

49-705

RIGHT-OF-WAY EASEMENT

I, National Farmers Group Buying, Inc. Owner(s)  
We, of the real estate described as follows, and hereafter referred to as "Grantor":

Lot seven (7) Papillion Industrial Park, Sarpy County, Nebraska.

FILED FOR RECORD 11-10-76 AT 8:40<sup>AM</sup> M. IN BOOK 49 OF Misc Recs.  
PAGE 205 Carl & Hilbeled REGISTER OF DEEDS, SARPY COUNTY, NEB. 3<sup>25</sup>

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:

The east twelve (12) feet of Lot seven (7) Papillion Industrial Park, Sarpy County, Nebraska.

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 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

F.E. Nelson  
Margery Nelson

STATE OF Nebraska  
COUNTY OF Sarpy  
On this 21st day of October, 1976,  
before me the undersigned, a Notary Public in and for said  
County, personally came F.E. Nelson  
President of Natl Farmers Group Buying, Inc  
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 a voluntary act and deed for the purpose  
therein expressed.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
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.

GENERAL NOTARY - State of Nebr.  
JOANN K. KRUMWIED  
Notary Public in and for Sarpy County, Nebraska, Ne in  
the day and year last above written.

Joann K. Krumwied  
NOTARY PUBLIC

Witness my hand and Notarial Seal the date above written.  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission expires: July 17, 1979

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

Distribution Engineer SA Date 11/22/76 Land Rights and Services Bill P Date 10/22/76

Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
Section 27 Township 14 North, Range 12 East Salesman Janicek Engineer Perkins Est. #28489 M.O. # 4662

503 West 6th Street  
Papillion, Nebraska

Rec # 60996