

FILED SARPY CO. NE
INSTRUMENT NUMBER
2005-34915

2005 SP 22 PM 2: 54

Glenn J. Dowling
REGISTER OF DEEDS

COUNTER *ah* C.E. *a*
VERIFY *5* D.E. *TM*
PROOF *P*
FEES \$ *11.00*
CHECK# _____
CHG. *PPD* CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

September 20, 2005

Doc _____

RIGHT-OF-WAY EASEMENT

Dowd Grain Company, Inc., and Duane J. Dowd, owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One (1), Equestrian Ridge Estates Replat, a Subdivision as surveyed, plated and recorded in Sarpy County, Nebraska. Together with the East half of the Southeast Quarter (E½ SE¼) in Section Twenty-seven (27), Township Fourteen (14) North, Range Ten (10) East of the 6th P.M., 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 to install, operate, maintain, repair, replace, and renew its overhead electric facilities over and across the following described real estate, to wit:

~~As per plat being the North Half of (S) 27, 14 N, 10 E, Sarpy County, Nebraska described properties.~~

CONDITIONS:

This easement shall be for the overhang of wires and crossarms only and no poles shall be allowed within the Easement area.

Where the District's facilities are constructed the District shall have the right to operate, maintain, repair, replace it's overhead wires 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').

The District 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.

Where the District's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach in the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the District, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.

Where the District's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to the District's facilities.

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/its/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.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 21st day of September, 2005.

OWNERS SIGNATURE(S)

Donald A. Dowd _____
Duane J. Dowd _____
President _____

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

34915

2005-34915A

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 21st day of September, 2005, before me the undersigned, a Notary Public in and for said County, personally came Duane J. Dowd, President of Dowd Grain Company, Inc., a Nebraska corporation, 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.

Janette L. Price
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 21st day of September, 2005, before me the undersigned, a Notary Public in and for said County and State, personally appeared Duane J. Dowd, 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.

Janette L. Price
NOTARY PUBLIC



SE 1/4, Section 27, T 14 N, R 10 E, County Sarpy ROW RJD Date September 20, 2005

Customer Rep De George Engineer Lenhard Est. # W.O.# 195287