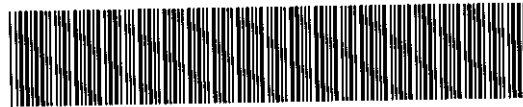




BK 1463 PG 330-331



MISC 2002 22898

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

2002 SEP 24 PM 4:02

RECEIVED

misc  $\frac{2}{2}$  FEE 11.00 FB MC-43252  
BKP C/O COMP 2  
DEL SCAN 14 FV

UNG  
Revised September 16, 2002

Doc.#

## RIGHT-OF-WAY EASEMENT

~~NEBRASKA~~ METHODIST HEALTH SYSTEM, INC.

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

Lot 5, West Dodge Health Campus Replat and Lot 2 West Dodge Health Campus Replat 2, both 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, does hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, hereafter referred to as "District", a permanent non-exclusive right of way easement with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its 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:

(See Exhibit "A" on the reverse hereof for a drawing of the easement area.)

### CONDITIONS:

Subject to the terms and conditions hereof, 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 as necessary to install District's facilities 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.

This easement is granted subject to the following conditions and restrictions, all of which shall govern the use and enjoyment of the easement by District and, by acceptance of this easement, District agrees, on behalf of itself and its successors and assigns, to perform and comply with all such conditions and restrictions:

1. District will promptly repair any damages to any improvements upon the Grantor's property caused by any construction, maintenance, repair, replacement or any other activities in or around the easement area caused by District, or District's employees, agents or contractors.
2. If this easement is terminated for any reason, all of District's facilities in the easement area shall be promptly removed by District and the easement area restored as nearly as possible to the condition that existed prior to the installed of such facilities.
3. Grantor retains the right to use those portions of the surface of the easement area not containing District's above ground structures for landscaping, and may pave the same for parking, walks, and drives. Grantor may grant easements to others over and upon the easement area for uses that are not inconsistent with the District's use of the easement area.

The Grantor covenants that it has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that its, 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.

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way 6W/EP1  
444 South 16th Street Mall  
Omaha, NE 68102-2247

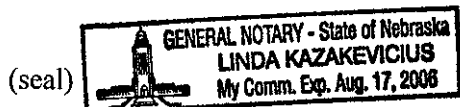
IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 20 day of September 2002.

Methodist  
Nebraska Health System, Inc.

By: [Signature]  
Its: V. P.

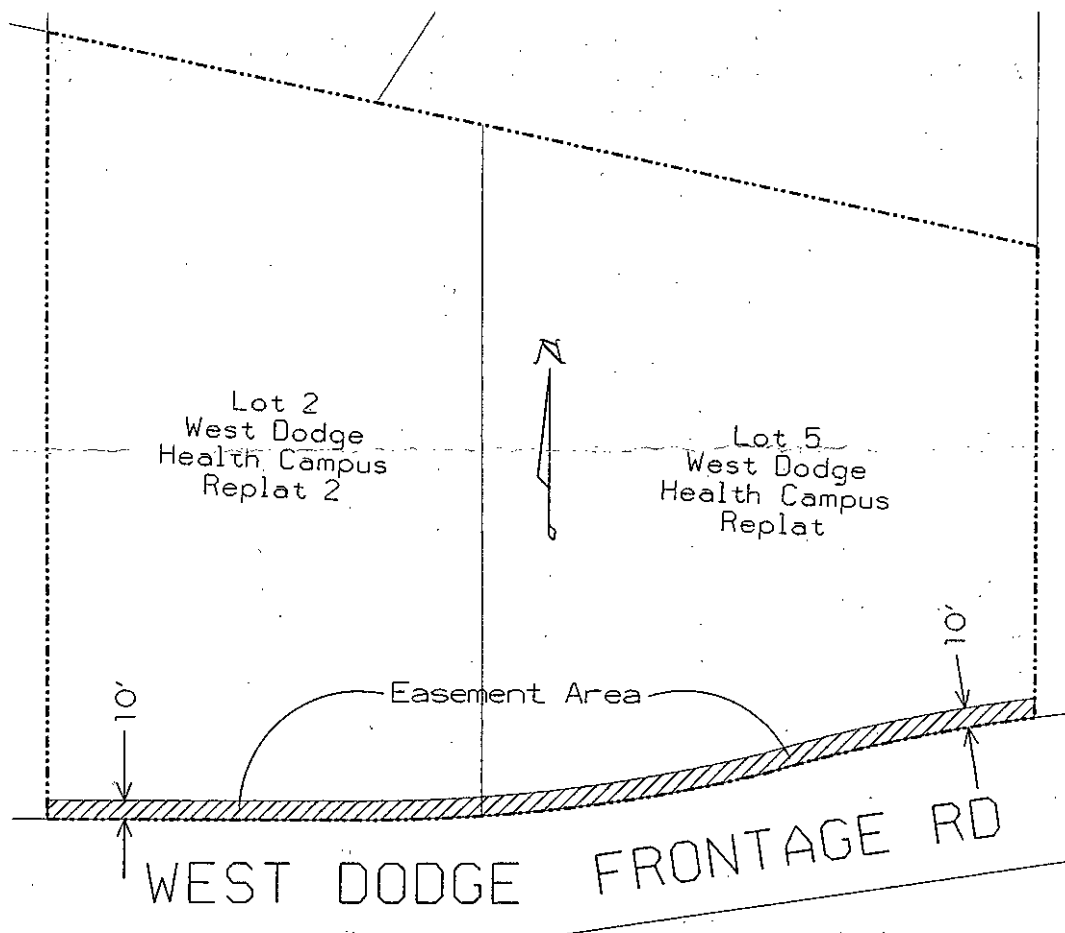
STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 20 day of Sept, 2002, by [Signature] President of Nebraska Health System, Inc., a Nebraska non-profit corporation, on behalf of the corporation. Methodist



[Signature]  
Notary Public  
My commission expires: Aug 17, 2006

Exhibit "A"



US HWY 6  
WEST DODGE RD

SE $\frac{1}{4}$ , Section 15, T 15 N, R 11 E, County Douglas ROW RAM  
Rep Carnazzo Engineer Brchat Serv Req # W.O.# 121643-01