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# Deed

from

NEBRASKA POWER COMPANY

to

OMAHA PUBLIC POWER DISTRICT

DATED

as of

DECEMBER 2, 1946

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Return to:

T. F. Hanley  
803 Electric Bldg.,  
Omaha 2, Nebraska

## DEED

NEBRASKA POWER COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Maine (hereinafter called the Power Company or the Company) pursuant to a plan of liquidation, and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby transfer, convey, assign, quit-claim and set over unto OMAHA PUBLIC POWER DISTRICT, a political subdivision of the State of Nebraska (hereinafter called the Power District), all the following described properties of the Power Company, to-wit:

### FIRST

THE ELECTRIC GENERATING PLANTS, POWER SITES AND STATIONS OF THE COMPANY, including all power houses, buildings, diversion works, pipe lines, canals, structures and works, and the land of the Company on which the same are situated, and all the Company's lands, easements, rights, rights of way, water rights, permits, franchises, consents, privileges, licenses, poles, wires, machinery, equipment, appurtenances and supplies, forming a part of said plants, sites or stations or any of them, or used or enjoyed, or capable of being used or enjoyed in conjunction or connection therewith, including the following situated in the State of Nebraska:

1. The Jones Street Station situated at 4th & Jones Street in Omaha, Douglas County near the Missouri River and bounded by property owned by the Chicago, Burlington and Quincy Railroad, the Union Pacific Railroad and the Omaha Ice and Cold Storage Company. Said premises being more particularly described as:

That tract and parcel of land described as follows: Commencing at a point eighty (80) feet south and three hundred fifty five and thirteen one hundredths (355.13) feet east of the southeast corner of fractional Block one hundred and eighty-one (181) in the City of Omaha, and running thence south three hundred and five (305) feet, thence east sixty-six (66) feet, thence north three hundred and five (305) feet, and thence west sixty-six (66) feet to place of beginning; also

That tract or parcel of land described as follows: Commencing at a point eighty (80) feet south and four hundred twenty-one and thirteen one hundredths (421.13) feet east of the southeast corner of fractional Block one hundred and eighty-one (181) in the City of Omaha and running thence south three hundred and five (305) feet, thence east sixty-six (66) feet, thence north three hundred and five (305) feet, and thence west sixty-six (66) feet to the place of beginning; also

That tract or parcel of land described as follows: Commencing at a point eighty (80) feet south and four hundred eighty-seven and thirteen one hundredths (487.13) feet east of the southeast corner of fractional Block one hundred and eighty-one (181) in the City of Omaha, as surveyed and lithographed and running thence south three hundred and five (305) feet, more or less, to the south line of Government lot three (3) in Section twenty-three (23), township fifteen (15) north of Range thirteen (13) east; thence east one hundred fifty-nine (159) feet, more or less, to the west line of the Omaha and Southwestern Railroad Company's right of way; thence north twenty (20) degrees and twenty (20) minutes west, more or less, on the west line of said right of way to the south line of Jones Street; thence west sixty-six (66) feet more or less to the place of beginning, containing seventy-two one hundredths (.72) acres, known as sub-lot ten (10) of Government lot three (3) in Section twenty-three (23) township fifteen (15) north of range thirteen (13) east; except that tract of land in Government Lots 3 and 4, in Section 23, Township 15 North; Range 13 East, of the 6th p.m. in the City of Omaha, Douglas County, Nebraska, described as follows:

Beginning at a point 25 feet south of the north line of Leavenworth Street extended which point is in the center line of vacated Leavenworth Street, 59 feet southwesterly from as measured at right angles to the center line of the main freight track of the C. B. & Q. R. R. said freight track being on the center line of the original C. B. & Q. R. R. 100 foot right of way, said point being an angle point in C. B. & Q. R. R. right of way line marked by a T-rail; thence northwesterly on said C. B. & Q. R. R. right of way line parallel with said center

line of said C. B. & Q. R. R. main freight track 123.6 feet to a point marked by a T-rail, thence continuing on said right of way line on a curve to the left with radius of 2805.93 feet, a distance of 80 feet more or less to a point 59 feet southwesterly from as measured radially from said center line of C. B. & Q. R. R. main freight track, thence southeasterly in a straight line 80 feet to a point 7 feet southwesterly as measured radially from the beginning of the preceding course as above described, thence at an angle of 5°-07' to the right a distance of 118.5 feet to a point in the center line of vacated Leavenworth Street 26.7 feet west of the point of beginning, thence east on said center line of vacated Leavenworth Street, 26.7 feet to the point of beginning, containing 2298 square feet more or less;

That tract and parcel of land described as follows: Commencing at a point eighty (80) feet south and two hundred eighty-nine and thirteen one hundredths (289.13) feet east of the southeast corner of fractional Block one hundred and eighty-one (181) in the City of Omaha, and running thence south three hundred and five (305) feet, thence east sixty-six (66) feet, thence north three hundred and five (305) feet, and thence west sixty-six (66) feet to the place of beginning, being a part of Government lot three (3) in Section twenty-three (23) township fifteen (15) north of range thirteen (13) east of sixth Principal Meridian; also

That tract and parcel of land described as follows: Commencing at a point two hundred eighty-nine and thirteen one hundredths (289.13) feet east of the northwest corner of Government lot four (4) in Section twenty-three (23), township fifteen (15) north of range thirteen (13) east of sixth principal meridian, and running thence east on the north line of said Government lot four (4) three hundred fifty-one and two-tenths (351.2) feet, more or less, to a point in the west line of the strip of land conveyed by Peter E. Iler to Omaha and Southwestern Railroad Company by quitclaim deed dated May 9, A. D. 1906, and which west line is nine and four-tenths (9.4) feet west from and parallel with the west line of the original right of way of said Railroad Company; running thence south sixteen (16) degrees

and six (6) minutes east to the north line of Leavenworth Street as extended through said Government lot four (4) by city ordinances numbered respectively thirteen hundred and thirty-eight (1338) and sixteen hundred and four (1604); running thence west along the north line of Leavenworth Street aforesaid, three hundred fifty-two and thirty-four one hundredths (352.34) feet more or less to a point south of the place of beginning, running thence north to the place of beginning, containing one thousand forty-seven and thirty-four one hundredths (1047.34) square feet more or less; also

That tract and parcel of land described as follows: Commencing at a point eighty (80) feet south and two hundred thirty-two (232) feet east of the southeast corner of fractional Block one hundred eighty-one (181) in the City of Omaha, and running thence south one hundred fifty-two and five-tenths (152.5) feet, thence east fifty-seven and thirteen one-hundredths (57.13) feet, thence north one hundred fifty-two and five-tenths (152.5) feet, thence west fifty-seven and thirteen one-hundredths (57.13) feet to place of beginning; also

That tract and parcel of land described as follows: Commencing at a point two hundred thirty-two and five tenths (232.5) feet south and two-hundred and thirty-two (232) feet east of the southeast corner of fractional Block one hundred eighty-one (181) in the City of Omaha, and running thence south one-hundred fifty-two and five-tenths (152.5) feet, thence east fifty-seven and thirteen one-hundredths (57.13) feet, thence north one hundred fifty-two and five tenths (152.5) feet, and thence west fifty-seven and thirteen one-hundredths (57.13) feet to the place of beginning; also

The undivided one-half of that certain tract or parcel of land described as follows: Commencing at a point where the north line of Jones Street extended east intersects with the east line of right of way of Omaha and Southwestern Railroad Company thence in a northerly direction along said right of way line a distance of one hundred fifty (150) feet, thence east in a direct line to the east line of Government lot three (3) in Section twenty-three (23) in township fifteen (15) north of range thirteen (13) east of sixth Principal Meridian in the City of Omaha, thence south to the north line of Jones Street extended east, thence west along said

street line to the place of beginning; together with all and singular the rights of easement in, to and over all the land lying within the boundaries above described as created and granted by that certain deed of conveyance recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Book of Deeds 337, at page 456, of the records of said office; also

That tract and parcel of land described as follows: Commencing at a point one hundred fifty-seven (157) feet east of the west line of Lot Three (3) of Section Twenty-Three (23) in township fifteen (15) north of range thirteen (13) in the City of Omaha and eighty (80) feet south of the southeast corner of Fractional Block one hundred eighty-one (181) in said City of Omaha, and running thence south three hundred five (305) feet, thence east seventy-five (75) feet, thence north three hundred five (305) feet, and thence west seventy-five (75) feet to the place of beginning; also

That tract and parcel of land described as follows: Commencing at a point on the north line of Government lot four (4), Section twenty-three (23) township fifteen (15) north of range thirteen (13), one hundred fifty-seven (157) feet east of the northwest corner thereof, thence east one hundred thirty-two and thirteen one-hundredths (132.13) feet, thence south one and seventy-six one-hundredths (1.76) feet, thence north eighty-nine (89) degrees thirty-six (36) minutes west one hundred thirty-two and thirteen one-hundredths (132.13) feet, thence north eighty-four one-hundredths (84) of a foot to the place of beginning, being the strip of ground lying between sub-lots six (6) and seven (7) of Government lot three (3), Section twenty-three (23), township fifteen (15) north of range thirteen (13) east of sixth principal meridian and the north line of Leavenworth Street in the City of Omaha; also

A parcel of ground described as follows: A part of subplot Two (2) of Government lot three (3) in section twenty-three (23) township fifteen (15) north; range thirteen (13) east of the sixth principal meridian; described as follows: to wit:

Beginning at the southwest corner of said subplot two (2) which point is in the north line of Jones Street, in the City

of Omaha; thence east in the north line of Jones Street forty-five (45) feet; thence north at right angles to the north line of Jones Street forty-five (45) feet, thence west parallel with north line of Jones Street forty-five (45) feet, thence south to place of beginning forty-five (45) feet, containing two thousand twenty-five square feet.

A parcel of ground described as follows: A part of Government Lot Three (3), Section Twenty-three (23), Township fifteen (15) North, Range Thirteen (13) east of the Sixth (6th) Principal Meridian: Commencing at the point of intersection of the north line of Jones Street with the center line of Sixth Street in the City of Omaha; thence east in the north line of Jones Street six hundred twenty-eight and sixteen hundredths (628.16) feet to the point of beginning of the parcel herein conveyed; thence continue east in the north line of said Jones Street one hundred thirty-six and fourteen hundredths (136.14) feet to a point ten (10) feet normally and radially distant westerly of the center line of the most westerly track of the grantor defined as Track No. 4; thence northwesterly in a straight line sixty-one and three hundredths (61.03) feet, more or less, to a point ten (10) feet normally and radially distant southwesterly of the center line of aforesaid Track No. 4, said point being the southeast corner of property conveyed by the grantor herein under date of December 14, 1943, to the Defense Plant Corporation; thence westerly in a straight line one hundred eleven (111) feet to the northeast corner of a parcel of land heretofore, under date of August 30, 1922, conveyed by the grantor herein to the grantee herein; thence south in the east line of said parcel of land heretofore conveyed forty-five (45) feet to the place of beginning, containing six thousand two hundred fifty-four (6254) square feet, more or less.

