

April 24, 1989

RIGHT-OF-WAY EASEMENT

89-05758

File \_\_\_\_\_

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

I, Harry Williams Jr. and Debra K. Williams/ Husband and Wife Owner(s)  
We, \_\_\_\_\_ of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Thirty-six (36), Overland Hills IV 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 referred to as "Grantee", 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 East Ten Feet (E10') of the West Sixty-five feet (W65') of said lot 36.

CONDITIONS: The Grantor hereby grants to the District, its successors and assigns, the right, privilege and authority 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.

Upon submittal of written proof that Grantor has secured proper authorization from the local governing body for any improvements to said property, and for which grantees facilities interfere with said improvements, Grantee agrees to One (1) relocation of its facilities, at Grantees sole expense including service cables to the residence, provided however, Grantor agrees to grant a new easement to Grantee over and along a 10' strip of land located on Grantors property and at a point mutually agreeable to both parties. The terms of this condition shall terminate Ninety-nine (99) years from the execution herein, and shall in no way effect any of the other conditions herein agreed to.

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 parties hereto have signed their names and caused the execution of this instrument this 16th day of May, 1989.

Harry Williams Jr.  
Debra K. Williams

INSTRUMENT NUMBER  
89-05758  
1989 MAY 17 AM 11:50

REGISTER OF DEEDS

Distribution Engineer \_\_\_\_\_ Date \_\_\_\_\_ Property Management \_\_\_\_\_ Date \_\_\_\_\_

Section NW 1/4 34 Township 14 North, Range 12 East

Salesman Hagan Engineer Broschat Est. # \_\_\_\_\_ w.o. # 4153

88

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

05758

INDEXED \_\_\_\_\_  
FILED \_\_\_\_\_  
1050

89-187584

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF  
COUNTY OF

STATE OF NEBRASKA  
COUNTY OF SARPY

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

On this 16<sup>th</sup> day of MAY, 1989,  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

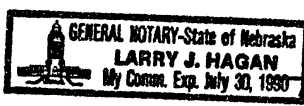
\_\_\_\_\_  
President of \_\_\_\_\_  
personally to me known to be the identical person(s)  
who signed the foregoing instrument as grantor(s)  
and who acknowledged the execution thereof to be  
\_\_\_\_\_ voluntary act and deed for  
the purpose therein expressed.

Harry Williams Jr.  
Debra K. Williams  
\_\_\_\_\_  
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.

Witness my hand and Notarial Seal at \_\_\_\_\_  
in said County the day and year  
last above written.

Witness my hand and Notarial Seal the date above  
written.

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



Larry J. Hagan  
NOTARY PUBLIC

RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
Legal Services Division  
202 South 16th Street Mall  
Omaha, NE 68102-2247