

return to:  
NP Dodge Co.  
Land Development  
8701 W. Dodge Rd.  
Omaha, NE 68114

97-28899

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
97-028899  
97 DEC 23 AM 8: 20  
*Stacy J. Morrison*  
REGISTER OF DEEDS

Counter 99  
Copy: Pat  
F.E. \_\_\_\_\_  
Proof: \_\_\_\_\_  
Fee: 1.50  
Ok \_\_\_\_\_  
Cash \_\_\_\_\_  
Charge \_\_\_\_\_

November 24, 1997

Doc.# \_\_\_\_\_

**RIGHT-OF-WAY EASEMENT**

\* / Millard Park Limited Partnership Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lot 222 thru and including lot 226, Millard Park Addition as surveyed, platted and recorded in Sarpy 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:

The North Twenty feet ( N20' ) of the above described lots.  
(See the reverse side hereof for sketch of easement area.)

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 3rd day of December, 1997.

OWNERS SIGNATURE(S)

#3 \_\_\_\_\_  
\_\_\_\_\_

Millard Park Limited Partnership,  
a Nebraska limited partnership  
By: Dodge Development, Inc., a  
Nebraska corporation, the sole  
general partner  
*W. L. Morrison, Jr.*  
By: W. L. Morrison, Jr., President

628899

*OT*

97-28899A

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**CORPORATE ACKNOWLEDGMENT**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF Nebraska

STATE OF

COUNTY OF Sarpy

COUNTY OF

On this 3rd day of December, 1997, before me the undersigned, a Notary Public in and for said County, personally came W. L. Morrison, Jr. President of Dodge Development, Inc., the sole general partner of Millard Park Limited Partnership 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 its voluntary act and deed for the purpose therein expressed.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_

personally to me known to be the identical person(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.

Witness my hand and Notarial Seal the date above written.

Kristy J. Gregath  
NOTARY PUBLIC

\_\_\_\_\_  
NOTARY PUBLIC