The following described premises, situated in the County of Douglas and the State of Nebraska to wit:

That part of government lot four (4) in section twenty-three (23), township fifteen (15) north; range thirteen (13) east of the sixth principal meridian described as follows:

Beginning at the intersection of the south line of Leavenworth Street as extended across said government lot four

(4) with the east line of the right-of-way of the railroad of the Union Pacific Railroad Company, thence south in said right-of-way line two hundred eighty-two and two-tenths (282.2) feet; thence continuing south on said right-of-way line one hundred (100) feet more or less on a curve to the left on a radius of three hundred eighty-three (383) feet to the center of Marcy Street in the City of Omaha, if extended; thence continuing on a curve to the left with a radius of three hundred eighty-three (383) feet two hundred sixty-one and eight tenths (261.8) feet; thence south seventy-six degrees forty five minutes east (S 76° 45'E) four hundred eighteen and nine-tenths (418.9) feet; thence south eighty-six degrees thirty minutes east (S 86° 30'E) two hundred nineteen and fifty-five hundredths (219.55) feet; thence north sixteen degrees six minutes west (N 16° 6' W) to the south line of Leavenworth Street as extended as aforesaid; thence west along the south line of Leavenworth Street to the place of beginning excepting from this description and sale that part of lot eight (8) in block two hundred eight (208) City of Omaha, which lies within the above bounded tract, the area conveyed by this instrument being four hundred eighteen thousand one hundred thirty-seven (418,137) square feet;

That portion of Leavenworth Street in the City of Omaha, Douglas County, between the east line extended of subplot 5 of Government lot 3, Section 23, township 15 North, range thirteen (13) east of the sixth principal meridian, on the west, and the west boundary line of the right-of-way of the Chicago, Burlington and Quincy Railroad Company on the east which was vacated by the City of Omaha, Douglas County, by ordinance No. 11943 passed November 27, 1923, subject to the right of the City of Omaha to grant permits for the construction of pole lines with the necessary lateral connections along said part of Leavenworth Street and also the right to construct sewer, water mains, conduits and any other subsurface structure which may be found necessary for properly serving abutting property.

A tract of land in Government lot four (4) in section twenty-three (23), township fifteen (15) North, Range thirteen (13) East, of the 6th P. M. in the City of Omaha, Douglas County, Nebraska, described as follows:

Beginning at a point 25 feet south of the north line of Leavenworth Street produced, which point is in the center line of vacated Leavenworth Street, 109 feet southwesterly from (as measured at right angles to) the center line of the main freight track of the C. B. & Q. R. R., said freight track being on the center line of the original C. B. & Q. R. R. 100-foot right of way, said point being an angle point in the C. B. & Q. R. R. right of way line marked by a T-rail; thence south sixteen degrees six minutes east (S-16°06'-E) on said C. B. & Q. R. R. right of way line parallel with said center line of the C. B. & Q. R. R. main freight track a distance of 160 feet; thence northerly in a straight line 154.7 feet to a point on the center line of vacated Leavenworth Street 25 feet south of the north line of Leavenworth Street produced, 25.4 feet east of the point of beginning; thence west on said center line of vacated Leavenworth Street 25.4 feet to the point of beginning, containing 1951 square feet, more or less.

A triangular shaped piece of ground in the southeast portion of sub lot 3 of Government lot 3, in northeast ¼ of southwest ¼ of section 23, township 15 North, range 13 East, described as follows: Beginning at a point in the north line of Jones Street, said point marked by a tee rail; being the intersection of the east line of sub lot 3, Government lot 3, section 23, Township 15 North, range 13 east, and the north line of Jones Street; thence north along the east line of said sub lot 3, a distance of 144 feet; thence southwesterly 148.7 plus or minus feet to the north line of Jones Street; thence east along the north line of Jones Street 38 feet to the place of beginning, containing 2,736 square feet.

Together with the power house, buildings and other structures and all the Company's right, title and interest in and to lands, rights of way, easements, rights, franchises and privileges owned, used or enjoyed in connection therewith.

2. The South Omaha Station situated near 28th and "O" Streets, in the City of Omaha, Douglas County, State of Nebraska; said premises being more particularly described as:

That tract and parcel of land described as follows:

A tract of land, being that part of Tax Lot Seventeen (17) in the Southeast Quarter (SE¼) of Section Four (4)

Township Fourteen (14) North, Range Thirteen (13) East of the 6th Principal Meridian in Douglas County, State of Nebraska, described as follows:

Beginning at the Southwest corner of Tax Lot Seventeen (17) in the Southeast Quarter (SE¼) of said Section Four (4), said point being thirty-three (33) feet northeasterly (measured at right angles) from the center line of the South leg of the Union Stock Yards Company's Wye ("Y"); thence North sixteen degrees fifty minutes (16° 50') West a distance of one hundred thirty-eight and five tenths (138.5) feet to a point thirty-six (36) feet southeasterly (Measured at right angles) from, and parallel to the center line of the North leg of the Union Stock Yards Company's Wye ("Y"); said point being the northwest corner of said Tax Lot Seventeen (17); thence Northeasterly along a curve to the left with a radius of six hundred seventeen and seven-tenths (617.7) feet and running thirty-six (36) feet distant from and parallel to center line of the North leg of said Wye ("Y"), a distance of one hundred ninety-three and thirty-six one hundredths (193.36) feet to a point which bears North Sixty-three degrees one minute (63° 1') East a distance of one hundred ninety-two and seventy-five one hundredths (192.75) feet from said Northwest corner of Tax Lot Seventeen (17) thence south eleven degrees twenty-four minutes (11° 24') East along a line one (1) foot westerly from and parallel to the westerly face of brick buildings, a distance of three hundred eighty-five and sixty-three one hundredths (385.63) feet to the southerly line of said Tax Lot Seventeen (17); thence North fifty-two degrees forty-five minutes (52° 45') west along a line thirty-three (33) feet from and parallel to the center line of the south leg of the Union Stock Yards Company's Wye ("Y") a distance of two hundred sixty and eighty-four one hundredths (260.84) feet to the place of beginning and containing 1.044 acres.

Also a tract of land lying southwesterly from and immediately adjoining the above described property and described as follows:

Beginning at the Southwest corner of Tax Lot Seventeen (17) in the Southeast Quarter (SE¼) of Section Four (4)

Township Fourteen (14) North, Range Thirteen (13) East of the 6th Principal Meridian, said point lying thirty-three (33) feet northeasterly from (measured at right angles to) the center of the south leg of the Union Stock Yard's Company's Wye ("Y"); thence South fifty-two degrees forty-five minutes (52° 45') East and parallel to the said center line of said South leg of Wye ("Y") a distance of two hundred sixty and eighty-four one hundredths (260.84) feet; thence South eleven degrees twenty-four minutes (11° 24') East a distance of nineteen and seven tenths (19.7) feet to a point twenty (20) feet from (measured at right angles to) said center line of said South Leg of Wye ("Y"); thence North fifty-two degrees forty-five minutes (52° 45') West and parallel to first described course a distance of two hundred fifty-seven and eighty-six one hundredths (257.86) feet; thence North sixteen degrees fifty minutes (16° 50') West a distance of twenty-two and one tenth (22.1) feet to point of beginning and containing 0.077 acres.

Together with the power house, buildings, and other structures and all the Company's right, title and interest in and to lands, rights of way, easements, rights, franchises and privileges owned, used or enjoyed in connection therewith.

3. The property of the Company consisting of accessory boiler plant equipment located in the leased main boiler plant of Armour and Company, 30th and Q Street, Omaha, Douglas County, Nebraska.

## SECOND

THE ELECTRIC TRANSMISSION LINES OF THE COMPANY, including the towers, poles, pole lines, wires, switch racks, insulators and other appliances and equipment, and all other property of the Company, real, personal or mixed, forming a part thereof or appertaining thereto, together with all of the Company's rights of way, easements, permits, privileges, municipal or other franchises, consents, licenses and rights, for or relating to the construction, maintenance or operation thereof, through, over, under or upon any public streets or highways or other lands, public or private, including the following situated in the State of Nebraska:

1. Power Station—City Limits, double circuit 66 KV steel tower transmission line extending in the City of Omaha, Douglas County, from Substation #901 at 4th & Jones Streets in the southerly direction to the city limits, a distance of approximately 4.53 miles and the lands described as follows:

The East Fifty (50) feet in width of Lots one (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8) and Nine (9), Block One (1), Sauters Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded (The following reservation is included in the deed to Nebraska Power Company), "RESERVING HOWEVER, for the use and benefit of the Grantors herein, an easement over and through the land herein described not to exceed Fifty (50) feet in width for use as a right of way for a proposed railway spur track to reach lands of the Grantors now immediately west thereof as long as same are owned by Grantors, said railway spur track to be so located and built so as not to interfere with or obstruct the steel towers, electric transmission lines, wires, and other adjuncts, fixtures and appliances connected with said electric transmission lines to be located by the Grantee on the land hereinabove described or as hereafter relocated or moved."

Lots Seven (7) and Fourteen (14), Block Four Hundred Seventy-two (472); Lots Seven (7) and Fourteen (14), Block Four Hundred Seventy-nine (479); Lot Seven (7) Block Four Hundred Eighty-four (484), Grandview Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

Lots One (1) and Eight (8) in Block Nineteen (19), Credit Foncier, an Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

Lot Seven (7), Block Four Hundred Sixty-seven (467), Grandview Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

The West 20 feet of Tax Lot 15, Section 26, Township 15, Range 13 East of the 6th P. M. That part of Lot 1, Kountzes 6th Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded, described as follows: That part of Lot 1 Kountzes 6th Addition which is bounded on the

center line of Section Twenty-six (26) to the South line of Grandview Addition, thence West Fifty (50) feet to the point of beginning. And that part of Lots One (1) and Two (2), Kountze's 6th Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded, described as follows:

That part of Lots One (1) and Two (2), Kountze's 6th Addition, an Addition to the City of Omaha, Douglas County, which is bounded on the West by the center line of Section Twenty-Six (26), Township Fifteen (15), Range Thirteen (13); on the North by the North line of Kountze's 6th Addition; and on the South by the South line of Kountze's 6th Addition; on the East by a line parallel to and Fifty (50) feet East of the center line of Section Twenty-Six (26), Township Fifteen (15), Range Thirteen (13), and extending from the North boundary line of Kountze's 6th Addition to the South boundary line of Kountze's 6th Addition and a strip of ground Fifty (50) feet in width East and West, and extending South from Kountze's 6th Addition to the North line of Spring Street, more particularly described as follows:

Commencing at the point of intersection of the center section line of Section Thirty-five (35), Township Fifteen (15), Range Thirteen (13), Douglas County, Nebraska, and the South line of Kountze's 6th Addition and extending South along said half section line through Tax Lots Two (2), Five (5), and Six (6), in Section Thirty-five (35), to the North line of Spring Street; thence East Fifty (50) feet, thence North parallel to said half section line to the South line of Kountze's 6th Addition, thence in a northwesterly direction along the South line of Kountze's 6th Addition to the place of beginning, all in Douglas County, Nebraska. (The following reservation is included in the deed to Nebraska Power Company). "Grantors, however, in platting or otherwise using their property contiguous to the property hereinabove conveyed reserve the right of continuing across the property hereinabove conveyed such streets and highways as may be laid out in connection with the use of the said contiguous property; provided, however, such use shall be subject to the then occupancy of the Grantee of such property by its poles and structures; and provided further that the reservations here set forth shall be with reference only to streets and

West by the center line of Section 26, Township 15, Range 13 on the North by the North line of Lot 1, Block 6, Kountze's Addition, on the South by the South line of Lot 1 Kountze's 6th Addition, on the East by a line parallel to and 20 feet east of the center line of Section 26, Township 15, Range 13, and extending from the North boundary line of Lot 1, Kountze's 6th Addition to the South boundary line of Lot 1, Kountze's 6th Addition (The following reservation is included in the deed to Nebraska Power Company), "Grantors, however, reserve to themselves the right to dedicate any part of said described property to the public for use as a public thoroughfare provided however, that if any part of said described property is dedicated for use as a thoroughfare extending North and South, said thoroughfare shall be of sufficient width to allow the grantee to place its poles within the boundaries of said thoroughfare at such locations that the cross-arms shall not overhang the adjacent property but shall be wholly within the boundary of said thoroughfare, without causing said poles to interfere with the use of said thoroughfare as a thoroughfare."

