

OPPD Form No. 1-75-1  
7-01-86 Rev. 3/83

BOOK **784** PAGE **499**

Distribution

RIGHT-OF-WAY EASEMENT

I, TERRY L TIMMONS Owner (X)

of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Five (5), T.S.C. Industrial Park as surveyed, platted and recorded in Douglas County, Nebraska.

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148947 MISC  
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:

See reverse side hereof for easement area.

BK 784 Vol 417 N 85A-47 JV Fee 10.50 PER  
PG 499-500 Indx K1 85A-47 JV MC B.C  
OF Misc Comp H3 Comp OR

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 JULY, 19 85.

Nathleen A. Hurvath \_\_\_\_\_  
Terry L. Timmons \_\_\_\_\_

STATE OF  
COUNTY OF

BOOK **784** PAGE **500**

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 **SARPY**

On this 5th day of JULY, 1986,  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

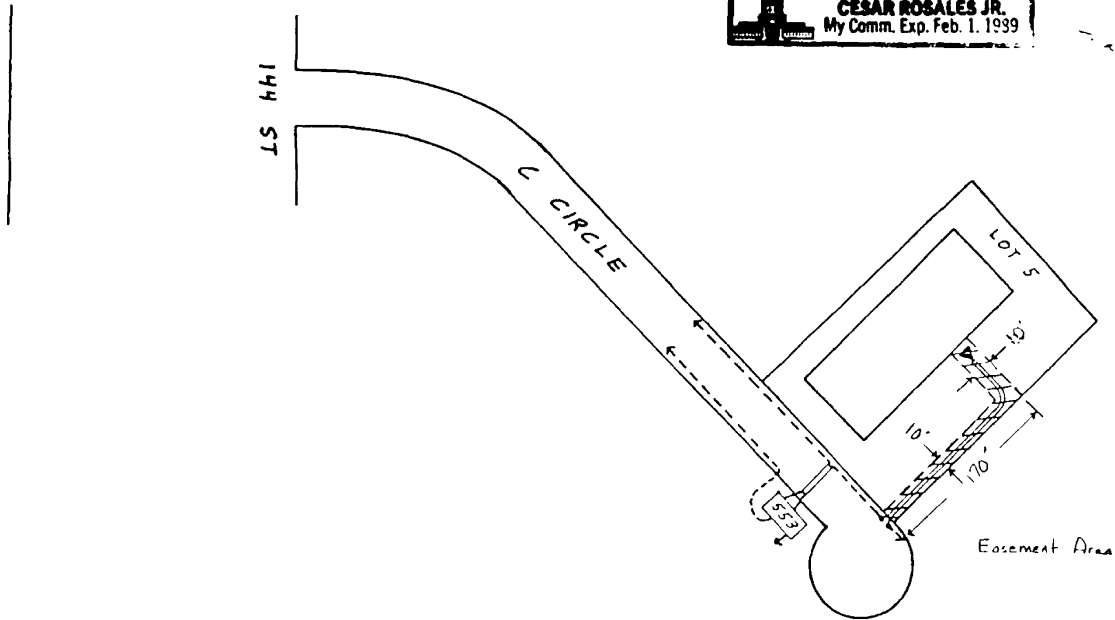
JERRY L. TIMMONS

personally to me known to be the identical person(s)  
and who acknowledged the execution thereof to be  
LLS voluntary act and deed for  
the purpose therein expressed.

Witness my hand and Notarial Seal the date above  
written.

Cesar Rosales Jr.  
NOTARY PUBLIC

My Commission expires: FEB 1, 1989



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

Distribution Engineer RJA Date 7-14-86 Property Management JH Date 7-9-86  
Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Section SW 36 Township 15 North, Range 11 East  
Salesman Horwath Engineer Horwath Est. # 8601282 W.O. # 5131