



MISC 2004008778



JAN 21 2004 09:10 P 2

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
1/21/2004 9:10:00 AM
2004008778

Revised November 24, 2003

Doc.#

JOINT UTILITY EASEMENT

Quantum Properties II, LLC

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One (1), Town Center at Pacific Springs, an Addition as surveyed, platted and recorded in 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, Qwest Communications, and any other company which has been granted a franchise to provide a cable television system in the area to be subdivided, their successors and assigns, subject to matters of record, a permanent utility easement to erect, operate, maintain, repair, and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

(See reverse side hereof for sketch of easement area.)

The Grantor hereby grants to said Utilities, their successors and assigns, the right, privilege and authority to clear all trees, roots, brush, and other obstructions from the surface and subsurface of said strip and to temporarily open any fences crossing said strip.

Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Utilities 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 Owners(s) have executed this instrument this 14th day of January, 2004

OWNERS SIGNATURE(S)

Quantum Properties II, LLC

By: Paul M. Brown, Manager

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way SW/EPI
444 South 16th Street Mall
Omaha, NE 68102-2247

misc
FEE 10.50 FB OC-38825
BKP _____ C/O _____ COMP BW
DEL _____ SCAN _____ FV _____

COMPANY ACKNOWLEDGMENT

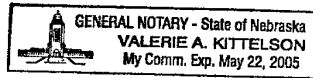
STATE OF NEBRASKA
COUNTY OF DOUGLAS

On this 17th day of January, 2003, before me the undersigned, a Notary Public in and for said County, personally came Paul M. Brown,

Manager Quantum Properties II, LLC
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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Valerie A. Kittelson
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

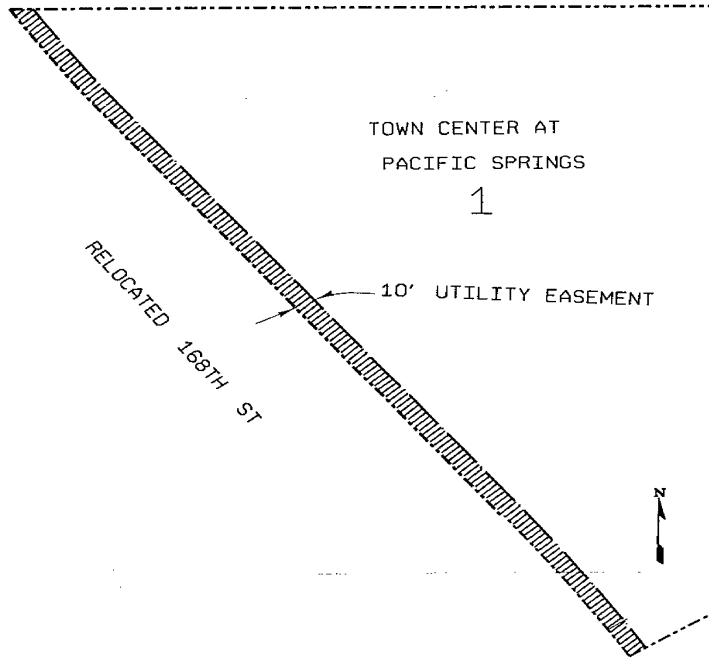
STATE OF
COUNTY OF

On this _____ day of _____, 2003, before me the undersigned, a Notary Public in and for said County and State, personally appeared

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

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC



NE 1/4 Section 21, T. 15 N, R. 11 E, County Douglas ROW RJD Date November 24, 2003

Customer Rep. Wilkins Engineer Broschat Srvc Req. # 16078 W.O.# 0014484801