The West Fifty (50) feet of Tax Lot Fifteen (15), Section Twenty-six (26), Township Fifteen (15), Range Thirteen (13) East of the 6th P. M., Douglas County, more particularly described as follows: Commencing at the intersection of the North boundary of Tax Lot Fifteen (15) with the center section line of Section Twenty-six (26), extending South along said center section line to the North line of Kountze's 6th Addition, thence Eastward along said North line to a point Fifty (50) feet east of said section line, thence North parallel to said section line to the North boundary of Lot Fifteen (15), thence West to place of beginning and a parcel of land lying adjacent to and immediately South of Grandview Addition, described as follows: Beginning at the point of intersection of the South line of Grandview Addition with the center line of section Twenty-six (26), Township Fifteen (15), Range Thirteen (13) East, and extending South along said center line of Section Twenty-six (26) to the point of intersection between said center line of Section Twenty-six (26) with the North line of Tax Lot Fifteen (15), thence East along the said North line of Tax Lot Fifteen (15), for a distance of Fifty (50) feet, thence North parallel to the



highways crossing the property herein conveyed east and west, or generally east and west. Provided further that Grantee shall not place any poles or structures on that part of the property herein conveyed which would lie between the present north line of Kountze's Sixth Addition to the City of Omaha and the South line of the former Baneroft Street. Grantors hereby release and cancel the reservations contained in deed dated November 15, 1926, wherein David Cole and Etta Cole were Grantors, and the Nebraska Power Company was Grantee, which deed was recorded January 20, 1927 at 9:50 o'clock A. M., in Book 539 of Deeds at Page 376; Provided, however, that the reservations hereinabove set forth in connection with the property herein conveyed shall, upon the execution of this instrument, be and become reservations affecting the property conveyed in the said Deed dated November 15, 1926, wherein David Cole and Etta Cole were Grantors, and Nebraska Power Company was Grantee; and again conveyed by this deed by Etta E. Cole, Widow, and Irene Cole, Single, to Nebraska Power Company.

Saving and excepting out of the grant hereby made all mines, minerals and oils under the said premises hereby conveyed, with power for the Grantor, her heirs and assigns, to take all the usual, necessary or convenient means of working, setting, laying up, making merchantable, and taking away the said mines, minerals, and oils, and also for the above purposes, to make and repair tunnels and sewers and to lay and repair pipes for conveying water to and from any manufactory or other building, provided the use of said land for said named purposes by Grantors, their heirs and assigns, shall not interfere with the then use of said property by Grantee for poles, wires and structures."

Part of Lot Twenty-five (25) in N. J. Smith's Place, an addition in the City of Omaha, Douglas County, as surveyed, platted and recorded and being located in Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section Thirty-five (35) Township Fifteen (15) North; Range Thirteen (13) East, and being more particularly described as follows: Beginning at a point 538.8 feet South of a stone at the Northwest corner of Northeast Quarter of said Section thirty-five (35), and on the North and South center line of said Section

thirty-five (35), then South on said North and South center line, a distance of 35.12 feet, thence in a Southeasterly direction at an angle of 120°-00', a distance of 13.65 feet, to a gas pipe at the Southeast Corner of said lot 25, thence in a Northwesterly direction at an angle of 43°-54', a distance of 43.6 feet, to the point of beginning, said piece containing 0.0048 acres, more or less.

Tract of ground located in Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section Thirty-five (35), Township Fifteen (15) North; Range Thirteen (13) East, Douglas County, and being more specifically described as follows: Beginning at a point 573.92 feet South of a stone at the Northwest Corner of Northeast Quarter of said Section 35, and on the North and South center line of said Section 35, thence South 4.0 feet to a T-rail on the North line of Richelieu Avenue, and also located on said North and South center line, thence in a Southeasterly direction at an angle of 115°-00', a distance of 11.75 feet, thence Northeasterly at an angle of 93°-33', a distance of 2.45 feet, to a gas pipe at the Southeast Corner of Lot Twenty-five (25) of N. J. Smith's Place, an addition to the City of Omaha, thence Northwesterly at an angle of 91°-27', a distance of 13.65 feet, to the point of beginning. Said piece containing 0.000941 acres, more or less.

Lot Two (2), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

Lots Three (3) and Four (4), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

Lot Five (5), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Lots Six (6) and Seven (7), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Lot Eight (8), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded.

Lots Nine (9) and Ten (10), Block Three (3), Maynes Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

That part of Lot 1, Block 41, Credit Foncier Addition to the City of Omaha, Douglas County, lying east of the right-of-way of the Omaha and Southwestern Railway Company, now the Chicago, Burlington & Quincy Railway Company, also described as being the northeast 5637 feet of Lot 1, Block 41, Credit Foncier Addition to the City of Omaha; and also the northeast corner of Lot 20, in Block 444, in Grandview, an addition to the City of Omaha, being that part of said lot lying east of the railroad right-of-way.

Lots Eleven (11) and Twelve (12) and West one-third (1/3) of Lot Thirteen (13) in Block Four Hundred Forty-three (443) in Grandview in the City of Omaha, Douglas County and the following described parcel of ground bounded as follows to-wit: Sub Lot 1 of Tax Lot 1 and strip adjoining on South and all Tax Lot 44 in SE $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 26-15-13 strip adjoining on North of Pt of Lots 12 and 13, Block 443 Grandview commencing at a point 33 feet East of the West line of Second Street, where said line intersects the South line of Woolworth Avenue, in the City of Omaha, running thence South 349.4 feet, thence East 68.3 feet, thence North 65.4 feet, thence Northwesterly along the right-of-way of the Omaha and Southwestern Railway, 284 feet, more or less, to a point due East of the place of beginning, and thence West 7 feet to the place of beginning; also beginning on the West line of the Omaha and Southwestern Railway Company's right-of-way, where it intersects the South line of the alley in Block 443 in Grandview Addition in the City of Omaha, running thence West to the East line of Second Street; thence North along the East line of Second Street to the point where it intersects the West right-of-way line of the Omaha and Southwestern Railway Company, and thence Southeasterly along said right-of-way line to the place of beginning.

Lots Three (3), Four (4), Five (5) and Six (6), in Block Eighteen (18) in Credit Foncier Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded,

excepting that portion of Lot Five (5) appropriated by the Omaha and Southwestern Railroad Company, and;

Commencing at the northeast corner of Lot Three (3) in Block Eighteen (18) in Credit Foncier Addition to the City of Omaha, Douglas County, as surveyed, platted and recorded, running north fifteen (15) feet, thence west one hundred forty-seven (147) feet, thence south one hundred forty-seven (147) feet, thence east fifteen (15) feet, thence north one hundred thirty-two (132) feet, thence east one hundred thirty-two (132) feet to place of beginning, being a portion of Williams Street vacated and of Third Street vacated in the City of Omaha. Also commencing at the southeast corner of Lot Six (6) in Block Eighteen (18), as aforesaid, thence, south fifteen (15) feet, thence, west one hundred and forty-seven (147) feet, thence north one hundred and forty-seven (147) feet, thence east fifteen (15) feet, thence south one hundred and thirty-two (132) feet, thence east one hundred and thirty-two (132) feet to the place of beginning, being a part of Woolworth Avenue and Third Street in the City of Omaha, vacated, excepting therefrom the right-of-way of the Omaha and Southwestern Railroad Company.

West fifty (50) feet of Lots four (4) and five (5), in Block one (1), in Credit Foncier Addition to the City of Omaha, Douglas County, together with all of our rights in and to the vacated portions of the street adjacent to and abutting upon said described property, and subject also to existing leases and tenancies; the grantors thereof having reserved to themselves, their heirs and assigns, a right-of-way not less than thirty-five (35) feet wide in, out of, through, over, across and upon the said real property, and said vacated portions of the streets adjacent to and abutting upon the same for ingress and egress in, to, and out of the property of the grantors adjoining the above described strip. Said right-of-way shall at all times be not less than thirty-five (35) feet in width, but shall be so located as not to interfere with the use by said Nebraska Power Company of said real property.

Lot Fourteen (14), Block Four hundred sixty-seven (467), in Grandview Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Lot Two (2), Block Nineteen (19) (except right-of-way) in Credit Foncier Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Lot Three (3), Block Nineteen (19), in Credit Foncier Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Lot Seven (7), Block Nineteen (19), in Credit Foncier Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Part of Sub-lot Two (2) of Tax Lot Twelve (12) of Section Thirty-five (35), Township Fifteen (15) North, Range Thirteen (13) East of the 6th P. M., Douglas County, said part being described as follows: Beginning at a point 3 1/10 feet West of the Northeast corner of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 35, this also being the northeast corner of said sub-lot 2, running thence west in the north line of said sub-lot 2 fifty (50) feet, thence south, parallel to the east line of said sub-lot 2 one hundred fifty-seven and one-quarter (157 $\frac{1}{4}$ ) feet to the south line of said sub-lot 2, thence east in the south line of said sub-lot 2 a distance of fifty (50) feet, thence north in the east line of said sub-lot 2 a distance of one hundred fifty-seven and one-quarter (157 $\frac{1}{4}$ ) feet to place of beginning, containing .18 acre more or less.

Lots seven (7) and fourteen (14), Block four hundred sixty (460), Grandview an addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

The Southwest Eighteen Hundred (1800) square feet of Lot Seven (7), all of Lots Eight (8), Nine (9), and Ten (10), except so much of said Lot Ten (10) as was taken by the railroad, also the Northeast Forty-two Hundred Forty (4240) square feet of Lot Twelve (12), all of Lot Thirteen (13); Southwest Forty-seven Hundred (4700) square feet of Lot Fourteen (14), all in Block Four Hundred Forty-eight (448) Grandview an addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

Lots seven (7), eight (8), fifteen (15), sixteen (16) and seventeen (17), Block four hundred fifty-five (455), Grandview an addition to the City of Omaha, as surveyed, platted

and recorded, Douglas County, Nebraska, except that part used for railway purposes.

