



BK 0839 PG 167



MISC 1988 01925

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

RIGHT-OF-WAY EASEMENT

I, MASON APARTMENTS, A Nebraska Limited Partnership
We, _____ Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

All of Lot 40, 41, 42, 43, 44, and 45 and the South 38.0 feet of Lots 39 and 46; also the North 104.47 feet of the remaining part of Lot 59, Redick's 2nd Addition, an addition to the City of Omaha.

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 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:

See the reverse side hereof for easement description.

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 parties hereto have signed their names and caused the execution of this instrument this 25 day of January, 19 88.

C.F. Realty Investors, Inc., General Partner
J. J. Kelly Robert C. Kelly

Distribution Engineer RDG Date 2-2-88 Property Management JH Date 2-1-88
Section SE 1/4 20 Township 15 North, Range 13 East
Salesman Dropinski Engineer Dropinski Est. # 8702²⁴⁷²~~380~~ W.O. # 8238

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska
COUNTY OF Douglas

STATE OF _____
COUNTY OF _____

On this 25 day of January, 1988,
before me the undersigned, a Notary Public in and
for said County, personally came

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

David F. Stattery
President of C.F. Realty Investors, Inc.
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.

_____ 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 at Omaha,
Nebraska in said County the day and year
last above written.

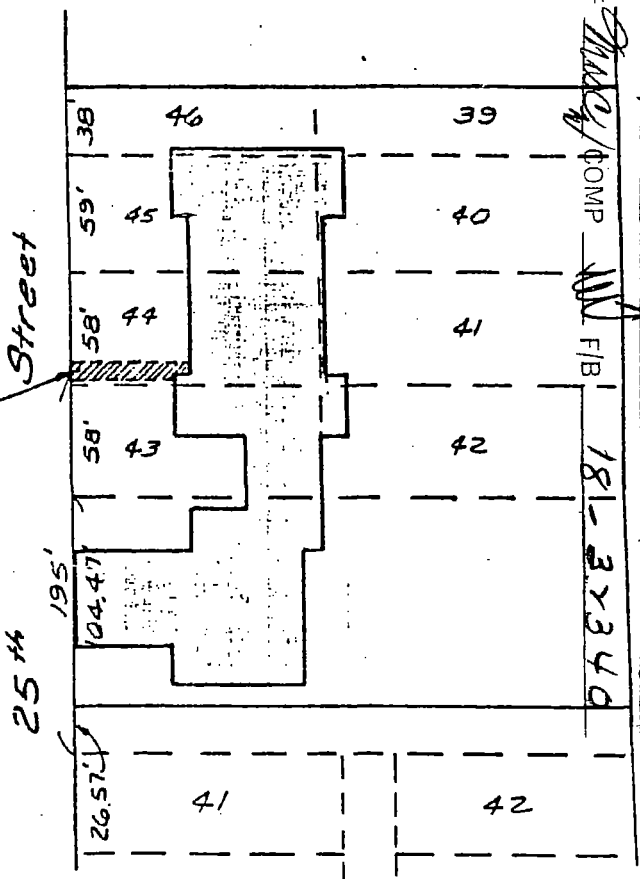
Witness my hand and Notarial Seal the date above
written.

Patricia M. Holverson
NOTARY PUBLIC

PATRICIA M. HOLVERSON
GENERAL NOTARY - State of Nebr
My Comm. Exp. Dec. 26, 1988

NOTARY PUBLIC

Mason St.
10' Wide
O.P.P.D.
Easement



OF Shack/COMP
P. 102-168 N
839 N
60-329 MACIO
60-205 DEL 1/5 MC W/S
FEB 1050

N
Scale 1"=100'
RECEIVED
1988 FEB 10 PM 1:16
GEORGE J. DURENICK
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
1923 HARNEY ST. - RM. 401
OMAHA, NE 68102

A 10 foot wide easement for O.P.P.D. Service in Lot 44 of Redick's 2nd Addition, an addition to the City of Omaha, Douglas County, Nebraska, the centerline of which 10 foot wide easement is described as follows:
Beginning on the East R.O.W. line of 25th Street at a point 6 feet North of the Southwest corner of said Lot 44; thence Easterly for 59 feet, more or less, to the West building line of existing Mason School.

1923 PM 1:15