



BK 0880 PG 682



MISC 1989 04372

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

RIGHT-OF-WAY EASEMENT

BOOK 880 PAGE 682

I, Maurice F. Cullen Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

That part of the North Seven and seventy-two hundredths Acres (N7-72Ac) of Tax Lot Ten (10) lying East of Lot Four (4), Block Two (2) of Ralston 1st Addition and lying South of the Chicago Burlington and Quincy Railroad in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Eleven (11), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., Douglas County, Nebraska.

in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, referred to as "Grantee", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

A strip of land Ten Feet (10') in width being Five Feet (5') each side of and parallel to underground facilities as constructed together with a strip of ground Sixteen Feet (16') in width being Eight Feet (8') each side of and parallel to overhead facilities as constructed.

CONDITIONS

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least Twelve feet (12').
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (e) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her its/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 7 day of Feb., 19 89.

4372 F. Mac

Maurice F. Cullen

BK 880 N 11-14-12 C/O FEB 10.59  
PG 682 N 11-14-12 DEL VF MC WC  
OF AWC COMP W F/B 01-6000

RECEIVED  
1989 MAR 21 PM 1:36  
GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_  
Section NE 11 Township 14 North, Range 12 East  
Salesman Hagan Engineer Korte Est. # 4465 W.O. # 9978

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me the undersigned, a Notary Public in and for said County, personally came \_\_\_\_\_

President of \_\_\_\_\_

personally to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be \_\_\_\_\_ voluntary act and deed for the purpose therein expressed.

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

NOTARY PUBLIC

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 7 day of Feb, 1989, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_

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

Witness my hand and Notarial Seal the date above written.

*Larry J. Hagan*  
NOTARY PUBLIC



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