Lot eleven (11) and Lot twelve (12) Block Three (3), Maynes Addition, an addition to the City of Omaha, Douglas County, Nebraska.

2. City Limits-Substation #906, double circuit 66 KV steel tower transmission line extending, in Sarpy County, from the Omaha city limits in a Southwesterly direction to substation #906 near Gilmore, Nebraska, a distance of approximately 3.65 miles and the lands described as follows:

South One and one-half (1 $\frac{1}{2}$ ) acres of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ), and also, North one and one-half (1 $\frac{1}{2}$ ) acres of the Northwest Quarter of the southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), all being in Section Twenty-one (21), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County, above described lands being six (6) rods in width from north to south and eighty (80) rods in length from east to west and centered upon and extending three (3) rods each way from the east and west center line of the said section 21.

Part of original Lot Two (2), being also a part of the tract now known as Lot 2B1, of Clinton's subdivision in Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County, as surveyed, platted and recorded, said part being bounded and described as follows, to wit: Beginning at a point in the north line of said Lot two, ten feet west of the northeast corner of said lot 2, running thence west in the north line of said lot 2 a distance of one hundred thirty-three (133) feet, thence south a distance of one hundred sixty-four (164) feet more or less to the south line of the tract known as lot 2B1, thence east in the south line of said lot 2B1 a distance of one hundred thirty-three (133) feet, thence north a distance of one hundred sixty-four (164) feet more or less to place of beginning, containing one-half (1/2) acre more or less. (The following reservation is included in the deed to Nebraska Power Company), "Grantor herein reserves an easement over and across the south twenty (20) feet in width of the above description to be used as a private road in and to her resi-

dence and also for use as a right-of-way in which to lay a water pipe line to reach said residence."

Lot Three (3) Clinton's subdivision of Tax Lots F2 and G3 in Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P. M., Sarpy County, as surveyed, platted and recorded, and also, the West Forty (40) feet in width of the East Fifty (50) feet in width of all that part of Lot Two (2) Clinton's subdivision of Tax Lots F2 and G3 lying south of public road, this latter being the West Forty (40) feet in width of the East fifty (50) feet in width of that tract now known as Lot "2000" of said Clinton's subdivision.

Tax Lot Fourteen (14) in Section Twenty-one (21), Township Fourteen (14) North, Range Thirteen (13) east of 6th P. M., Sarpy County, bounded and described as follows, to wit: Beginning at the  $\frac{1}{4}$  corner on the east side of section 21, running thence west 80 rods, thence north  $2\frac{1}{2}$  rods, thence east 80 rods, thence south  $2\frac{1}{2}$  rods to place of beginning. Also, the North Five (5) rods of Tax Lot Five (5) in Section Twenty-two (22), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P. M., bounded and described as follows, to wit: Beginning at a point on the west line of the said section 22 two (2) rods north of the  $\frac{1}{4}$  corner on the west side of said section 22, running thence east eighty (80) rods more or less to the subquarter line, thence south on subquarter line five (5) rods, thence west eighty (80) rods more or less to the west line of said section 22, thence north five (5) rods to place of beginning, and being subject to county road. Above two descriptions containing  $1\frac{1}{4}$  and  $2\frac{1}{2}$  acres respectively.

The north three (3) rods in width of the west one half of the south east one quarter ( $W\frac{1}{2}$  of the  $SE\frac{1}{4}$ ) of Section twenty one (21), and also the north three (3) rods in width of all that part of the east one half of the southwest one quarter ( $E\frac{1}{2}$  of the  $SW\frac{1}{4}$ ) of Section twenty-one (21), lying east of railroad right of way, this latter being the north three (3) rods of that tract known as tax lot seven A (7-A) of section twenty-one (21), all being in Township Fourteen (14) North Range thirteen (13) east of the 6th P. M., Sarpy

County, together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said grantors herein of, in or to the same or any part thereof.

The North three (3) rods in width of the East one half of the Southeast one quarter ( $E\frac{1}{2}$  of the  $SE\frac{1}{4}$ ) of Section twenty-one (21), Township fourteen (14) North Range thirteen (13) East of the 6th P. M., Sarpy County.

The South three (3) rods in width of the southwest one quarter of the northeast one quarter ( $SW\frac{1}{4}$  of the  $NE\frac{1}{4}$ ) of Section twenty-one (21), and also, the south three (3) rods in width of the southeast one quarter of the northwest one quarter ( $SE\frac{1}{4}$  of the  $NW\frac{1}{4}$ ) except railroad right-of-way in Section twenty-one (21), and also, the north three (3) rods in width of all that portion of the east one-half of the southwest one quarter ( $E\frac{1}{2}$  of the  $SW\frac{1}{4}$ ) of Section twenty-one (21) lying west of the right-of-way of railroad, this being the north three (3) rods of that tract of land known as Tax Lot seven C (7-C), all being in Township fourteen (14) North, Range thirteen (13) east of the 6th P. M., Sarpy County. (The following reservation is included in the deed to Nebraska Power Company), "RESERVING HOWEVER, for the benefit of the Grantors herein a perpetual easement for roadway purposes over and across a strip of land thirty-three (33) feet in width, immediately adjacent to and west of the right-of-way of railroad."

The south two and one tenth (2.1) acres more or less of lot fourteen (14) in Old Orchard Place, a subdivision in Section twenty-two (22), Township fourteen (14) North Range thirteen (13) east of the 6th P. M., Sarpy County, as surveyed, platted and recorded. Said two and one tenth (2.1) acres being bounded and described as follows, to wit: Beginning at the south east corner of said lot fourteen (14), running thence north in the east line of said lot fourteen (14) to a point ninety six and seven tenths (96.7) feet north of place of beginning, running thence west a distance of nine hundred twenty-one (921) feet more or less to a point in the west line of said lot fourteen (14) that is one hundred eight and five

tenths (108.5) feet north of the southwest corner of said lot fourteen (14), running thence south in the west line of said lot fourteen (14), a distance of one hundred eight and five tenths (108.5) feet to the southwest corner of said lot fourteen (14), running thence east in the south line of said lot fourteen (14) a distance of nine hundred twenty one (921) feet more or less to place of beginning, containing in all two and one tenth (2.1) acres more or less.

The East fifty (50) feet in width of the South two and one-twelfth (2-1/12) acres of Lot Ten (10), F. J. Fitzgerald's subdivision, as surveyed, platted and recorded, in Sarpy County, Nebraska, this being also the east fifty (50) feet in width of the tract now known as Lot "10P" of said F. J. Fitzgerald's subdivision.

Part of Lots Six (6), Seven (7) and Eight (8) of Clinton's Subdivision of Tax Lots "P2" and "G3" of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County, said part being more specifically described and bounded as follows, to wit: Beginning at a point on the south line of Lot 8 aforementioned, this also being the south line of said section 14, this point being forty three and six tenths (43.6) feet west of the sub-quarter corner on the south line of the southwest quarter of said section 14, running thence north a distance of five hundred thirty-two and five tenths (532.5) feet more or less through lots 8, 7 and 6 to the intersection of the southerly line of the interurban railroad right-of-way, said point of intersection being forty-six and eight tenths (46.8) feet west of and measured at right angles to the sub-quarter line through said southwest quarter section 14, thence running southeasterly along the southerly line of said interurban right-of-way, a distance of six hundred forty-eight and eight tenths (648.8) feet more or less to the intersection of the south line of the said section 14, running thence west in the south line of said section 14 a distance of three hundred seventy two and three tenths (372.3) feet more or less to the point of beginning, containing in all, 2.14 acres more or less, and being subject to 33 feet of a public road along the south side thereof.

A strip or parcel of land fifty (50) feet in width through Tax Lot Seven (7) of Section twenty-two (22), Township fourteen (14) north, Range Thirteen (13) east of the 6th P. M., Sarpy County, said strip being twenty five (25) feet each side of the following described center line to wit: Beginning at a point on the west line of said tax lot seven (7), this point being twenty-five (25) feet north of and four hundred thirty three (433) feet more or less west of the one quarter corner on the east line of said section twenty two (22), running thence east twenty five (25) feet north of and parallel to the east and west center line of said section twenty two (22) to a point three hundred sixty one and three tenths (361.3) feet east of place of beginning, thence northeasterly at an angle of East 45° 2' North a distance of one hundred (100) feet more or less to the intersection of the east line of said section twenty two (22), this point of intersection being ninety six and eight tenths (96.8) feet north of the one quarter corner on the east line of said section twenty two (22), containing fifty two hundredths (.52) acres more or less, reserving however, from the above description a perpetual easement for a roadway to Grantor to Power Company and his assigns over and across the east one (1) rod in width of the above described tract.

And also, a strip or parcel of land fifty (50) feet in width through tax Lot Seven (7) of Section twenty three (23), Township fourteen (14) north, Range thirteen (13) east of the 6th P. M., Sarpy County, said strip being twenty-five (25) feet each side of the following described center line, to wit: Beginning at a point on the west line of said section twenty three (23) ninety six and eight tenths (96.8) feet north of the one quarter corner on the west line of said section twenty three (23), running thence northeasterly at an angle of East 45° 2' North, a distance of nine hundred twenty three and three tenths (923.3) feet more or less to the intersection of the easterly line of said tax lot seven (7), this also being the intersection of the westerly line of Union Pacific Railroad, the center line of this last description being a straight line projection of the center line of the first description herein, containing 1.05 acres more or less. (The following reservation included in the deed to Nebraska Power Company),

“Reserving however, from the above description a perpetual easement for a roadway to Grantor and his assigns over and across the west one (1) rod in width of the above described tract.”

Part of Lot Six (6) of Old Orchard Place as surveyed, platted and recorded in section twenty-two (22), Township fourteen (14), North Range thirteen (13) east of the 6th P. M., Sarpy County, said part being bounded and described as follows, to wit: Beginning at the southeast corner of the said lot six (6) Old Orchard Place, running thence north in the east line of said lot six (6), a distance of one hundred twenty two and four tenths (122.4) feet, thence west eight hundred ninety five and five tenths (895.5) feet to the west line of said lot six (6), thence south in the west line of said lot six (6) a distance of one hundred twenty two (122) feet to the southwest corner of said lot six (6), thence east in the south line of said lot six (6), a distance of eight hundred and ninety four and three tenths (894.3) feet to place of beginning, containing in all two and fifty one hundredths (2.51) acres more or less.

