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Tract 3

EASEMENT

The undersigned, hereinafter called "Grantor", hereby grants and conveys to OMAHA PUBLIC POWER DISTRICT, hereinafter called "District", its successors and assigns, a perpetual easement to construct, operate and maintain a 3 phase 161 K volt electric transmission line, together with necessary poles, wires, guys and other fixtures and appliances, over, upon, along and above the property herein described, upon the terms and conditions set forth.

CONSIDERATIONS: One (1) 2-pole wooden structure running to East property line three hundred dollars (\$300)

PROPERTY COVERED AND RIGHT-OF-WAY: All of the N 1292.1 feet of Tax Lot 13a, described as follows: The S 36.45 chains of the N 39.375 chains of the E 1/2 of the NE 1/4 Sec. 21, Twp. 14 N, R 13E, Sarpy County, Neb.

Beginning at a point that is 190 feet more or less south and 185 more or less E of the SW corner NE 1/4, NE 1/4, thence northeasterly and leaving the property at a point 177.0 feet more or less N/SE corner, NE 1/4, all in Sec. 21 above.

CONDITIONS: The Grantor hereby grants to the District, its successors and assigns, the right, privilege and authority to enter upon and pass over said property and the property of the Grantor adjacent thereto for the purpose of constructing, repairing, operating and maintaining said lines and equipment upon the property above described.

The Grantor hereby grants to the District, its successors and assigns, the permanent right, privilege and authority to cut down trees under or within twenty-five (25) feet of the District's lines, and to cut down or trim any trees or limbs of trees on either side thereof as would be a hazard to said lines in breaking off and falling over or against said lines. All roots or debris from such tree cutting and trimming shall be disposed of by the District

The District shall at all times exercise all due care and diligence to avoid any injury or damage to the crops, live stock and other personal property of the Grantor and the District agrees to indemnify and save harmless the Grantor from any and all such damage and loss arising or occurring to such property solely by reason of the District's negligence in the construction, operation and maintenance of said electric line.

This easement is binding on the heirs, executors, administrators and assigns of Grantors.

EXECUTED on 19 11 day of Nov

Edward W. Kirach

Edward W. Kirach

Grantor

OMAHA PUBLIC POWER DISTRICT

By [Signature] General Manager

Approved:

[Signature] Chief Engineer

Entered in Numerical Index and Recorded in the Register of Deeds office in Sarpy County, Nebraska, on 11/11/04 at 11:00 A.M. Geo. F. Nicholson, County Clerk