

RIGHT-OF-WAY EASEMENT

April 3, 1991

Kersten & Lee, a partnership,

Owner(s)

of the real estate described below, and hereafter referred to as "Grantor(s)", 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 to install, operate, maintain, repair, replace and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

Part of Tax Lot 1 in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T14N, R10E of the 6th P.M., Sarpy County, Nebraska, together with part of the SW $\frac{1}{4}$ of Section 30, T14N, R11E of the 6th P.M., Sarpy County, Nebraska lying South of the South line of the C.B. & Q. Railroad all more particularly described as follows: Commencing at the SE corner of said Section 25; thence North (assumed bearing) 77.00 feet on the East line of said Section 25 to the point of beginning said point being on the North line of Highway 370; thence Westerly on the North line of Highway 370 on the following described four courses: thence S89°45'54"W 476.37 feet; thence N70°15'14"W 175.57 feet; thence N45°14'05"W 127.28 feet; thence S62°35'55"W 65.69 feet to the West line of said Tax Lot 1; thence N00°05'06"W 669.79 feet on the West line of said Tax Lot 1 to the Southeasterly line of the C.B. & Q. Railroad; thence N62°20'09"E 141.70 feet on the Southeasterly line of the C.B. & Q. Railroad to a point of curve; thence Northeasterly on the Southeasterly line of the C.B. & Q. Railroad on a 2793.15 foot radius curve to the left; chord bearing N55°18'30"E, chord distance 683.44 feet, an arc distance of 685.16 feet to the North line of said Tax Lot 1; thence N89°31'09"E 103.82 feet on the North line of said Tax Lot 1 to the West line of the SW $\frac{1}{4}$ of said Section 30; thence North 166.02 feet on the West line of said SW $\frac{1}{4}$ to the Southeasterly line of the C.B. & Q. Railroad; thence N45°54'45"E 733.53 feet on the Southeasterly line of the C.B. & Q. Railroad; thence S00°41'15"E 244.29 feet; thence S66°53'29"E 1150.67 feet; thence S40°09'36"W 1597.17 feet to the North line of Highway 370; thence S89°47'01"W 555.18 feet on a line 77.00 feet North of and parallel to the South line of said Section 30 and on the North line of Highway 370 to the point of beginning.

CONDITIONS:

Where the District's facilities are constructed, the District shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power, including all services of the District to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land Sixteen feet (16') in width, being Eight feet (8') on each side of and abutting the District's facilities as constructed.

The District 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.

Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where the District's facilities have been constructed.

The District shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be.

It is further agreed Grantor has lawful possession of said real estate, good right and lawful authority to make such conveyance and that his/her/its/heirs, executors, administrators, successors or 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 8th day of April, 19 91.

X Ernest V Kersten
X Ralph Lee

OWNERS SIGNATURE(S)Distribution Engineer RRJ Date 4-18-91Property Management JSR Date 4-22-91Section SE $\frac{1}{4}$ 25 Township 14 North, Range 10 EastSalesman Edwards Engineer Edwards Est. # 910042101 w.o. # 8396**COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE**

25-14-10

30-14-11

SE
P
4SW P P
P P P
1 2 3 4**CORPORATE ACKNOWLEDGEMENT**

STATE OF

COUNTY OF

On this _____ day of _____, 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.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

91-05478 A

INDIVIDUAL ACKNOWLEDGEMENTSTATE OF NebraskaCOUNTY OF Sarpy

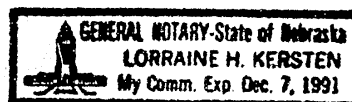
On this 8th day of April, 19 91,
before me the undersigned, a Notary Public in and for said
County and State, personally appeared

Emily W. Kersten
Ralph Lee

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

Witness my hand and Notarial Seal the date above written.

Lorraine H. Kersten
NOTARY PUBLIC



Proof	_____
D.E.	_____
Verify	_____ <i>in</i>
Filmed	_____ <i>Q</i>
Checked	_____
Fee \$	10 ⁵⁰

FILED SARPY CO. NE.
INSTRUMENT NUMBER
91-05478

91 APR 22 PM 3: 06

Carol A. Gavin
REGISTER OF DEEDS

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