

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Real Estate Division
444 South 16th Street Mall
Omaha, NE 68102-2247

INSTRUMENT NUMBER
93-026298

93 OCT 19 AM 11:09

Carol A. Brette
REGISTER OF DEEDS

93-26298
Proof M
D.E. A
Verify V
Filmed _____
Checked _____
Fee \$ 6.00

BKUG
July 14, 1993

RIGHT-OF-WAY EASEMENT

Doc. # _____

Kevin Haley _____ Owner(s)

of the real estate described as follows, and hereafter referred to as "Grantor",
A tract of land lying in the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 34, Township 14 North, Range 10 East and the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 35, Township 14 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, being more particularly described as follows: Beginning at the Northeast corner of Section 34, Township 14 North, Range 10 East; thence N89°23'43" East along the North line of Section 35, Township 14 North, Range 10 East a distance of 1327.21'; thence S00°08'52" East a distance of 330.00'; thence S68°40'23" West a distance of 1835.95'; thence S89°56'53" West a distance of 717.78' to the centerline of an ingress and egress easement; thence N01°35'49" East along said centerline a distance of 50.02'; thence N89°56'53" East a distance of 716.11'; thence N00°19'00" West a distance of 933.38' to the North line of Section 34, Township 14 North, Range 10 East; thence N89°56'53" East along the North line of Section 34 a distance of 387.67' to the Point of Beginning. Containing 26.6 Acres more or less.

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:

A strip of land Ten feet (10') in width being Five feet (5') each side of and abutting the Districts facilities as constructed, to provide for the installation of customers service.

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/his/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 3rd day of August, 1993.
OWNERS SIGNATURE(S)

Kevin P. Haley
Carolanne Haley

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF

STATE OF Nebraska

COUNTY OF

COUNTY OF Sarpy

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

On this 3rd day of August, 1993, before me the undersigned, a Notary Public in and for said County and State, personally appeared

President of _____

Virginia K. Brette

_____ 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.

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be A voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

NOTARY PUBLIC

GENERAL NOTARY-State of Nebraska
VIRGINIA K. BRETTE
My Comm. Exp. April 17, 1994

026298

Distribution Engineer RZ Date 8/20/93 Property Management _____ Date _____
Section NE $\frac{1}{4}$ 34, NW $\frac{1}{4}$ 35 Township 14 North, Range 10 East
Salesman McGowan Engineer McGowan Est. # 930096001 W.O.# M15492

chg
ppp