

BOOK 551 PAGE 120

OPPD Form No. 1-75-2

82-72 NOW in Blondo St + Affects Lot 1 Crosskey Villages Rep 2.

RIGHT-OF-WAY EASEMENT

Distribution

I, H. Lee Gendler, Trustee Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor", Lot Eleven (11), Crosskey Villages, an addition to Douglas County, Nebraska, as surveyed, platted and recorded.

District agrees to return the surface of the easement area to its original condition upon completion of work.

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 OMAHA PUBLIC POWER DISTRICT, 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 South Fifteen feet (15') of the West Four Hundred Seventy-eight and Seventy-eight Hundredths feet (478.78') of Lot Eleven (11), Crosskey Villages, an addition to Douglas County, Nebraska, as surveyed, platted and recorded.

CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of cables, fixtures, 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 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 25th day of April, 1978. H. Lee Gendler, Trustee

STATE OF Nebraska COUNTY OF Douglas On this 25th day of April, 1978 before me the undersigned, a Notary Public in and for said County, personally came H. Lee Gendler, Trustee President of persons 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.

STATE OF Nebraska COUNTY OF Douglas On this 25th day of April, 1978 before me the undersigned, a Notary Public in and for said County and State, personally appeared H. Lee Gendler, Trustee 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.

Witness my hand and Notary Seal at said County the day and year last above written. NOTARY PUBLIC

BEVERLY R. SHOEMAKER GENERAL NOTARY State of Nebraska My Commission Expires June 29, 1978

My Commission expires: June 26, 1978 Distribution Engineer Date Land Rights and Services Date Recorded in Misc. Book No. at Page No. on the day of Section Township North Range East Salesman Engineer Reimold Est. F. N.O. #

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA 3.25 1978 AT 1:49 P.M. G. HAROLD OSTLER, REGISTER OF DEEDS 20 DAY OF May