2 10 PM '92
 GEORGE J. RUDEWICZ
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NE

OPPD
 444 516 St
 Omaha 68102