

92-21351

STUG
August 28, 1992

Doc.# _____

RIGHT-OF-WAY EASEMENT

Martin Ostransky

Owner(s)

of the real estate described as follows, and hereafter referred to as "Grantor",

Tax Lot Nine (9) located in Section 22, Township 14 North, Range 10 East of the 6th P.M., 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:

A permanent easement over that part of the South Half of the Northeast Quarter of Section 22, Township 14 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, described as follows: Commencing at the NW corner of the said S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22; thence South 00°29'39"E bearing referenced to the Lamp, Ryncarson & Associates, Inc., survey job # 91-1268 filed in the Sarpy County Surveyor's Office) for 33.00 feet along the west line of the said S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22 to the south right-of-way line of Cary street; thence South 90°00'00" East for 1054.19 feet along the said south right-of-way line of Cary Street to the True Point of Beginning; thence continuing South 90°00'00" East for 10.01 feet along said south right-of-way line of Cary Street; thence S02°00'46" East for 810.95 feet; thence N87°59'14" East for 20.33 feet; thence S02°00'46" East for 10.00 feet; thence S87°59'14" West for 30.33 feet; thence N02°00'46" West for 821.30 feet to the Point of Beginning. Contains 0.19 acre.

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/hor/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 19th day of Sept, 1992.

Martin Ostransky - Pres

OWNERS SIGNATURE(S)

Distribution Engineer RJG Date 10-2-92 Property Management _____ Date _____

Section NE $\frac{1}{4}$ 22 Township 14 North, Range 10 East

Salesman MCGOWAN Engineer MCGOWAN Est. # 920178601 W.O.# 9045

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

021351

copy
OPP

34NE14

92-21351A

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska
 COUNTY OF Sarpy
 On this 19th day of Sept, 1992, before me the undersigned, a Notary Public in and for said County, personally came MARTIN OSTRAUSKY
 President of MARTIN OSTRAUSKY FARMS 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 ✓ voluntary act and deed for the purpose therein expressed.

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 _____

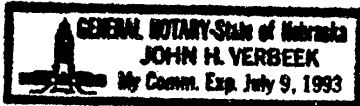
 personally to me known to be the identical person(s) and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal the date above written.

Witness my hand and Notarial Seal the date above written.

John H. Verbeek
 NOTARY PUBLIC

 NOTARY PUBLIC



FILED SARPY CO. NE
 INSTRUMENT NUMBER
92-021351

92 OCT -6 PM 3:53

Carol A. Savin
 REGISTER OF DEEDS

Proof	<u>✓</u>
D.E.	<u>✓</u>
Verify	<u>✓</u>
Filmed	_____
Checked	_____
Fee \$	<u>10.50</u>

RETURN TO:
 OMAHA PUBLIC POWER DISTRICT
 % Real Estate Division
 444 South 16th Street Mall,
 Omaha, NE 68102-2247