



BK 0889 PG 530



MISC 1989 09718

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

RIGHT-OF-WAY EASEMENT

T

I, Morris Plan Co. of Iowa Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

The South Six Hundred Seventy-four and forty-three hundredths feet (674.43') of the North Seven Hundred Twenty-four and forty-three hundredths feet (724.43') of the East Six Hundred Thirty feet (630') of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Ten (10), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., 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, 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 Ten Feet (E10') of the West Two Hundred Thirty-eight Feet (W238') of the North Twenty Feet (N20') together with the West Ten Feet (W10') of the East One Hundred Sixty-five Feet (E165') of the North Twenty Feet (N20') 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 8th day of June, 19 87.

_____ Karen Jones
 _____ Wentworth USA
 _____ Morris Plan

Distribution Engineer _____ Date _____ Property Management _____ Date _____
 Section NE $\frac{1}{4}$ 10 Township 14 North, Range 12 East
 Salesman Zuehlke Engineer Gannon Est. # 6389 W.O. # 0565

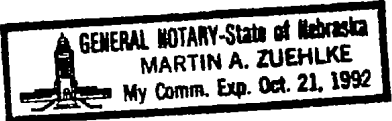
COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

STATE OF Nebraska
COUNTY OF Douglas
On this 8th day of June, 1989

before me the undersigned, a Notary Public in and for said County, personally came Karen Fokken
President of Network USA Morris Plan Co.
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 her voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at Omaha in said County the day and year last above written.

Martin A. Zuehlke
NOTARY PUBLIC



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

BK 889 N 10-14-12 ^{CD} FEE 10.50
PG 530-531 N 10-14-12 DEL 14 MC we
OF MISC COMP _____ F/B 01-6000

RECEIVED
1989 JUN 16 PM 12:06
GEORGE J. FURLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Real Estate Division
444 South 16th Street Mall
Omaha, NE 68102-2247

misc 9718