

January 19, 1989

89-03042 File _____

Doc. _____

RIGHT-OF-WAY EASEMENT

MAGIC WASH OF POPILLION A LIMITED PARTNERSHIP Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One Hundred Seventy-four (174), Tara Hills Replat III as surveyed, 89-03042
platted and recorded in Sarpy County, Nebraska 3-16-89 AT 3:15 PM INSTRUMENT # _____

Roy J. Dowell

REGISTER OF DEEDS SARPY COUNTY NE

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 with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

A strip of land Ten feet (10') in width to provide for the installation of customers service.

FILED FOR RECORD 3-14-89 AT 3:41 PM INSTRUMENT # 89-029163

Roy J. Dowell

REGISTER OF DEEDS, SARPY COUNTY, NE

INDEXED _____
PAGED _____
GRANTEE _____
GRANTOR _____
FILED _____
CHECKED _____
FEE \$ 10.50

CONDITIONS: The Grantor hereby grants to the District, its 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. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

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 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 26 day of JANUARY, 19 89.

[Signature]

[Signature]

Distribution Engineer RJH Date 3-2-89 Property Management DH Date 2-2-89
Section NE 22 Township 14 North, Range 12 East
Salesman Hostetter Engineer Hostetter Est. # 8802658 W.O. # 3575

02963

03042

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

89-03042A.

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEBRASKA
COUNTY OF SARPY

STATE OF
COUNTY OF

On this 26 day of JANUARY, 19 89
before me the undersigned, a Notary Public in and
for said County, personally came LEON LAUVER
& BARBARA TYSON PARTNERS

On this _____ day of _____, 19 ____
before me the undersigned, a Notary Public in and
for said County and State, personally appeared

~~President of~~ MAGIC WASH OF PAPILLION

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

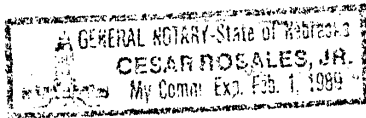
personally to me known to be the identical person(s)
and who acknowledged the execution thereof to be
voluntary act and deed for
the purpose therein expressed.

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

Witness my hand and Notarial Seal the date above
written.

Cesar Rosales Jr.
NOTARY PUBLIC

NOTARY PUBLIC



ENGINEER FOR
CITY PUBLIC POWER DISTRICT
26 West 16th Street
444 South 16th Street Mall
Omaha, NE 68102-2247