

This easement cancels and supersedes that certain easement dated July 9, 1970, and recorded in Book 491 of Miscellaneous Records at Page 241, Douglas County, Nebraska.

BOOK 492 PAGE 95

EASEMENT

Franklin P. Rogers and Harry Hess, Partners
d/b/a Industrial Dev. Co., a partnership. Owner(s)

of (agent for) the real estate described as follows: Lots Three (3) through Twenty-three (23) inclusive, Cornhusker Industrial Park III, a subdivision of Douglas County, Nebraska.

In consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, its successors and assigns, an easement, as indicated, feet in width, to construct, operate and maintain its electric transmission and distribution line(s), consisting of poles, wires, cables, fixtures, guys and anchors, together with the right to trim any trees, along said line(s) where necessary to secure a clearance of at least twelve feet (12') for the wires.

The electric line(s) are to be located as herein described:

The Grantor also grants the OMAHA PUBLIC POWER DISTRICT power to extend to the Telephone Company the right to use jointly with the OMAHA PUBLIC POWER DISTRICT any pole placed pursuant to the provisions hereof.

The foregoing right is granted upon the express condition that the OMAHA PUBLIC POWER DISTRICT will assume liability for all damages to the above described property caused by said District's failure to use due care in its exercise of the granted right.

It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his, their heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 12 day of August, 1970.

ATTEST: [Signatures] INDUSTRIAL DEV. CO., a partnership
Franklin P. Rogers, Partner Harry Hess, Partner

STATE OF _____
COUNTY OF _____ ss

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) 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 the date above written.

Notary Public
My Commission expires _____

#13a 9-6-68
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STATE OF Nebraska
COUNTY OF Douglas ss

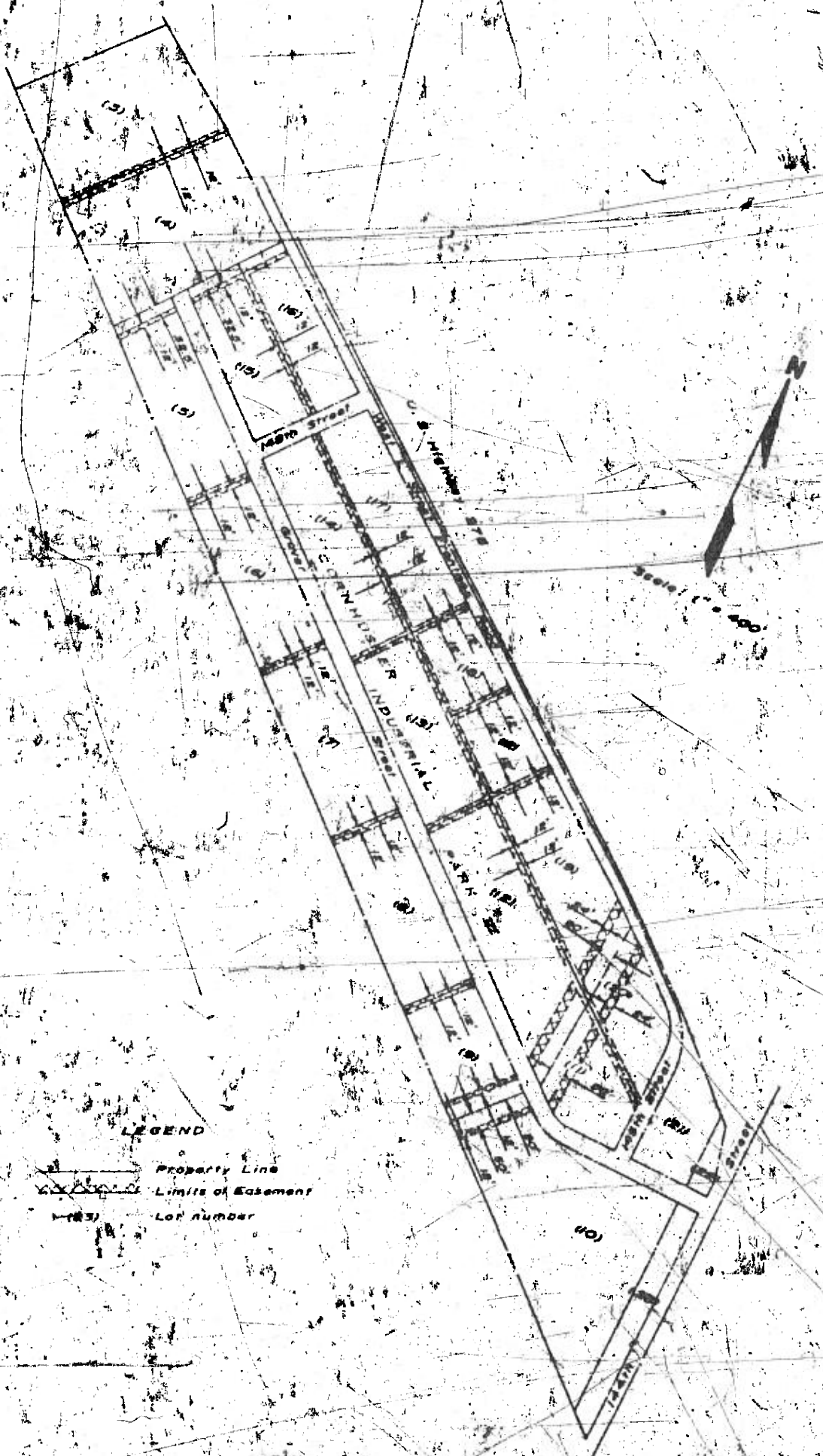
On this _____ day of _____ 19____, before me the undersigned, a Notary Public in and for said County, personally called Franklin P. Rogers and Harry Hess, Partners of _____

INDUSTRIAL DEV. CO., a Partnership to be personally known to be the identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be voluntary act and deed as such Partnership.




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

Notary Public
Oct 19 1973





LEGEND

-  Property Line
-  Limits of Easement
-  Lot Number

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
 14 DAY OF August 19 1957
 G. HAROLD OGDEN, REGISTER OF DEEDS