

POOR COPY

OPPD Form No 9-71-1 Rev 5-7-71

EASEMENT

POOR INSTRUMENT FILED

I, Robert C. Holcombe and Eleanore Holcombe, husband and wife Owner(s) of (agent for) the real estate described as follows, and hereafter referred to as "Grantor:"

The East One-half of the Southwest Quarter (E1/2SW1/4) of Section Twenty-one (21), Township Sixteen (16) North, Range Eleven (11), East of the 6th P.M., Douglas County, Nebraska.

in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, its successors and assigns, and the NORTHWESTERN BELL TELEPHONE COMPANY, its successors and assigns, collectively referred to as "Grantee," a permanent easement, with rights of ingress and egress thereto, to install, operate, maintain, repair, replace and renew its electric and telephone facilities over, upon, along and under the following described real estate, to wit:

Sketch on the reverse side of this document indicates location of easement area.

CONDITIONS:

- (A) Where Grantee's facilities are constructed they shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cable, fixtures, guys and anchors 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) After electric and telephone facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change in grade elevation or any excavations shall be made therein without prior written approval of the Grantee, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
(C) The foregoing right is granted upon the express condition that the Grantees will assume liability for all damages to the above described property caused by Grantees' failure to use due care in its exercise of the granted right.
(D) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 24 day of October, 1972.

ATTEST:

Robert C. Holcombe (Signature)

Eleanore Holcombe (Signature)

ATTEST:

Grantors

STATE OF Nebraska COUNTY OF Douglas

STATE OF COUNTY OF

On this 24 day of October, 1972, before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert C. Holcombe and Eleanore Holcombe, husband and wife,

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 their voluntary act and deed for the purpose therein expressed.

to me personally known to be the President and the identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the Corporate Seal of said corporation was thereto affixed by its authority.

Witness my hand and Notarial Seal the date above written.

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

NOTARY COMMISSION EXPIRES MAY 4, 1976

Notary Public (Signature) My Commission expires May 4, 1976

Notary Public

My Commission expires

APPROVED: Dist. Engr. Date 10/24/72 C & S Engr. Date 10/31/72

Section 21 Township 16 Range 11 Saleman Cope Engineer Woodhead

Address

W.B.# 1013 E.S. 21 1973

Atty & Wagon

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Mead

RECORDED
INDEXED
NOV 9 1911

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Filed in Alphabetical Index and filed
in the office of the Register of
Deeds of said County and recorded in
Book 576 of Deeds
Page 5

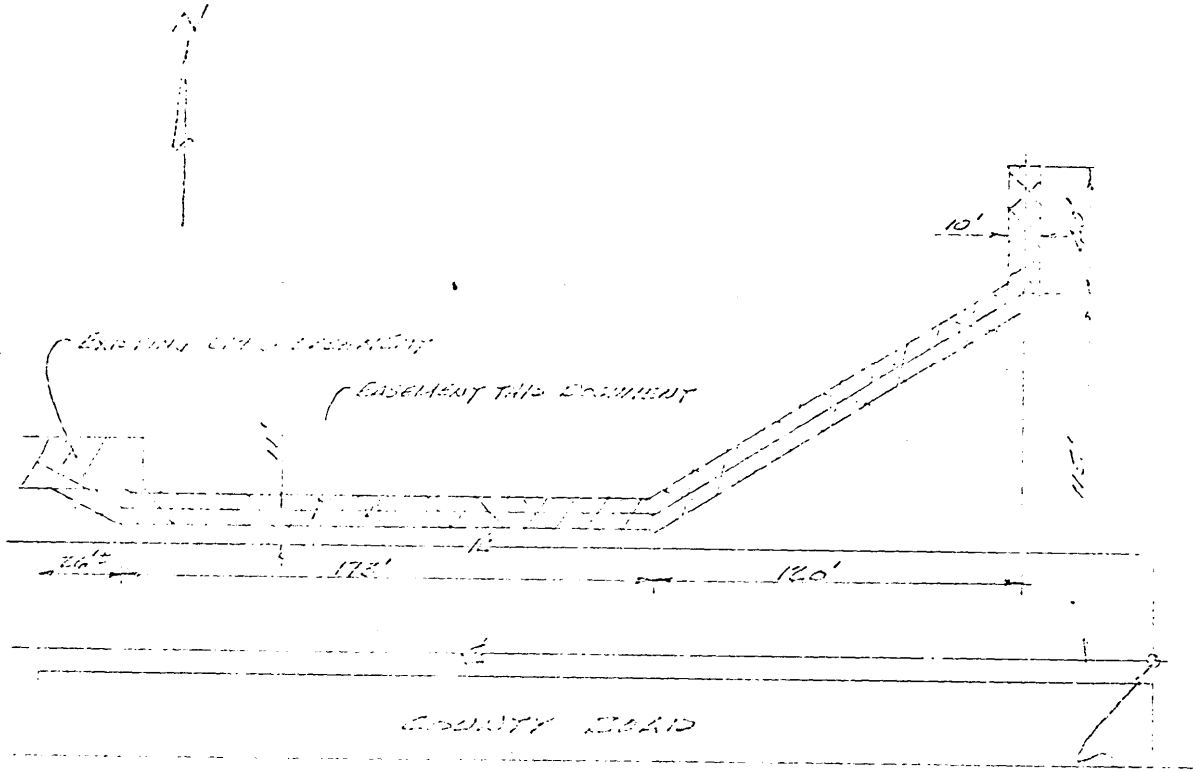
C. Harold Oyster

Register of Deeds

By Denby
M. M. Charles, Subst. Secy
1623 Harrison
N. 21-16-11 G.P.M.P.G.
Forked, Fee 0.35

21-16-11

POOR INSTRUMENT FILED



SE. 1/4, SW. 1/4 - 21-16-11
DOUGLAS COUNTY, NEBRASKA