That part of Tax lot Six-A (6A) in Section Twenty-two (22), Township fourteen (14), North, Range Thirteen (13), East of the Sixth (6th) P. M., Sarpy County, being bounded and described as follows, to wit: Beginning at a point on the West line of said Section Twenty-two (22), three (3) rods North of the one-quarter (1/4) corner on the West line thereof, running thence East on a line three (3) rods North of and parallel to the East and West center line of said Section Twenty-two (22) a distance of One Hundred Eighty (180) rods more or less to the East line of said Tax lot Six-A (6A), thence South on the East line of said Tax lot Six-A (6A) six (6) rods, thence West one hundred (100) rods more or less to the sub-quarter line in the West one-half (1/2) of said Section Twenty-two (22) thence North along said sub-quarter line a distance of five (5) rods, thence west Eighty (80) rods more or less to the West line of said Section twenty-two (22), thence North along the West line of said Section Twenty-two (22), one (1) rod to place of beginning, containing in all four and one-fourth (4 1/4) acres more or less and being sub-

ject to a public highway along the West line of said Section Twenty-two (22).

A parcel of land one-half (1/2) rod in width along the south line of a tract now known as Tax Lot 13A3 of the East Half of the Northeast Quarter (E 1/2 of NE 1/4) of Section Twenty-one (21), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County, said one-half rod strip being bounded and described as follows, to wit: Beginning at a point in the east line of section 21 aforesaid two and one-half (2 1/2) rods north of the quarter corner in the east line of said section, running thence west 80 rods more or less to the sub-quarter line, thence north in said sub-quarter line one-half (1/2) rod, thence east 80 rods more or less to the east line of said section 21, thence south one-half (1/2) rod to place of beginning, containing one quarter (1/4) acre more or less and being subject to so much as is used for public roads along the ends thereof.

Part of Lot Ten (10) of F. J. Fitzgerald's subdivision in Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County, said part being bounded and described as follows, to wit: Beginning at a point 585.5 feet north of the southeast corner of said lot 10, running thence north in the east line of said lot 10 a distance of 232.75 feet to the northeast corner of said lot 10, thence west in the north line of said lot 10 a distance of 57.4 feet, thence south a distance of 232.75 feet more or less to a point in the south line of the tract known as lot 10A, thence east in the south line of said lot 10A a distance of 53.2 feet to place of beginning, containing 0.29 acre more or less. And a permanent easement for purposes of ingress and egress to the Grantee's land by said Grantee, its lessees and assigns, by vehicle or otherwise, over and upon the remainder part of Lot 10A, and also the right for Grantee to use the private road lying between the southwest corner of said Lot 10A and the public highway to the west thereof known as Bellevue Blvd.

Part of Lot Eleven (11) of F. J. Fitzgerald's subdivision in Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) east of the 6th P. M., Sarpy County,

said part being bounded and described as follows, to-wit: Beginning at a point in the north line of said Lot eleven (11), said point being the northeast corner of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section 14 aforementioned, running thence west in the north line of said lot 11 a distance of seventy-two and eight tenths (72.8) feet, thence at an angle of East 58° 49' South a distance of eighty (80) feet, said angle being measured off the north line of said lot 11, thence south and more or less parallel to the east line of said lot 11 a distance of seven hundred forty five and two tenths (745.2) feet more or less to the intersection of the south line of said lot 11, thence east in the south line of said lot 11 a distance of fifty seven and four-tenths (57.4) feet to the southeast corner of said lot 11, thence north in the east line of said lot 11 a distance of eight hundred and twenty five-hundredths (800.25) feet more or less to an oak tree, the old corner of lands of Jacob Tex, Clarkes Clifton, Creighton University lands and the tract now being described, thence northwesterly about twenty one (21) feet to place of beginning in this description, it being the intention of the Grantor herein to convey unto the Grantee herein all that part of lot 11 of said F. J. Fitzgerald's subdivision lying easterly of the following described line, to-wit: Beginning at a point on the north line of said lot 11, said point being seventy-two and eight-tenths (72.8) feet west of the northeast corner of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section 14, thence at an angle of East 58° 49' South a distance of eighty (80) feet, said angle being measured off the north line of said lot 11, thence south a distance of seven hundred forty five and two-tenths (745.2) feet more or less to the intersection of the south line of said lot 11 at a point fifty seven and four-tenths (57.4) feet west of the southeast corner of said lot 11, containing 1.01 acres more or less, and a permanent easement for purposes of ingress and egress to Grantee's land by said Grantee, its lessees and assigns, by vehicle or otherwise, over and upon the remainder part of said lot 11.

3. Substation #906-Pappio Ditch, double circuit 66 KV steel tower transmission line extending in Sarpy County from substation #906 West to the Pappio Ditch, a distance of approximately 1.4 miles.

4. Omaha Loop Part One, single circuit 66 KV wood pole transmission line, extending in Douglas and Sarpy Counties in a westerly and northerly direction from the end of line #3 at the Pappio ditch to 108th Street and Ames Avenue, a distance of approximately 13.95 miles.

5. Omaha Loop Part Two, single circuit 66 KV wood pole transmission line, extending in Douglas County from 108th Street and Ames Avenue in a northerly and easterly direction to Substation #907, located at 29th and Hunt Streets in the City of Omaha, a distance of approximately 9.25 miles and the land described as follows:

All that portion of Lot Thirteen (13) in Block One hundred and Sixty-nine (169) in the original town or City of Florence, lying South of the South line of the right-of-way of the Chicago, St. Paul, Minneapolis and Omaha Railroad Company, being now within the corporate limits of the city of Omaha, Douglas County.

6. 108th and Ames-Valley, single circuit 66 KV wood pole transmission line, extending in Douglas County from 108th Street and Ames Avenue in a westerly direction to Substation #902 at Valley, Nebraska, a distance of approximately 13.1 miles.

7. Papillion-Louisville, single circuit 66 KV wood pole transmission line, extending in Sarpy County, from the end of line #3 at the Pappio ditch in a westerly and southerly direction to substation #905 at Louisville, Nebraska, a distance of approximately 20.98 miles in Sarpy and Cass Counties.

8. Plattsmouth Line, single circuit 66 KV wood pole transmission line, extending in Sarpy and Cass Counties in a southerly direction from Substation #906 to the Plattsmouth Substation of the Consumers Public Power District, a distance of approximately 13.86 miles.

9. Bomber Plant East Circuit, single circuit 66 KV wood pole transmission line, extending in Sarpy County from Substation #906 in a southeasterly direction to the Bomber Plant substation of the United States Government at Fort Crook, Nebraska, a distance of approximately 4.87 miles.

10. Bomber Plant West Circuit, single circuit 66 KV wood pole transmission line, extending in Sarpy County from a junction with the Plattsmouth line east to the Bomber Plant Substation of the United States Government at Fort Crook, Nebraska, a distance of approximately 1.1 miles.
11. Oreapolis-Louisville, single circuit 66 KV wood pole transmission line, extending in Cass County from a junction with the Plattsmouth line at Oreapolis, Nebraska, in a westerly direction for a distance of approximately 14.05 miles to Substation #905 at Louisville, Nebraska.
12. Nebraska-Kansas, single circuit 154 KV wood pole H-frame transmission line, extending in a southerly direction from Substation #906 at Gilmore, Nebraska through Sarpy, Cass, Otoe, Nemaha, and Richardson Counties to the Nebraska-Kansas border, a distance of approximately 82.86 miles.

### THIRD

THE ELECTRIC SUBSTATIONS AND SUBSTATION SITES OF THE COMPANY, including all buildings, structures, towers, poles, all equipment, appliances and devices for transforming, converting and distributing electric energy, and the land of the Company on which the same are situated, and all of the Company's lands, easements, rights of ways, rights, franchises, privileges, machinery, equipment, appliances, devices, appurtenances, and supplies forming a part of said substations or any of them, or used or enjoyed, or capable of being used or enjoyed, in conjunction or connection with any thereof, including the following situated in the State of Nebraska:

#901 Substation situated on the Company's Jones Street Station site at 4th & Jones Streets, City of Omaha, Douglas County, Nebraska.

#906 Substation situated west of the 36th Street road in Gilmore Township, Sarpy County and containing approximately thirteen (13) acres of land. Said premises being more particularly described as the north ten (10) acres of the northeast quarter of the southeast quarter (NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section twenty (20), Township fourteen (14) North; Range thirteen (13) East of the 6th P. M., this land also being known as Tax Lot 28B<sub>2</sub> of said section; and also the south two (2) acres of the southeast

quarter of southeast quarter of the northeast quarter (SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of said Section twenty (20) and being also the south two (2) acres of the north ten (10) acres of Tax Lot 28B of said Section 20, and also the south one (1) acre of the north eight (8) acres of the southeast quarter of the southeast quarter of the northeast quarter of Section 20, Township 14 North, Range 13 East of the 6th P. M., Sarpy County, Nebraska, this being a parcel of land four (4) rods in width off the south end of the north eight (8) acres of said southeast quarter of the southeast quarter of the northeast quarter of Section 20 and being also the north one (1) acre of the south three (3) acres of the north ten (10) acres of tax lot 28B of said section.

#12 Substation situated at 2314 "M" Street in the City of Omaha, Douglas County, Nebraska. Said premises being more particularly described as follows:

The east forty (40) feet of Lot Seven (7) in Block eighty-eight (88) in the City of South Omaha now a part of the City of Omaha, Douglas County, subject, however, to that certain right of easement for private alley purposes in and to the west two (2) feet thereof, as reserved in that certain deed of conveyance recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Book of Deeds 232 at Page 61 of the records of said office;

East forty (40) feet of Lot eight (8) Block eighty-eight (88) South Omaha now a part of the City of Omaha, Douglas County, as surveyed, platted and recorded.

#13 Substation situated at the northwest corner of 30th and Larimore Avenue in the City of Omaha, Douglas County, said premises being more particularly described as Lots four (4) and five (5) in Block one (1) in Collier Place, an addition to the City of Omaha, as surveyed, platted and recorded.

#14 Substation situated at the southeast corner of 52nd and Erskine Streets in the City of Omaha, Douglas County, said premises being more particularly described as Lots thirty five (35) and thirty six (36) in Auburn Hill Addition to the City of Omaha, as surveyed, platted and recorded; said addition being a subdivision of Block six (6) in Cummings' Subdivision in Section seven (7) Township fifteen (15) North of Range Thirteen (13) East of 6th P. M.



#15 Substation situated on the site of the Company's Service Headquarters, storehouse and garage described hereinafter at the Northwest corner of 43rd and Leavenworth Streets, in the City of Omaha, Douglas County, Nebraska.

#16 Substation situated at the northeast corner of 20th and Howard Streets in the City of Omaha, Douglas County, said premises being more particularly described as Lots 26, 27, 28, 29, 49, 50, 51, 52, re-plat of Block 3, East Kountze Reserve, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, except that part of Lots 29 and 49 which has been taken by the City for public purposes.

