

RIGHT-OF-WAY EASEMENT

Deed Record #140

Western Sand & Gravel Co. / Dean Busing

I, Western Sand & Gravel Co. / Dean Busing, Owner(s) of the real estate described below, and hereafter referred to as "Grantor(s)", 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 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:

Northeast NE 1/4 The Southeast Quarter (SE 1/4) of Section Twenty-five (25), Township Thirteen (13) North, Range Nine (9), East of the 6th P.M., Saunders County, Nebraska.

SAUNDERS CO. NEBRASKA Entered in NUM INDEX Register of Deeds Off. 1-26-19 83 at 10 A M in Bk 140 Pg 917 of Deeds Don Clark Register of Deeds By Roma J. Smith, dep

167 Rec 1/2 Ind 1/2 Comp 1/2

CONDITIONS:

- a) Where Grantee's facilities are constructed, Grantee shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power, including all services of the Grantee to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land sixteen feet (16') in width, being Eight feet (8') on each side of and parallel to facilities as constructed by Grantee.
b) The Grantee shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
c) Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where Grantee's facilities have been constructed.
d) Grantee shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be.
e) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/ its/their heirs, executors, administrators, successors or assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 6 day of January, 19 83.

ATTEST: Western Sand & Gravel Co. Dean Busing.

Grantor(s)

STATE OF Nebraska COUNTY OF Saunders On this 6 day of January, 19 83 before me the undersigned, a Notary Public in and for said County, personally came Dean Busing personally known to me 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.

STATE OF Nebraska COUNTY OF Saunders 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 at in said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.

GENERAL NOTARY - State of Nebraska ROBERT L. CRAVEN NOTARY PUBLIC My Commission expires 2-6-83

NOTARY PUBLIC My Commission expires:

Distribution Engineer Date 1-11-83; Land Rights and Services Date 1-10-83. Recorded in Misc. Book No. at Page No. on the day of 19 Section 25 Township 13 North, Range 9 East Salesman R. Craven Engineer R. Craven Est. # 820280b. # 5069