

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

RECEIVED

Oct 31 10:43 AM '96

GEORGE J. B...
REGISTER OF
DOUGLAS CO.



BKUG
October 11, 1996

Doc.#

12537 MR-22587

RIGHT-OF-WAY EASEMENT

FEE 10.00 R Comp FB

DEL. C/O COMCP

LEGAL PG SC/11/1 FV

#1 Troy L. and Carolyn J. Eaden
Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot 59, Linden Estates 2nd 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:

A 16.00 foot wide strip of land lying within Lot 59, Linden Estates 2nd Addition, and more particularly described as follows: Commencing at the SW corner of said Lot 59; thence N02°21'15"W (Assumed Bearing) 5.00 feet on the West line of said Lot 59; thence N87°38'45"E 343.94 feet on a line 5.00 feet North of and parallel with the South line of said Lot 59 and on the North line of an existing utilities easement to the point of beginning; thence continuing N87°38'45"E 35.17 feet on the North line of said easement; thence N60°35'13"E 97.14 feet; thence S80°49'46"E 74.25 feet to a point 8.00 feet West of the East line of said Lot 59, said point being on the West line of and existing utilities easement; thence N01°58'44"E 16.13 feet on a line 8.00 feet West of and parallel with the East line of said Lot 59 and on the West line of said easement; thence N80°49'46"W 77.83 feet; thence S60°35'13"W 134.06 feet to the Point of Beginning. (See reverse side hereof for sketch of easement area for this document.)

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.

#2 IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 21 day of October, 1996

OWNERS SIGNATURE(S)

#3 Troy L. Eaden
Carolyn J. Eaden

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

CORPORATE ACKNOWLEDGMENT

24

INDIVIDUAL ACKNOWLEDGMENT

STATE OF

STATE OF

COUNTY OF

COUNTY OF

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

On this 21 day of OCTOBER, 1996, before me the undersigned, a Notary Public in and for said County and State, personally appeared TROY L. EADEN

President of

CAROLYN J. EADEN

personally 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.

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.

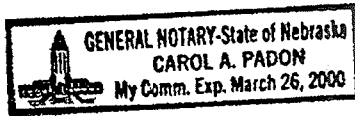
personally to me known to be the identical person(s) who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

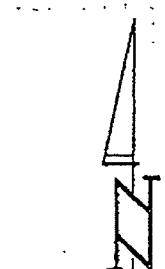
Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

NOTARY PUBLIC



NOTARIAL SEAL AFFIXED REGISTER OF DEEDS



SCALE 1" = 60'

EXISTING UTILITIES EASEMENT

HAMILTON STREET

LOT 59

LOT 60

LINDEN ESTATES 2ND ADDITION

136TH STREET

N02°21'15"W
5.00'

N87°38'45"E
343.94'

S60°35'13"W
134.06'

N60°35'13"E
97.14'

N50°49'46"W
77.83'

S80°49'46"E
74.25'

N01°58'44"E
16.13'

POINT OF BEGINNING

N87°38'45"W
35.17'

LOT 58

COMMENCING POINT

Distribution Engineer _____ Date _____ Property Management _____ Date _____
Section NE 1/4 13 Township 15 North, Range 11 East
Salesman Rosales Engineer Keating Est# _____ W.O.# M14968