

RIGHT-OF-WAY EASEMENT

1. Sarpy Development Corp. Owner(s)  
of the real estate described in the instrument referred to as "Grantor".

Lots Eighteen (18) through Twenty-four (24), inclusive, in Sarpy 84 Commercial Park located in Section Twenty-three (23), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORDS 5-16-77 AT 8:26 A.M. IN BOOK 50 OF Third Series  
368 Carole Hill REGISTERED BY DEED, SARPY COUNTY, NEB.

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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, FDS successors and assigns, collectively referred to as "Grantees", a permanent right of way easement to install, operate, maintain, repair, replace, and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to-wit:

The West Twelve feet (12') of Lots Eighteen (18) through Twenty-two (22), inclusive, and the East Twelve feet (12') of Lots Twenty-three (23) and Twenty-four (24) and the South Eight feet (8') of Lot Twenty-four (24) in Sarpy 84 Commercial Park located in Section Twenty-three (23), Township Fourteen (14), Range Twelve (12) East of the 6th P.M., Sarpy County, Nebraska.

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 hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Where Grantee's facilities have been installed, no tower, 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) It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that Grantor, its heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the Grantee forever against the claims of all persons whatsoever in any way asserting any right, title or interest prior to or contrary to this instrument.

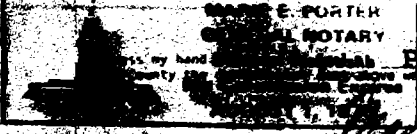
IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.



Wesley H. Turtscher  
and Wallace Sapp  
Sarpy Development  
personally known to be the identical person(s) and who acknowledged 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 \_\_\_\_\_  
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.



Marie E. Porter  
NOTARY PUBLIC

My Commission expires: \_\_\_\_\_  
Distribution Engineer AM Date 5/11/77 Land Rights and Services RAM Date 5-3-77  
Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_  
Section 23 Township 14 North, Range 12 East Subsection Janice Perkins Est. 29936 s.o. 6136

Sarpy Development Co.  
1201 Royal Dr.  
Papillion, Nebr.

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