#17 Substation situated on the west side of 37th between "O" and "P" Streets in the City of Omaha, Douglas County, Nebraska, said premises being more particularly described as south one half (½) of Lot seven (7) all of Lot eight (8) and the North Thirty-four (34) feet of Lot nine (9), all in Block Eight (8) in Christie Heights Addition to South Omaha (now Omaha) as surveyed, platted and recorded, together with all the right, title and interest of Nebraska Power Company, in the alley running in a northerly and southerly direction between the premises aforesaid from a point two hundred and forty (240) feet north of the north line of "P" Street to a line twenty (20) feet north of the south line of Lots Seven (7) and Twenty-six (26) aforesaid, and more particularly described as follows:

Commencing at the center of the east line of said Lot Twenty-six (26) thence on a line parallel to the south line of Lots Twenty-six (26) and Seven (7) fourteen (14) feet more or less, to the center of the west line of said Lot Seven (7) thence in a southerly direction one hundred and forty (140) feet to the southwest corner of said Lot Ten (10) thence west fourteen (14) feet to the southeast corner of said Lot Twenty-three (23) thence in a northerly direction one hundred and forty (140) feet, more or less, to the place of beginning, which said right, title and interest, the grantor to Power Company may have secured by the vacating of said alley by Ordinance No. 9194 passed on March 21, 1916, together with all the tenements, hereditaments, and appurtenances to the same belonging and all the estate, title, claim or demand whatsoever of the said Nebraska Power Company, of, in or to the same or any part thereof.

#18 Substation situated at the southeast corner of 29th and Erskine Streets, in the City of Omaha, Douglas County, Nebraska. Said premises being more particularly described as Lots Twenty-two (22) and Twenty-three (23) in Fairmont Place, an addition to the City of Omaha, as surveyed, platted and recorded.

#19 Substation situated on the north side of Vinton Street between 20th and 21st Streets in the City of Omaha, Douglas County, Nebraska. Said premises being more particularly described as Lots Ten (10) and Eleven (11) Vinton Place, an addition to the City of Omaha, as surveyed, platted and recorded.

#20 Substation situated at the northwest corner of 72nd and Pacific Streets in Dundee Township, Douglas County, Nebraska. Said premises being more particularly described as a piece or parcel of land situated in Douglas County, State of Nebraska, being more particularly described as follows:

Beginning at the southeast corner of Section Twenty-three (23), Township Fifteen (15) North; Range Twelve (12) East, of the 6th P. M., Douglas County, Nebraska, thence north along the east line of said Section Twenty-three (23) one hundred sixty-three (163) feet; thence west parallel with the South line of Section Twenty-three (23) 181.1 feet to the easterly right-of-way line of the Chicago and Northwestern Railway thence southeasterly along said easterly right-of-way line 189.75 feet to the south line of Section Twenty-three (23); thence east along said south line 83.7 feet to place of beginning, being the south 163 feet of that part of southeast quarter of the southeast quarter of Section Twenty-three (23); Township Fifteen (15) North; Range twelve (12) East, lying east of the easterly right-of-way line of the Chicago and Northwestern Railway, containing 0.5 acre. Subject to public highways.

#21 Substation situated at 22nd and Locust Streets, East Omaha, Douglas County, Nebraska. Said premises being more particularly described as follows:

All of Lot One (1), Block Five (5), in East Omaha Land Company's Subdivision (sometimes known as Lot One (1), Block Five (5), East Omaha), and being a sub-division of Lot Six (6) of the East Omaha Land Company's Land (Tax Lot 6), as surveyed, platted and recorded by the East Omaha Land Company, and being located within the accretions to Government Lot Ten (10) in Section One (1), Township Fifteen (15), North, Range

Thirteen (13) East of the 6th P. M., in Douglas County, Nebraska, said Lot Six (6) of the East Omaha Land Company's Land occupying the same position as was formerly designated on the Iowa survey of the United States Government as the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ -NE $\frac{1}{4}$ ) of Section Twenty-one (21) Township Seventy-five (75) North, Range Forty-four (44) West of the Fifth (5th) P. M., in Pottawattamie County, Iowa.

#22 Substation situated at 5012 Leavenworth Street, City of Omaha, Douglas County, Nebraska. Said premises being more particularly described as follows:

Lots Twelve and Thirteen (12 & 13) in Block One (1) in Richmond Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

#23 Substation situated on company owned property in Section 14-14-13, Sarp County, which land is more particularly described and included with the lands listed under transmission line #2—City Limits to Substation #906.

#24 Substation situated on public property in Section 11-15-12, Douglas County, Nebraska.

#25 Substation situated on the Company's 66 KV steel tower line private right-of-way at 1st Avenue and Hascall Streets in the City of Omaha, Douglas County, Nebraska.

#26 Substation situated on the southeast corner of 31st & King Streets, in the City of Omaha, Douglas County, Nebraska. Said premises being more particularly described as Lots Two (2) and Three (3) Block Seventy (70) in the City of Florence, now Omaha, as surveyed, platted and recorded.

#27 Substation situated on leased property on the north side of "Q" Street between 26th and 27th Streets in the City of Omaha, Douglas County, Nebraska.

#907 Substation situated on leased land at 29th and Hunt Streets, on the southeast corner of Block 126, City of Florence (now Omaha), Douglas County, Nebraska, as surveyed, platted and recorded.

#909—Future Substation Site located near 66th and Seward Streets, Omaha, Nebraska, and more particularly described as follows:

Block Nine (9) Bowling Green Addition to the City of Omaha, Douglas County, Nebraska. Subject to a sewer right-of-way under the east twenty (20) feet of the west  $\frac{1}{2}$  of said block.

Ralston Substation located on land under easement in Block 61, Ralston, Douglas County, Nebraska.

#902 Substation situated north of the Lincoln Highway in Waterloo township, Douglas County and containing approximately 3.5 acres of land, said premises being more particularly described as follows:

That part of the east one-half of the Northwest quarter of Section Five (5) Township Fifteen (15) North; Range Ten (10) East of the 6th P. M. situated in Douglas County, Nebraska, and lying north of the right-of-way of the Union Pacific Railroad and described as follows:

Commencing at a point one thousand three hundred sixty-five and eight tenths (1365.8) feet east of the northwest corner of said Section five (5) thence running east in the north line of said section five (5) six hundred ninety-six (696) feet thence south four hundred thirty-seven and eight tenths (437.8) feet more or less, to the northerly line of said right-of-way, thence northerly along said northerly line of right-of-way, a distance of eight hundred twenty-two and ninety-three one hundredths (822.93) feet to the place of beginning and being subject to thirty-three (33) feet of a public road along the north side thereof.

Together with the substation house, buildings, and other structures and all right, title and interest in and to lands, rights-of-way, easements, rights, franchises and privileges owned, used or enjoyed in connection therewith.

#903 Substation situated on leased land in Plattsmouth township, Cass County, Nebraska, near Oreapolis.

#904 Substation situated on leased land in the southeast quarter of the southeast quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section thirty-four (34), Township 13 North (13N), Range 12 East (12E) of the 6th P. M. approximately one mile west and one mile south of Cullom, Cass County.

#905 Substation situated on leased land in Louisville township, Cass County, Nebraska, approximately .3 miles northeast of Louisville.

Arlington Substation situated on public property in Arlington, Washington County, Nebraska.

#704 Substation situated on leased land in the northeast quarter of the southwest quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) Section one (1), township twelve (12) North, Range nine (9) East, MP 35.6 at Ashland, Saunders County, Nebraska.

Ashland Substation situated on same piece of land as #704 Substation described above.

#505 Substation situated on leased land in the City of Cedar Bluffs, Saunders County, Nebraska.

#507 Substation situated on leased property in the City of North Bend, Dodge County, Nebraska.

Valley Substation situated on the Company's storehouse and garage property at West and Church Streets in Valley, Douglas County, Nebraska.

Weeping Water Substation situated on leased land at the east city limits of Weeping Water, Cass County, Nebraska.

#502 Substation situated on public property near the Weeping Water Substation at the east city limits of Weeping Water, Cass County, Nebraska.

#### FOURTH

THE ELECTRIC DISTRIBUTION SYSTEMS OF THE COMPANY, including towers, poles, wires, insulators and appurtenances, appliances, devices and equipment, and all the Company's other property, real, personal or mixed, forming a part of or used, occupied or enjoyed in connection with or in any way appertaining to said distribution systems, or any of them, together with all the Company's rights-of-ways, easements, permits, privileges, municipal, or other franchises, licenses, consents and rights for or relating to the construction, maintenance or operation thereof through, over, under or upon any public streets or highways, or public or private lands, including the following situated in the State of Nebraska:

1. The Distribution System as constructed and equipped in the City of Omaha, Douglas County, Nebraska, and all franchises and consents under which said System is operated, including

That certain franchise or consent granted to the Northwestern Electric Light & Power Company, its successors and assigns, by the City of Omaha, Douglas County, Nebraska, by Ordinance 551, adopted September 29, 1882; and

That certain franchise or consent granted to the Sperry Electric Light & Motor Company, its successors and assigns, by the City of Omaha, Douglas County, Nebraska, by Ordinance No. 687, adopted February 6, 1884; and

That certain franchise or consent granted to the Omaha New Thomson and Houston Electric Light Company, its successors and assigns, by the City of Omaha, Douglas County, Nebraska, by Ordinance No. 826, adopted December 16, 1884.

2. The Distribution System as constructed and equipped in the Village of Alvo, Cass County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Alvo, Cass County, Nebraska, by Ordinance No. 42, adopted March 7, 1927.

3. The Distribution System as constructed and equipped in the Village of Arlington, Washington County, Nebraska, and all franchises and consents under which said system is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Arlington, Washington County, Nebraska, by Ordinance No. 141, adopted March 26, 1928.

4. The Distribution System as constructed and equipped in the Village of Ashland, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Ashland Mill and Electric Light Company, its successors and assigns, by the Village of Ashland, Saunders County, Nebraska, by Ordinance No. 67, adopted March 14, 1894.

5. The Distribution System as constructed and equipped in the Village of Avoca, Cass County, Nebraska, and all franchises

and consents under which said System is operated, including that certain franchise or consent granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees and assigns, by the Village of Avoca, Cass County, Nebraska, by Ordinance No. 56, adopted August 18, 1924.

6. The Distribution System as constructed and equipped in the Village of Bellevue, Sary County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Bellevue, Sary County, Nebraska, by Ordinance No. 194, adopted December 10, 1941.

7. The Distribution System as constructed and equipped in the Village of Bennington, Douglas County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Bennington, Douglas County, Nebraska, by Ordinance No. 29, adopted September 13, 1920; and

That certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Bennington, Douglas County, Nebraska, by Ordinance No. 39, adopted September 19, 1927.

8. The Distribution System as constructed and equipped in the Village of Cedar Bluffs, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Cedar Bluffs, Saunders County, Nebraska, by Ordinance No. 141, adopted July 17, 1928.

9. The Distribution System as constructed and equipped in the Village of Colon, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns by the Village of Colon, Saunders County, Nebraska, by Ordinance No. 15; adopted October 4, 1927.

10. The Distribution System as constructed and equipped in the Village of Elkhorn, Douglas County, Nebraska, and all fran-

chises and consents under which said system is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Elkhorn, Douglas County, Nebraska, by Ordinance No. 33, adopted November 2, 1920; and

That certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Elkhorn, Douglas County, Nebraska, by Ordinance No. 40, adopted September 16, 1927.

11. The Distribution System as constructed and equipped in the Village of Fort Calhoun, Washington County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors, and assigns, by the Village of Ft. Calhoun, Washington County, Nebraska, by Ordinance No. 79, adopted December 12, 1927.

