

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way 6W/EP1  
444 South 16th Street Mail  
Omaha, NE 68102-2247

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
97-016248  
97 JUL 31 PM 1:28  
*Glenn J. Lansing*  
REGISTER OF DEEDS

97-16248  
Counter 90  
Verify: 70  
D.E.: 70  
Proof: 70  
Fee: 2150  
Ck ☐  
Cash ☐  
Charge ☒ OPPD

BKUG

Doc.# \_\_\_\_\_

May 16, 1997

### RIGHT-OF-WAY EASEMENT

#1 Eagle Crest Development Co., L.L.C.

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

Lots Ten and Eleven, Lots Forty through Forty-nine, inclusive, Lots Eighty-two through Ninety-two, inclusive and Lot One Hundred Six, all of Eagle Crest Addition, as surveyed, platted and recorded in Sarpy 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, a public corporation, its successors and assigns, hereafter referred to as "District", a permanent right of way easement with rights of ingress and egress thereto, to construct, operate, maintain, replace and remove its underground electric facilities, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

A strip of land Ten feet (10') in width as indicated on the reverse side hereof to provide for the District's Underground facilities. (See sketch on the reverse side hereof for easement locations.)

#### CONDITIONS:

The Grantor hereby grants to the District, its 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. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

In granting this easement, it is understood that said cables shall be buried below plow depth in order to not interfere with the ordinary cultivation of the strip. Damages to fences and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

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 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.

#2 IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 18 day of June, 19 97

#### OWNERS SIGNATURE(S)

#3 *Michael F. Rogers*  
Michael F. Rogers, President

<COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF>

016248

97-16248A

**CORPORATE ACKNOWLEDGMENT**

STATE OF

COUNTY OF

On this 18 day of JUNE, 1997, before me the undersigned, a Notary Public in and for said County, personally came

MICHAEL F. ROGERS

President of

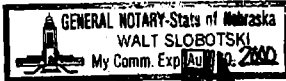
EAGLE CREST DEVELOPMENT CO., LLC.

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 a voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Walt Slobotski

NOTARY PUBLIC



**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF

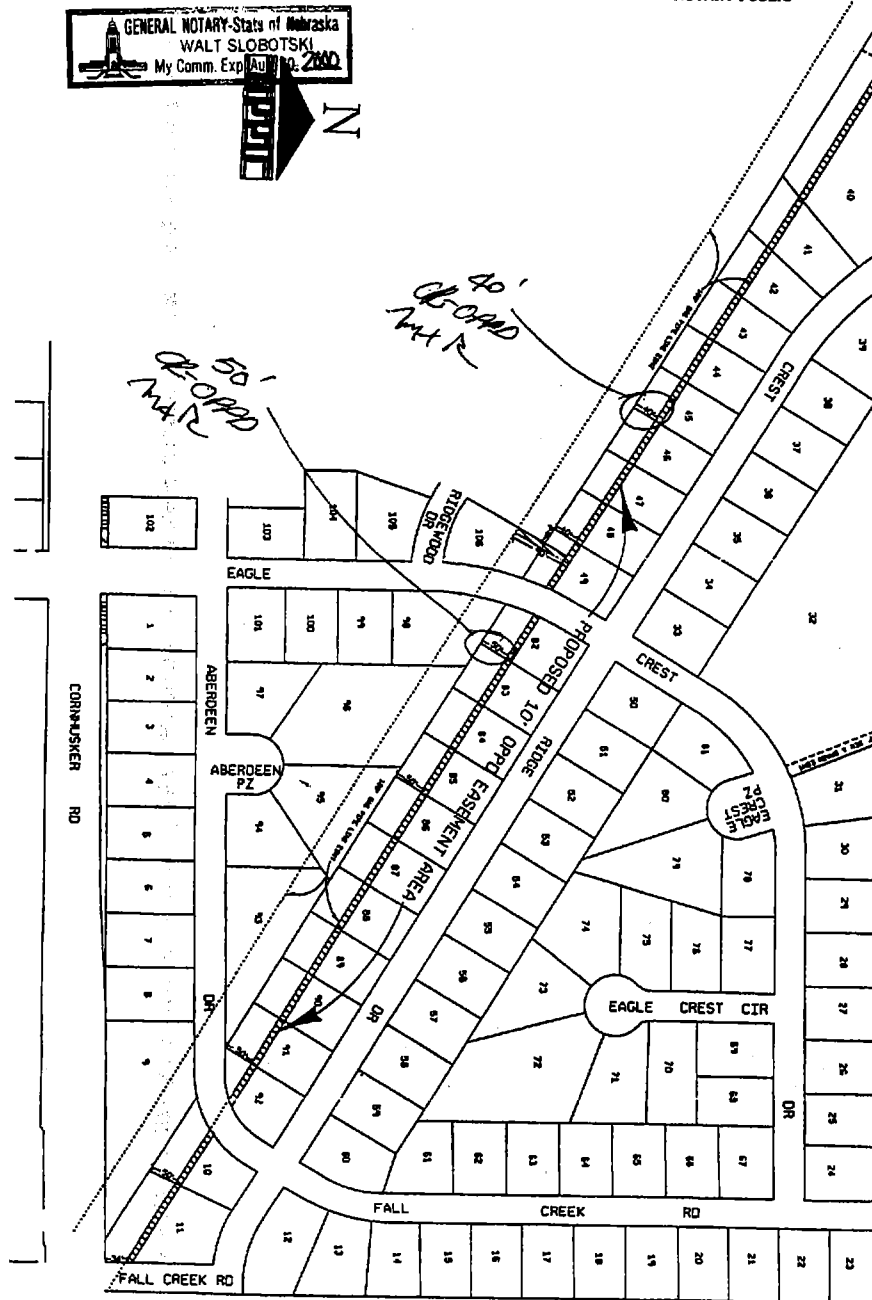
COUNTY OF

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) who acknowledged the execution thereof to be a voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section SE 1/4 24 Township 14 North, Range 12 East  
Salesman Rosales Engineer Padilla Est# 960163001 W.O.# M19495