

RIGHT-OF-WAY EASEMENT

VILLAGE OF ELMWOOD, NEBRASKA

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

Tax Lots 14 and 15, in the Southwest Quarter of the Southeast Quarter of Section 9, Township 10 North, Range 10 East of the 6th P.M., Cass County, Nebraska.

Doc # 98
FILED FOR RECORD 7-11-1982 10:54 A.M. IN BOOK 23 OF Trust
PAGE 674 REGISTER OF DEEDS, CASS CO., NEBR.
Butt, G. H. & P. J. COMPARED 4 3. 25

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 OKAWA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, referred to as "Grantee", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric facilities over, upon, above, along, under, in and across the following described real estate, to wit:

A fractional part of Tax Lots 14 and 15, in the Southwest Quarter of the Southeast Quarter of Section 9, Township 10 North, Range 10 East of the 6th P.M., Cass County, Nebraska, more particularly described as follows: Referring to the Southwest corner of the Southeast Quarter of Section 9, Twp. 10 N., Rge. 10 East of the 6th P.M.; thence N0°04'29" East (assumed bearing), along the West line of said Southeast Quarter, a distance of 660.0' to the Southwest corner of Tax Lot 15, which is also the true point of beginning; thence N0°04'29" East, (along the 1/2 Section line) a distance of 143.0'; thence N89°49'27" East, a distance of 25.00'; thence S00°04'29" West, (parallel to the 1/2 Section line) a distance of 118.0', to a point 25' Northerly from the South line of said Tax Lot 15; thence N89°49'27" East, a distance of 630.00' to a point 25' North of the Southeast corner of Tax Lot 14 and on the West line of Lot 9, Block 5, Ferguson's Addition thence S0°00'44" West, a distance of 25' to the Southeast corner of Tax Lot 14; thence S 89°49'27" West (along the South line of Tax Lots 14 and 15), a distance of 655.04' to the point of beginning.

CONDITIONS:

- (a) Where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above, together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least twelve feet (12').
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinafter granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (e) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 12 day of June, 1980.

Bonnie Blake Clerk

Edward H. Blunt, Chairman

STATE OF Neb.
COUNTY OF Cass
On this 12 day of June, 1980,

before me the undersigned, a Notary Public in and for said State, personally saw Bonnie Blake, President of Village of Elmwood, Inc. and Edward H. Blunt, Chairman of Village of Elmwood, 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 their voluntary act and deed for the purpose therein expressed.

STATE OF Neb.
COUNTY OF Cass
On this 12 day of June, 1980,

before me the undersigned, a Notary Public in and for said State, personally appeared Edward H. Blunt, Chairman of Village of Elmwood, personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

GENERAL NOTARY - State of Nebraska
BOROTHY J. OLDFIELD
My Comm. Exp. Dec. 24, 1982

GENERAL NOTARY - State of Nebraska
BOROTHY J. OLDFIELD
My Comm. Exp. Dec. 24, 1982

Christina Q. Redfield

Christina Q. Redfield

My Commission expires: 12/24/82
Distribution Engineer: B. B. Date: 6/19/80
Recorded in Misc. Book No. 10 at Page No. 10
Section 9 Township North, Range 10 East Salesman Schwab
Engineer Gellerman Ext. 34108 N.O. 6742