

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
98-034420  
98 DEC -2 PM 2:15  
*Glenn J. [Signature]*  
REGISTER OF DEEDS

98-034420  
Counter [Signature]  
Verify [Signature]  
D.E. [Signature]  
Proof [Signature]  
Fee \$ 12.00  
Chk  Cash  Chg   
OPPD

BKUG

November 3, 1998

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

**RIGHT-OF-WAY EASEMENT**

HEARTHSTONE HOMES, INC. (fka Construction Sciences, Inc)  
Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots Two, Three, Four, Five (2,3,4,5), Oakridge East, a subdivision 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:

(See reverse side hereof for sketch of approximate Easement location).

**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 13<sup>TH</sup> day of Nov., 1998.

**OWNERS SIGNATURE(S)**

\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
JOHN J. SMITH, PRESIDENT

< COMPLETE ACKNOWLEDGMENT ON REVERSE SIDE HEREOF >

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

034420

98-034420A

CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 13<sup>TH</sup> day of Nov., 1998,  
before me the undersigned, a Notary Public in and for said County,  
personally came

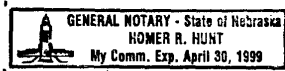
JOHN J. SMITH

President of HEARTHSPRING 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.

Homer R. Hunt  
NOTARY PUBLIC



INDIVIDUAL ACKNOWLEDGMENT

STATE OF

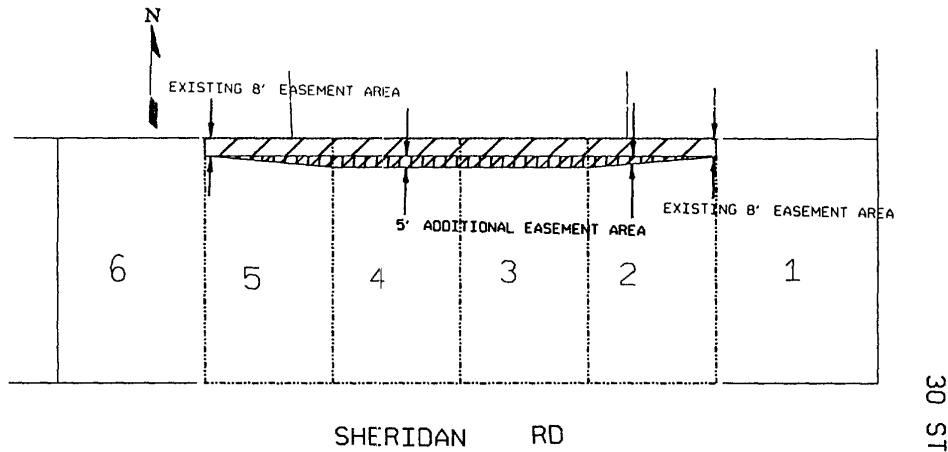
COUNTY OF

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) 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



Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_  
Section SW 1/4 9 Township 13 North, Range 13 East  
Salesman Wilkins Engineer Gabriel Est# 980095501 W.O.# M13236