12. The Distribution System as constructed and equipped in the Village of Gretna, Sary County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees, and assigns, by the Village of Gretna, Sary County, Nebraska, by Ordinance No. 36, adopted October 7, 1913.

13. The Distribution System as constructed and equipped in the Village of Herman, Washington County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors, and assigns, by the Village of Herman, Washington County, Nebraska, by Ordinance No. 128, adopted June 10, 1930.

14. The Distribution System as constructed and equipped in the Village of Hooper, Dodge County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Hooper Electric Light and Power Company, its successors, lessees and assigns, by the Village of Hooper, Dodge County, Nebraska, by Ordinance No. 77, adopted April 21, 1919.

15. The Distribution System as constructed and equipped in the Village of Kennard, Washington County, Nebraska, and all

franchises and consents under which said system is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Kennard, Washington County, Nebraska, by Ordinance No. 45, adopted February 28, 1928.

16. The Distribution System as constructed and equipped in the Village of Leshara, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Leshara, Saunders County, Nebraska, by Ordinance No. 25, adopted March 10, 1926; and
- That certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Leshara, Saunders County, Nebraska, by Ordinance No. 27, adopted May 21, 1928.

17. The Distribution System as constructed and equipped in the Village of Louisville, Cass County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees and assigns, by the Village of Louisville, Cass County, Nebraska, by Ordinance No. 112, adopted August 7, 1913; and

That certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Louisville, Cass County, Nebraska, by Ordinance No. 152, adopted May 24, 1927.

18. The Distribution System as constructed and equipped in the Village of Papillion, Sarpy County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors, and assigns, by the Village of Papillion, Sarpy County, Nebraska, by Ordinance No. 191, adopted September 13, 1927.

19. The Distribution System as constructed and equipped in the Village of Ralston, Douglas County, Nebraska, and all franchises and consents under which said System is operated,

including that certain franchise or consent granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees and assigns, by the Village of Ralston, Douglas County, Nebraska, by Ordinance No. 98, adopted September 21, 1921.

20. The Distribution System as constructed and equipped in the Village of South Bend, Cass County, Nebraska, and all franchises and consents under which said System is operated, including those certain franchises or consents granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees and assigns, by the Village of South Bend, Cass County, Nebraska, by Ordinance No. 60, adopted June 7, 1920, and by Ordinance No. 61, adopted June 7, 1920.

21. The Distribution System as constructed and equipped in the Village of Springfield, Sarpy County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Omaha and Lincoln Railway and Light Company, its successors, lessees and assigns, by the Village of Springfield, Sarpy County, Nebraska, by Ordinance No. 36, adopted July 21, 1913; and

That certain franchise or consent granted to the Nebraska Power Company, its successors and assigns by the Village of Springfield, Sarpy County, Nebraska, by Ordinance No. 52, adopted May 20, 1927.

22. The Distribution System as constructed and equipped in the Village of Yutan, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Yutan, Saunders County, Nebraska, by Ordinance No. 89, adopted August 20, 1920.

23. The Distribution System as constructed and equipped in the Village of Valley, Douglas County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Valley, Douglas County, Nebraska, by Ordinance No. 257, adopted August 7, 1945.

24. The Distribution System as constructed and equipped in the Village of Waterloo, Douglas County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Platte Valley Power Company, its successors, lessees and assigns, by the Village of Waterloo, Douglas County, Nebraska, by Ordinance No. 88, adopted December 1, 1920; and

That certain franchise or consent granted to the Nebraska Power Company, its successors, and assigns, by the Village of Waterloo, Douglas County, Nebraska, by Ordinance No. 88, adopted September 13, 1927.

25. The Distribution System as constructed and equipped in the Village of Morse Bluffs, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns by the Village of Morse Bluffs, Saunders County, Nebraska, by Ordinance No. 62, adopted October 11, 1928.

26. The Distribution System as constructed and equipped in the Village of Murdock, Cass County, Nebraska, and all franchises and consents under which said system is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Murdock, Cass County, Nebraska, by Ordinance No. 16, adopted April 5, 1927.

27. The Distribution System as constructed and equipped in the Village of Nickerson, Dodge County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors, and assigns by the Village of Nickerson, Dodge County, Nebraska, by Ordinance No. 31, adopted October 3, 1927.

28. The Distribution System as constructed and equipped in the Village of North Bend, Dodge County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise granted to the Nebraska Power Company, by the Village of North Bend, Dodge County, Nebraska, by Ordinance No. 39, adopted March 7, 1930.

29. The Distribution System as constructed and equipped in the Village of Rogers, Colfax County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise granted to the Nebraska Power Company, its successors and assigns, by the Village of Rogers, Colfax County, Nebraska, by Ordinance No. 73, adopted August 4, 1930.

30. The Distribution System as constructed and equipped in the Village of Washington, Washington County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Washington, Washington County, Nebraska, by Ordinance No. 38, adopted November 7, 1927.

31. The Distribution System as constructed and equipped in the Village of Weeping Water, Cass County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Weeping Water, Cass County, Nebraska, by Ordinance No. 131, adopted June 17, 1927.

32. The Distribution System as constructed and equipped in the Village of Winslow, Dodge County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Winslow, Dodge County, Nebraska, by Ordinance No. 21, adopted October 10, 1927.

33. The Distribution System as constructed and equipped in the Village of Eagle, Cass County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Eagle, Cass County, Nebraska, by Ordinance No. 64, adopted April 8, 1927.

34. The Distribution System as constructed and equipped in the Village of Elmwood, Cass County, Nebraska, and all franchises and consents under which said System is operated, in-

cluding that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns by the Village of Elmwood, Cass County, Nebraska, by Ordinance No. 98, adopted March 28, 1927.

35. The Distribution System as constructed and equipped in the Village of Ithaca, Saunders County, Nebraska, and all franchises and consents under which said system is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Ithaca, Saunders County, Nebraska, by Ordinance No. 57, adopted May 21, 1930.

36. The Distribution System as constructed and equipped in the Village of Memphis, Saunders County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns by the Village of Memphis, Saunders County, Nebraska, by Ordinance No. 30, adopted October 22, 1927.

37. The Distribution System as constructed and equipped in the Village of Millard, Douglas County, Nebraska, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Nebraska Power Company, its successors and assigns, by the Village of Millard, Douglas County, Nebraska, by Ordinance No. 72, adopted July 25, 1927.

38. The Distribution System as constructed and equipped outside incorporated communities in Burt County, Nebraska, consisting of approximately three (3) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

39. The Distribution System as constructed and equipped outside incorporated communities in Cass County, Nebraska, consisting of approximately two hundred sixty-eight (268) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

40. The Distribution System as constructed and equipped outside incorporated communities in Colfax County, Nebraska, consisting of approximately thirty-five (35) miles of distribution

lines; and all franchises, consents and easements under which said system is operated.

41. The Distribution System as constructed and equipped outside incorporated communities in Dodge County, Nebraska, consisting of approximately two hundred sixteen (216) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

42. The Distribution System as constructed and equipped outside incorporated communities in Douglas County, Nebraska, consisting of approximately five hundred one (501) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

43. The Distribution System as constructed and equipped outside incorporated communities in Otoe County, Nebraska, consisting of approximately six (6) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

44. The Distribution System as constructed and equipped outside incorporated communities in Sarpy County, Nebraska, consisting of approximately two hundred forty-nine (249) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

45. The Distribution System as constructed and equipped outside incorporated communities in Saunders County, Nebraska, consisting of approximately two hundred sixty-six (266) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

46. The Distribution System as constructed and equipped outside incorporated communities in Washington County, Nebraska, consisting of approximately three hundred seventy-five (375) miles of distribution lines; and all franchises, consents and easements under which said system is operated.

47. The Distribution System as constructed and equipped in the Village of Carter Lake, Pottawattamie County, Iowa, and all franchises and consents under which said System is operated, including that certain franchise or consent granted to the Citizens Gas & Electric Company, its successors and assigns

Said premises being more particularly described as: Beginning at a point on the East line of the County Road, one hundred twenty four and six-tenths (124.6) feet North, and thirty-three (33) feet East of the Southwest corner of the Northwest Quarter of Section Thirty one (31), Township Sixteen (16) North, Range Ten (10) East; thence North two hundred Sixty five and five tenths (265.5) feet along the East side of the County Road; thence Southeasterly along the South line of Church Street extended One Hundred Sixty Three and One tenth (163.1) feet; thence Southwesterly along the Line Fifty three (53) feet from and parallel to the West line of Walnut Street. Two hundred and nine and five tenths (209.5) feet to place of beginning, being within the Southwest Quarter of the Northwest Quarter of Section Thirty one (31), Township Sixteen (16) North, Range Ten (10) East, Douglas County, Nebraska.

3. The 13 KV River Crossing Tower Site west of Valley, Nebraska, described as follows:

Part of Lot 1 in Section 33-16-9, Saunders County, Nebraska, commencing at a point which is twenty (20) feet North and One Thousand two hundred thirty eight and three tenths (1238.3) feet East of the Southwest Corner of Lot 1, Section 33, Township 16 North, Range 9 East in Saunders County, Nebraska, thence Northeast deflecting angle 57°.09 feet a distance of three hundred thirty seven (337) feet to where said line intersects the West line of the original road along the Platte River Bank, thence Southeast along the West line of the road, a distance of two hundred ninety (290) feet to a point twenty (20) feet North of and one thousand four hundred eighty seven and three tenths (1487.3) feet East of the said Southwest corner of Lot 1, thence West two hundred forty eight (248) feet to the place of beginning. Containing 0.81 acre.

And in addition twenty (20) feet of abandoned road (up to the center line thereof) adjoining the foregoing property on the South; and in addition so much of abandoned river road to the East of the foregoing property as has not heretofore been appropriated for drainage purposes or right of way therefor.

by the City of Council Bluffs, Pottawattamie County, Iowa, by Ordinance #2552, adopted October 2, 1923 inasmuch as the Village of Carter Lake was at that time a part of the City of Council Bluffs.

#### FIFTH

1. The Omaha Service Headquarters, store house, pole yard, garage, linemen's headquarters and repair shop situated at 43rd and Leavenworth Streets in the City of Omaha, Douglas County, Nebraska, including all lands and easements, rights of way, franchises and privileges owned, used or enjoyed in connection therewith.

Said premises being more particularly described as Lots four (4) and five (5) in Block three (3) in Leavenworth Terrace, an addition to the City of Omaha as surveyed, platted and recorded; also

Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), and eight (8); in Block eight (8), McCormick Second Addition, an addition to the City of Omaha, as surveyed, platted and recorded; also

Lots one (1), two (2) and three (3) in Block Three (3) in Leavenworth Terrace, an addition to the City of Omaha as surveyed, platted and recorded; also that part of the South one-half of Jones Street from 43rd Street to 44th Street, and that part of a North and South Alley between 43rd and 44th Streets from Jones Street to the first East and West Alley South of Jones Street, and the Alley between Jones Street and Leavenworth Streets, from 43rd Street to the first Alley West of 43rd Street, all in the City of Omaha, Douglas County, as vacated by the said City of Omaha by Ordinance 11987, passed January 8, 1924; also

The south one-half of vacated alley lying north of and adjoining Lot Fifteen (15), Block Eight (8), McCormick's second addition.

