

RIGHT-OF-WAY EASEMENT

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

Lots Seven (7), Eight (8) and Nine (9), Ernest Sweets 2nd Addition, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

3 Misc

RECEIVED

1988 FEB 20 PM 3:30

C. HARVEY ASHLEY  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

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Fee 375 Index ✓ Comped ✓  
N 48-34-38

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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its successors and assigns, collectively referred to as "Grantees", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to wit:

A strip of land Five feet (5') in width, lying adjacent to and parallel to the South line of said Lots Seven (7), Eight (8) and Nine (9), Ernest Sweets 2nd Addition.

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) 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 27 day of Dec, 19 79

X Joe Fraidentraich

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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

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

My Commission expires: \_\_\_\_\_

STATE OF Nebr  
COUNTY OF Doug

On this 27 day of Dec, 19 79, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_

Joe Fraidentraich  
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.

GENERAL NOTARY - State of Nebraska  
JOHN MYRRE ROSE  
My Comm. Exp. Nov. 17, 1981

My Commission expires: \_\_\_\_\_

Distribution Engineer SA Date 2/6/80 Land Rights and Services SAH Date 1/14/80

Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
Section \_\_\_\_\_ Township \_\_\_\_\_ North, Range \_\_\_\_\_ East Salesman Cottling-Hultman Est. # 4517 M.O. # 6111