

49-166
Distribution

RIGHT-OF-WAY EASEMENT

I, Fontenelle Hills Company, Inc. Owner(s)
do hereby grant to the real estate described as follows, and hereafter referred to as "Grantee",

Fontenelle Hills, a subdivision located in a part of Section 23 and part of Section 24, and a part of the North Half of Section 25, all in Township 14 North, Range 13 East of the 6th P. M., Sarpy County, Nebraska.

4-13-76 at 1:00 PM 49 DE MISS. REC. 24.25
PAGE 166 Carl L. Hildebrand REGISTER OF DEEDS, SARPY COUNTY, NEB

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 DAKOTA 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:

See reverse side of this document for easement areas.

CONDITIONS:

- 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').
- 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.
- Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or on the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantee. The easement may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- 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 15th day of March, 1976.

[Signature]
FONTENELLE HILLS CO., INC.
NOTARY PUBLIC

STATE OF NEBRASKA
COUNTY OF SARPY

STATE OF
COUNTY OF

On this 15th day of March, 1976, before me the undersigned, a Notary Public in and for said

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____

County, personally came B. JOE DENNIS
President of FONTENELLE HILLS CO., INC.
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 their voluntary act and deed for the purpose therein expressed.

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 at Bellevue in said County the day and year above written.

Witness my hand and Notarial Seal the date above written.

[Signature]
VIRGINIA D. BROOKS
GENERAL NOTARY
State of Nebraska
My Commission Expires August 8, 1978