2. The Valley storehouse, garage, linemen's headquarters and repair shop situated at Church and West Streets in Valley, Douglas County, Nebraska, including all lands and easements, rights of way, franchises and privileges owned, used or enjoyed in connection therewith.



## SIXTH

North twenty (N. 20') feet of Lot Sixteen (16) and South twenty (S. 20') feet of Lot Seventeen (17), Block Five (5) Boulevard Park Addition, an addition to the City of Omaha, County of Douglas, State of Nebraska, as surveyed, platted and recorded.

The West fifteen (W 15) acres of the South half (S $\frac{1}{2}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section nine (9), Township fifteen (15), North of Range twelve (12), East of the 6th principal Meridian, Douglas County, Nebraska.

Block 9, Creighton's Second Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded. Except the South fifteen (15) feet thereof.

West One Hundred Eighteen and one-fourth (W. 118 $\frac{1}{4}$ ) feet of Lots Six (6), Seven (7), Eight (8), Nine (9), the South-half (S $\frac{1}{2}$ ) of Lot Ten (10) and all of the North-half (N $\frac{1}{2}$ ) of Lot Ten (10) and the West-half (W $\frac{1}{2}$ ) of vacated alley adjoining Lot Ten (10), on the East, Block Twenty (20), Boyd's Addition to the City of Omaha, Douglas County, Nebraska; also the East-half (E $\frac{1}{2}$ ) of vacated 31st Street adjoining on the West, and the South-half of vacated Sahler Street adjoining on the North.

Tax lot nine in the southwest quarter of the northwest quarter of section twenty in township fifteen north, range thirteen east of the Sixth Principal Meridian, Douglas County, Nebraska, more particularly described as follows:

Commencing at the intersection of the southern boundary of Harney Street with the western boundary of 45th Avenue in said City of Omaha; running thence west in said southern boundary of Harney Street to the point described in the deed dated July 10, 1917 and recorded in Book 417, page 228, of the records of the Register of Deeds of said county, "25.25 feet east of the place", where the "south line of Harney Street (then intersected) the east line of the right of way of the Omaha Belt Railway" (now Missouri Pacific Railroad Company), as it then existed; running thence southerly "in a curved line nearly parallel to" the east line of said right of way 292.87 feet more or less to a point on "the south line of said tax lot nine", to wit, the east and west

center line of said section, 25.49 feet east of said right of way as it then existed; running thence east along said center line to the intersection of that line with the "straight line" which is the southeast boundary of the tract of land conveyed to Fred F. Shields by deed dated February 20, 1932, and recorded in Book 599, page 83, of the records of said office which southeast boundary is the present northwest boundary of Saddle Creek Road and is located twenty feet more or less northwest of and parallel to the northwestern boundary of said Road's concrete paving; running thence northeasterly in said "straight line" to the "point on the west line of 45th Avenue, 156.68 feet north of the north line of Dewey Avenue (vacated) and 80.0 feet northwesterly from (measured at right angles to) the easterly line of Saddle Creek Road as (then) established"; running thence north along the western boundary of 45th Avenue to the place of beginning.

Tax lot twenty-five in the northwest quarter of the southwest quarter of section twenty in township fifteen north, range thirteen east in said county, more particularly described as follows:

Commencing at the intersection of said "center line of said section" with said "straight line"; running thence west along said center line to the northeast corner of the tract of land described in the Warranty Deed to Missouri Pacific Railroad Company, grantee, dated July 11, 1917 and recorded in Book 407, Page 117, of said records; running "thence southeasterly parallel to said easterly right of way line, a distance of 95.24 feet"; thence "running westerly 25 feet" to "the easterly right of way of the Omaha Belt Railroad Company", now Missouri Pacific Railroad Company, running thence southeasterly "along the said easterly line of right of way" to the intersection of said "easterly line of right of way" with the northwestern boundary of Saddle Creek Road; thence northeasterly along said northwestern boundary of Saddle Creek Road to the intersection of that boundary with the "point on the westerly line of Saddle Creek Road as originally acquired, said point being 80 feet northwesterly from (measured at right angles to) the easterly line of Saddle Creek Road as \* \* \* established" at the date of said deed dated February 20, 1932 and recorded in Book 599, Page 83 of said records which point is the point of intersection of said boundary with the "straight line" described in the deed last aforesaid; running

thence northeasterly along said "straight line" first aforesaid to the place of beginning.

All that part of lot six in block two in Leisnering's Addition to and in the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, containing 1200 square feet more or less, lying north and west of Saddle Creek Road as described in Book 267, Page two, of the office of the Register of Deeds of said County.

All that part of lot seven in said block lying north and west of said Road as described in said book and page.

All other property, whether real, personal or mixed (except any hereinafter expressly excepted), now owned by the Company and wheresoever situated, including (without in any wise limiting or impairing by the enumeration of the same the scope and intent of the foregoing or of any general description contained in this Indenture) all lands, flowage rights, water rights, flumes, raceways, dams, rights of way and roads; all plants for the generation of electricity by water, steam and/or other power; all power houses, gas plants, telephone systems, water works, water systems, steam heat plants, hot water plants, substations, gathering lines, transmission lines, distributing systems, bridges, culverts, tracks, rolling stock, vehicles, buses, automobiles, ice plants, refrigeration plants, railway systems, whether street or interurban; all offices, buildings and structures, and the equipment thereof; all machinery, engines, boilers, dynamos, machines, regulators, meters, transformers, generators and motors; all appliances whether electrical, gas or mechanical, conduits, cables and lines; all pipes whether for water, steam heat, gas or other purposes; all mains and pipes, service pipes, fittings, valves and connections, poles, wires, tools, implements, apparatus, furniture, chattels and choses in action; all municipal franchises and other franchises; all lines for the transmission and/or distribution of electric current, gas, steam heat or water for any purpose, including towers, poles, wires, cables, pipes, conduits and all apparatus for use in connection therewith; all real estate, lands,

leases, leaseholds; all contracts, whether heat, light, gas, power, water or street lighting contracts; all easements, servitudes, licenses, permits, rights, powers, franchises, privileges, rights of way and other rights in or relating to real estate or the occupancy of the same and (except as hereinafter expressly excepted) all the right, title and interest of the Company in and to all other property of any kind or nature appertaining to and/or used and/or occupied and/or enjoyed in connection with any property hereinbefore described;

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances belonging or in any wise appertaining to the aforesaid property or any part thereof, with the reversion and reversions, remainder and remainders and the tolls, rents, revenues, issues, earnings, income, product and profits thereof, and all the estate, right, title and interest and claim whatsoever, at law as well as in equity, which the Company now has or may hereafter acquire in and to the aforesaid property and franchises and every part and parcel thereof.

There is expressly excepted from this conveyance (1) all property of the Power Company, whether real, personal or mixed, in the State of Iowa which was this day conveyed by the Power Company to the Western Iowa Power Company, (2) any claims of any kind or character of the Power Company for the refund, return or credit on account of income taxes, excess profit taxes, or any other taxes, and (3) the sum of Twenty-Five Thousand Dollars for use in winding up the affairs and completing the liquidation of the Power Company.

The Power Company at any time and from time to time upon the request of the Power District, agrees forthwith to furnish and deliver such further instruments of sale, conveyance, transfer, assignment, endorsement, direction, authorization or confirmation as may be sufficient, requisite or advisable to vest in the Power District and evidence full and complete and absolute and legal and equitable title

in and to all of the business, property, assets, titles, interest and rights of the Power Company, real, personal and mixed, tangible and intangible, of every kind, nature and description, wheresoever situated, and all the right, title and interest of the Power Company therein and thereto.

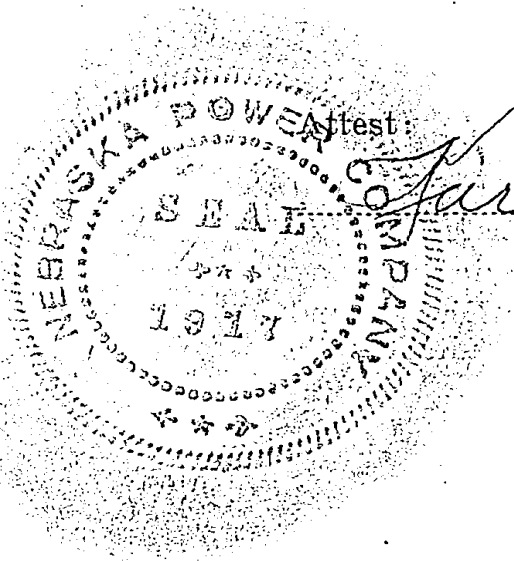
This deed is given upon the express condition that the Power District, as long as it shall continue to be the owner of such property herein conveyed, shall annually pay out of its revenue to the State of Nebraska, county, city, village and school district in which such property is located, in lieu of taxes, a sum equal to the amount which the state, county, city, village and school district receive from taxation, including occupation taxes, from such property or from the Power Company during the year immediately preceding the giving of this deed.

This instrument shall become effective and the possession of the property, assets and the business herein described shall be delivered by the Power Company to the Power District at 12 o'clock midnight central standard time December 2, 1946.

IN WITNESS WHEREOF the Nebraska Power Company has caused its corporate seal to be hereunto affixed and has caused its name to be signed to these presents by its Vice President and attested by its Secretary, as of the second day of December, 1946.

NEBRASKA POWER COMPANY  
By Charles D. Saunders  
Vice President.

Attest:  
Carl C. Brown  
Secretary.

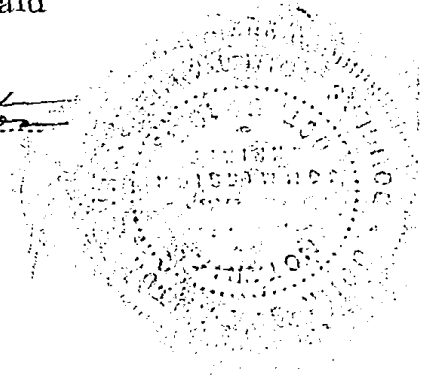


State of Nebraska }  
County of Douglas } ss

On this twenty-sixth day of December, 1946, before me, John L. Barton, a Notary Public duly commissioned and qualified in and for said County and State, came the above named Charles D. Saunders, Vice President, and Karl C. Brown, Secretary, of Nebraska Power Company, who are personally known to me to be the identical persons whose names are affixed to the foregoing instrument as Vice President and Secretary of said Corporation, and they acknowledged the instrument to be their voluntary act and deed and the voluntary act and deed of said Corporation.

Witness my hand and official seal at the City of Omaha in said County and State, the date aforesaid.

*John L. Barton*  
Notary Public.



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30.65

INDEXED BY NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
9 DAY Jan 1947 AT 10:00 A.M. THOMAS I. O'CONNOR, REGISTER OF DEEDS