

36-16-9

CITY OF VALLEY

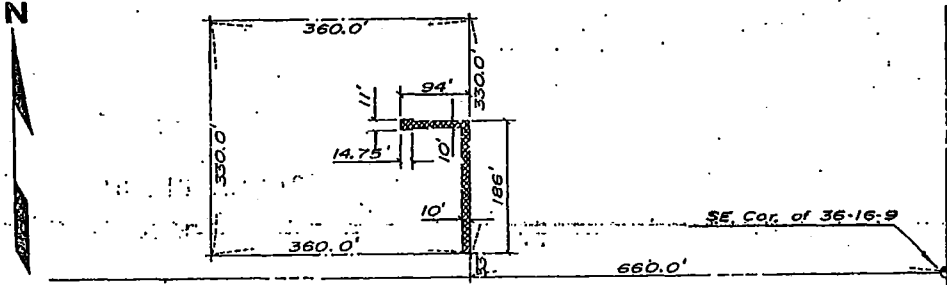
RIGHT-OF-WAY EASEMENT

1. BY: John L. Sullivan Mayor City of Valley, Neb. Owner(s)

That part of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 36, Township 16 North, Range 9 East of the 6th R.M., Douglas County, Nebraska, described as follows: Beginning at a point 33' North of the Southeast corner of said SW 1/4 of SE 1/4 SE 1/4 of Section 36; thence Westerly parallel with the South line of said Section 36 for 360.0 feet; thence Northerly and parallel to the East line of said SW 1/4 of SE 1/4 of SE 1/4 of Section 36 for 330.0 feet; thence Easterly and parallel to the South line of said Section 36 for 360.00 feet; thence Southerly along the East line of said SW 1/4 of SE 1/4 SE 1/4 of Section 36 for 330.00 feet to the point of beginning.

77 ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA 325
19 DAY OF Dec 1975 AT 11:10 A.M. C. HAROLD OSTLER, REGISTER OF DEEDS

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:



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 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 13 day of December 1975 JOHN L. SULLIVAN, MAYOR, CITY OF VALLEY, NEBR.

John L. Sullivan, Barbara P. Poirer

STATE OF Nebraska COUNTY OF Douglas On this 13 day of December 1975 before me the undersigned, a Notary Public in and for said County, personally came Mayor of the City of Valley, Neb. Barbara P. Poirer City Clerk 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 said County the day and year last above written.

Witness my hand and Notarial Seal the date above written. STEVE MINER GENERAL NOTARY State of Nebraska My Commission August 30, 1977 NOTARY PUBLIC My Commission expires Aug 30, 1977

My Commission expires: Distribution Engineer H Date 11/11/75 Land Rights and Services Date 11/11/75 Recorded in Misc. Book No. at Page No. on the day of 19 Section 36 Township 16 North, Range 9 East Salesman Cope Engineer Iverson Est. 126046 N.O. 8827

Valley Nursing & Care Center Valley, Nebraska