NOTARY PUBLIC

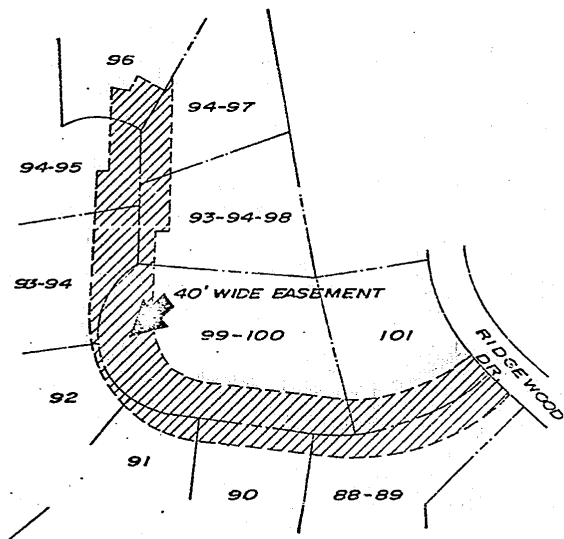
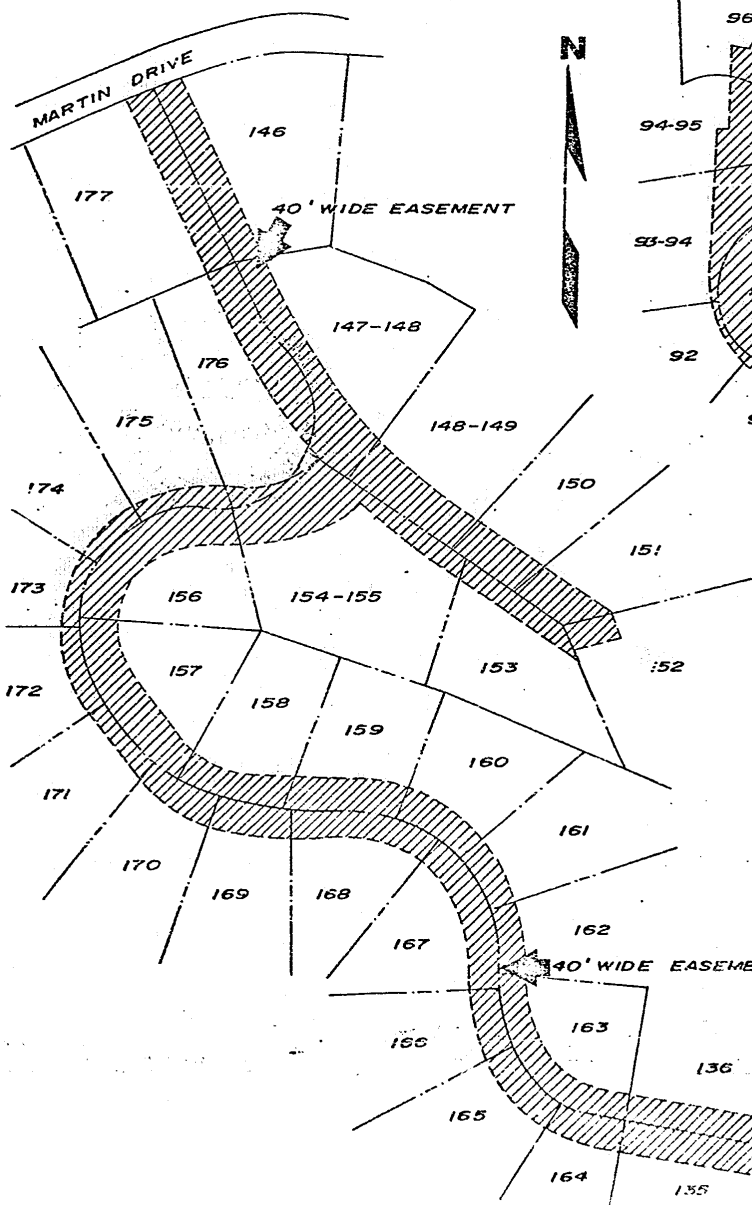
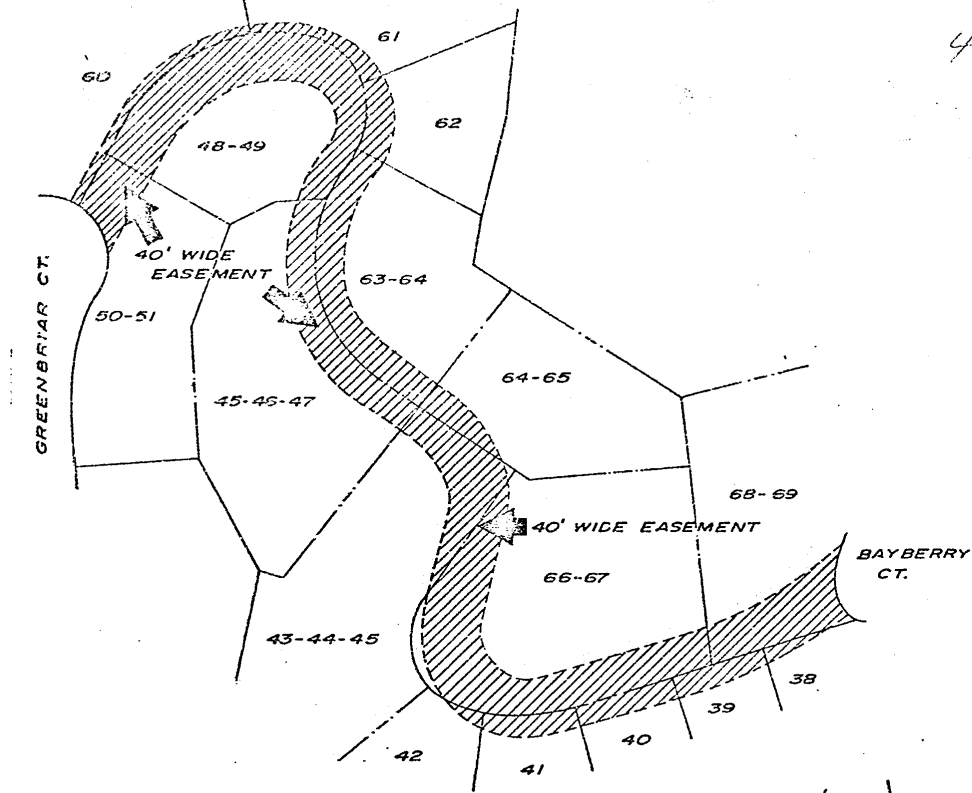
Distribution Engineer SH Date 3/26/76 Land Rights and Services RWP Date 3/26/76

Recorded in Book No. 23, 24, 25 at Page No. _____ on the _____ day of _____, 19____
Section 14 Township 14 North, Range 13 East Salesman Graves Engineer D'Lothy Ist. # 48172 N.O. # 9031

Fontenelle Hills
Sarpy County, SID #43
Bellevue, Nebraska

Rec # 53742

49-166A



A 5'-0" EASEMENT ON ALL SIDE LOT LINES TO BE INCLUDED WHERE RE-PLATTED.