



MISC 2006115389



OCT 06 2006 09:21 P 2

MISC
 FEB 10.30. FB 00-10995
 BNP C/O COMP SR
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Joint
 August 17, 2006

Doc.#

Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 10/6/2006 09:21:01.84



2006115389

JOINT UTILITY EASEMENT

Elk Ridge Independent Living, L.L.C. Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot 1, Elk Ridge Replat I 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, hereafter referred to as "Grantees", and any other company which has been granted a franchise to provide cable television in the area to be subdivided, their successors and assigns, 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:

A strip of ground varying in width, but for the most part ten feet (10') in width, being five feet (5') each side of and parallel to the electric facilities as installed. (See Exhibit "A" on the reverse side hereof for approximate location of the 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.

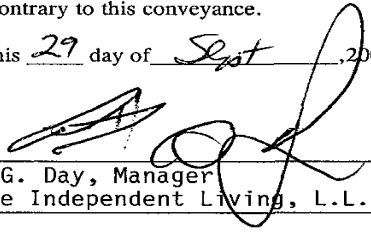
Grantor agrees that grade shall not be reduced more than One foot (1') in elevation without the prior approval of the District.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping, driveways, roads, parking 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 Owner(s) have executed this instrument this 29 day of Sept, 2006.

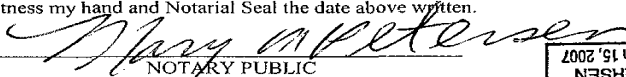
OWNERS SIGNATURE(S)

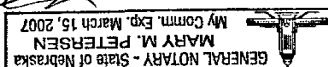

 Patrick G. Day, Manager
 Elk Ridge Independent Living, L.L.C.

CORPORATE ACKNOWLEDGMENTSTATE OF NECOUNTY OF Douglas

On this 29 day of Sept, 2006 before me the undersigned, a Notary Public in and for said County, personally came Patrick G. Day President of manager of ELKridge IL LLC 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.

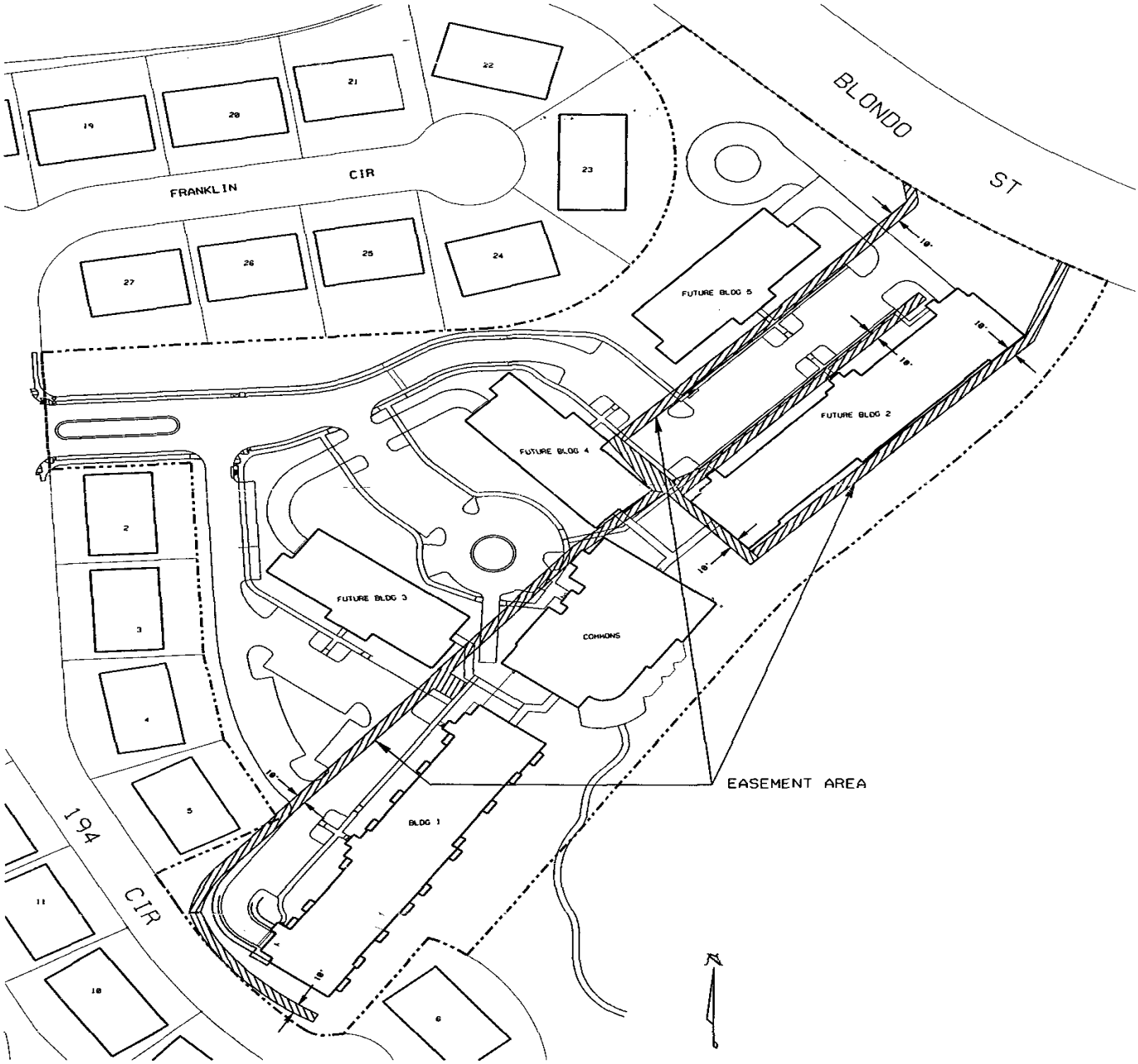
Witness my hand and Notarial Seal the date above written.


 NOTARY PUBLIC



RETURN TO:
 OMAHA PUBLIC POWER DISTRICT
 % Land Rights 5E/EP2
 444 South 16th Street Mall
 Omaha, NE 68102-2247

EXHIBIT "A"



NE 1/4, Section 18, T. 15 N, R. 11 E, County Douglas ROW LJH
Customer Rep Carnazzo Engineer Rose Est. # 00024582 W.O.# 002233125-01