



1258 214 MISC



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RICHARD N. TAKECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

98 AUG -6 AM 11:48

RECEIVED

BKUG
Revised July 30, 1998

Doc.# _____
10786 / 11-21550
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DEL _____ SCAN dc FV _____

RIGHT-OF-WAY EASEMENT

PACESETTER HOMES, INC.

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

Lots Four Hundred Twenty-seven through Four Hundred Thirty-six (427, 428, 429, 430, 431, 432, 433, 434, 435, 436), 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 of approximate locations of Easement areas).

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/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 23 day of August, 1998.

OWNERS SIGNATURE(S)

3 Dennis Van Horn - Pace Setter Homes

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Right of Way 6W/EP1
444 South 16th Street Mail
Omaha, NE 68102-2247

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Sarpy

On this 3 day of August, 1998,
before me the undersigned, a Notary Public in and for said County,
personally came

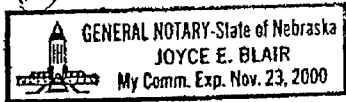
Dennis Van Moorlegghem

Vice President of Pacesetter 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 his voluntary act and deed for the purpose therein
expressed.

Witness my hand and Notarial Seal the date above written.

Joyce E. Blair
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Sarpy

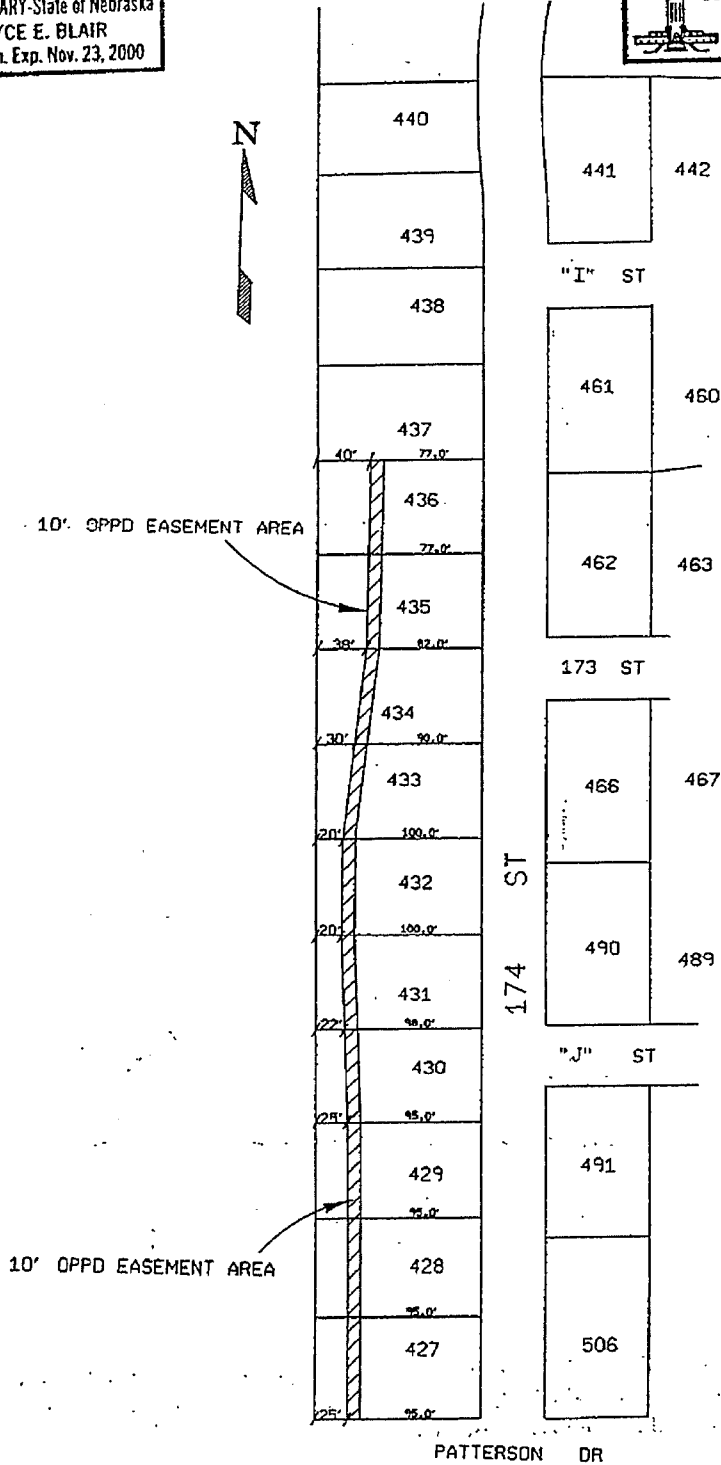
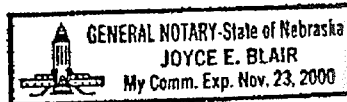
On this 3 day of August, 1998,
before me the undersigned, a Notary Public in and for said County and
State, personally appeared

Dennis Van Moorlegghem

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

Witness my hand and Notarial Seal the date above written.

Joyce E. Blair
NOTARY PUBLIC



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