

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EPI
444 South 16th Street Mall
Omaha, NE 68102-2247



RECEIVED

AUG 19 2 25 PM '97

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

BKUG

June 26, 1997

10262 Doc. #
FEE 14.00 FB M-21550
BRP ~~CONF~~ C/O COMP ~~10~~
DEL SCAN ~~dr~~ FV

RIGHT-OF-WAY EASEMENT

#1 PROSETER HOMES INC.

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Four Hundred Thirty-three through Four Hundred Forty (433, 434, 435, 436, 437, 438, 439, 440), Inclusive, all located in Lake Shore Addition, as surveyed, platted and recorded in Douglas County, Nebraska.

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:

(See reverse side hereof for sketch and easement description.)

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/she/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/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 2 day of AUGUST, 1997

OWNERS SIGNATURE(S)

#3 Richard N. Takechi

<COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF>

CORPORATE ACKNOWLEDGMENT

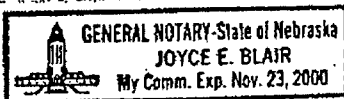
INDIVIDUAL ACKNOWLEDGMENT

STATE OF

COUNTY OF

On this 7 day of August, 1997, before me the undersigned, a Notary Public in and for said County, personally cameDennis Earl Moorhead
President
Facemaker Homes 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 voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Joyce E. Blair
NOTARY PUBLIC

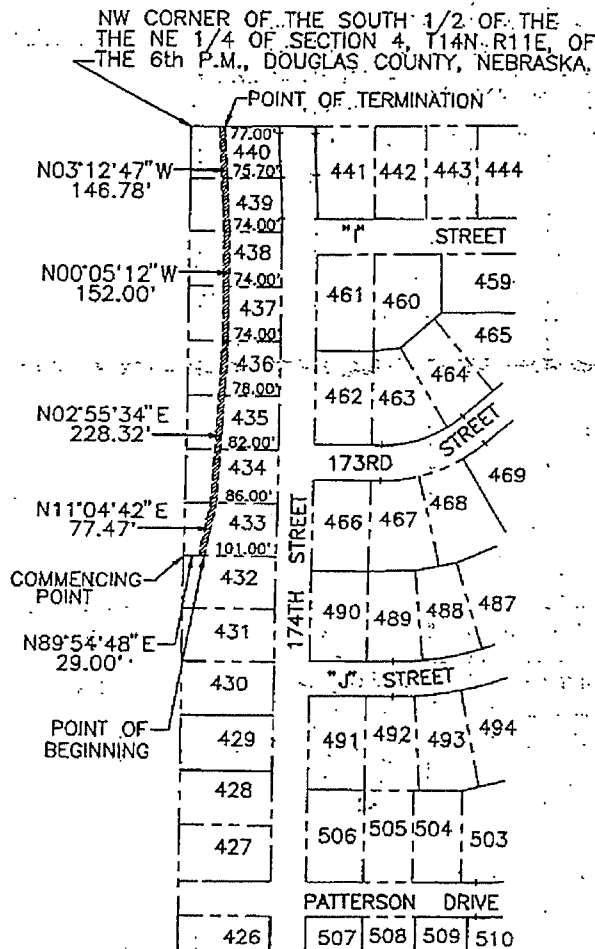
STATE OF

COUNTY OF

On this day of , 19 , before me the undersigned, a Notary Public in and for said County and State, personally appearedpersonally to me known to be the identical person(s) 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



EASEMENT DESCRIPTION

AN 8.00 FOOT WIDE STRIP OF LAND LYING WITHIN LOTS 433 THRU 440, INCLUSIVE, LAKE SHORE, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, THE EASTERLY LINE OF SAID 8.00 FOOT WIDE STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID LOT 433; THENCE N89°54'48"E (ASSUMED BEARING) 29.00 FEET ON THE SOUTH LINE OF SAID LOT 433 TO THE POINT OF BEGINNING; THENCE N11°04'42"E 77.47 FEET; THENCE N02°55'34"E 228.32 FEET; THENCE N00°05'12"W 152.00 FEET; THENCE N03°12'47"W 146.78 FEET TO THE NORTH LINE OF SAID LOT 440 AND THE POINT OF TERMINATION, WITH THE OUTER LIMITS OF SAID 8.00 FOOT WIDE STRIP OF LAND BEING EXTENDED TO MEET THE NORTH LINE OF SAID LOT 440 AND THE SOUTH LINE OF SAID LOT 433.

S.I.D. NO. 341, (LAKESHORE) TD2 FILE NO. 623-144-E DATE: FEB. 5, 1997
THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

Distribution Engineer Date Property Management Date
Section NE 1/4 4 Township 14 North, Range 11 East
Salesman Wilkins Engineer Wilkins Est# W.O.#