

RIGHT-OF-WAY EASEMENT

FALCON FOREST, INC., A Nebraska Corporation, Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor":

Lots One Hundred Twenty-three (123) thru Three Hundred Four (304), inclusive and the Replat of Lot Seventeen (17), Falcon Forest, an addition to Sarpy County, Nebraska, as surveyed, platted and recorded.

FILED FOR RECORD 2-13-79 AT 10:10A M. IN BOOK 52 OF Miss. Land
PAGE 85 Carl S. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB. 48 75

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 NORTHWESTERN BELL TELEPHONE COMPANY, 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:

A strip of Five feet (5') in width, lying adjacent to and parallel to the side lot lines of all of the above referenced lots.

CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors 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 overhead 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 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 parties hereto have signed their names and caused the execution of this instrument this 4th day of January 1979.

ATTEST: William J. Drey
Secretary

FALCON FOREST, INC.
By Glen Palmer Pres

STATE OF _____
COUNTY OF _____
On this _____ day _____, 19____,
before me the undersigned, a Notary Public in and for said
County, personally came _____
President of _____
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.

STATE OF Nebraska
COUNTY OF Blount
On this 4th day of January, 1979,
before me the undersigned, a Notary Public in and for said County and
State, personally appeared _____
Glen Palmer, President
of Falcon Forest, Inc., a corporation,
personally to me known to be the identical person(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 at _____ in
said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.
KATHLEEN A. MILLS
GENERAL NOTARY
State of Nebraska
MY COMMISSION EXPIRES Dec. 9, 1981
NOTARY PUBLIC
My Commission expires: Dec 9, 1981

Distribution Engineer SKT Date 2/9/79 Land Rights and Services SKK Date 1/9/79
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section 8 Township 13 North, Range 13 East. Salesman Graves Engineer PLUMMER Est. #50257 x.O. #
Act# 01297