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January 12, 1999

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Date
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By

RICHARD H. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

99 MAR -5 PM 3:09

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

### RIGHT-OF-WAY EASEMENT

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

Lots Thirty-five (35) through Thirty-nine (39), Fairway Ridges, as surveyed, platted, and recorded in Sarpy County, Nebraska.

*DOUGLAS*

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:

See Exhibit on the reverse side of this document.

#### 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.

IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 22<sup>nd</sup> day of February, 1999

#### OWNERS SIGNATURE(S)

*Ridges Limited Partnership  
by Ridges Corporation Gen Part  
by Timothy J. Marchezolas Pres.*

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

*f+r*  
RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
% Right of Way SVI/EP1  
444 South 16th Street Mall  
Omaha, NE 68102-2247

*3370*  
FEE 12.50 FB 00-11903  
BKP comp C/O COMP 10  
DEL \_\_\_\_\_ SCAN ds FY \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**

STATE OF Nebraska  
COUNTY OF Douglas

On this 22nd day of February, 1999, before me the undersigned, a Notary Public in and for said County, personally came TIMOTHY J. Mc KEYNOLDS, President of RIDGES LIMITED PARTNERSHIP BY RIDGES CORPORATION GEN. PART. 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.

Randy J. DeGeorge  
NOTARY PUBLIC

**INDIVIDUAL ACKNOWLEDGMENT**

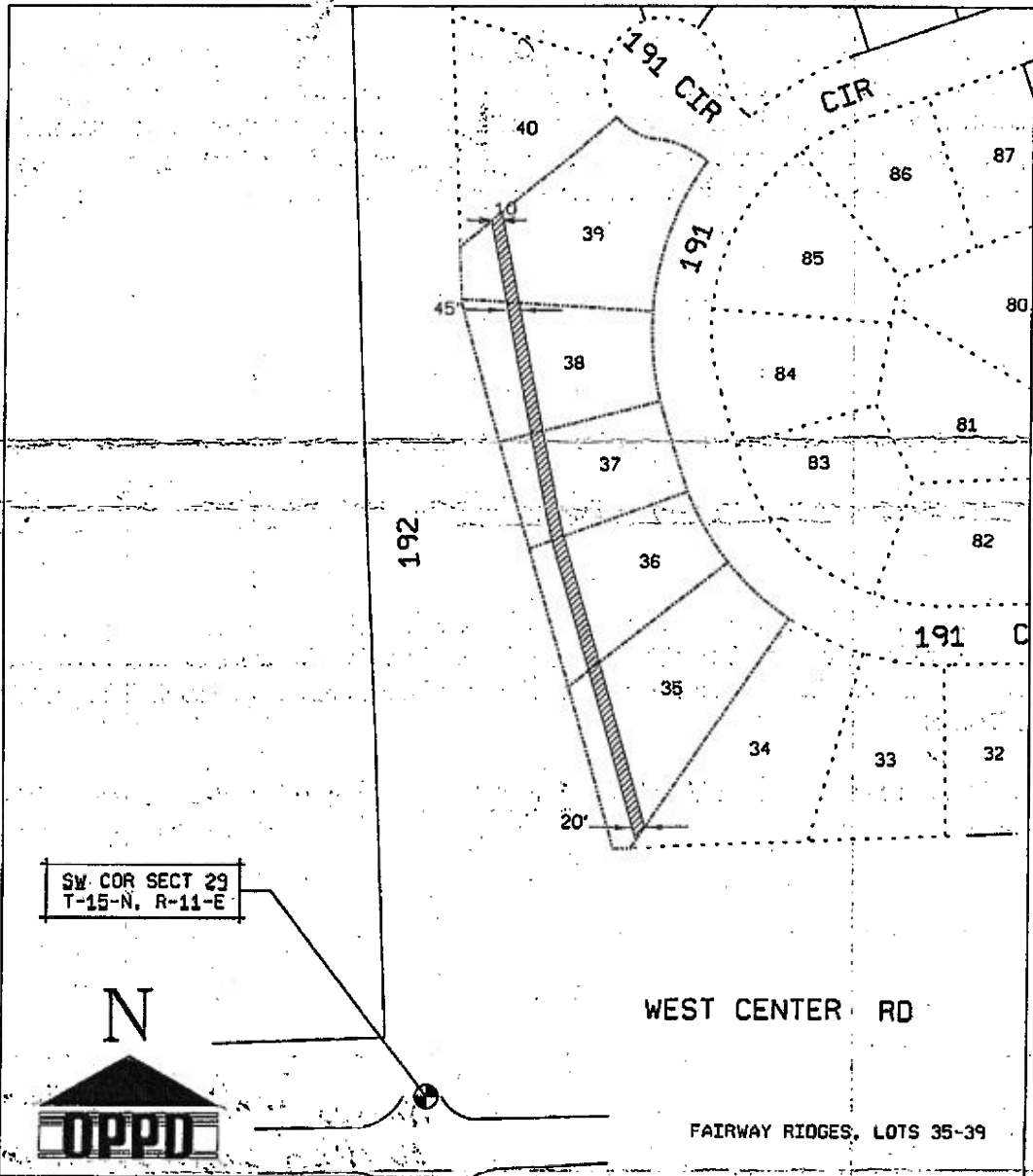
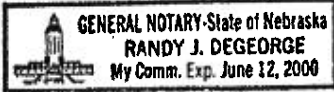
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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) 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



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section SW 1/4 29 Township 15 North, Range 11 East  
Salesman Keating Engineer \_\_\_\_\_ Wilkins Est 970218001 WO# M1\_7647