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RICHARD N. TAKECHI  
REGISTER OF DEEDS,  
DOUGLAS COUNTY, NE

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FEE 10.50 FB 01-000000  
BKP 2-10-12 C/O \_\_\_\_\_ COMP MB  
DEL \_\_\_\_\_ SCAN MP FV \_\_\_\_\_

January 28, 1998

**RIGHT-OF-WAY EASEMENT**

#1 ROGERS BROS., INC. Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 27, Township Sixteen (16) North, Range Twelv (12) East of the 6th, P.M., Douglas 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 for electric service to the College of St. Mary's Lied Fitness Center, 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 ten foot strip easement over that part of the Southeast Quarter of Section 27, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, described as follows:  
Beginning in the northeast right of way line of Wenninghoff Road at the west corner of Lot 255, SOMERSET, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;  
Thence North 47°31'07" West (bearings referenced to the Final Plat of SOMERSET) for 149.57 feet along the northeast right of way line of Wenninghoff Road;  
Thence North 42°30'36" East for 134.33 feet;  
Thence South 47°29'24" East for 116.47 feet parallel with and ten foot (10') northeast of the southwest right of way line of 86th Avenue as dedicated in the Final Plat of SOMERSET to the northwest end thereof;  
Thence South 52°10'08" West for 10.14 feet along said northwest end of 86th Avenue to the southwest right of way line thereof;  
Thence North 47°29'24" West for 104.77 feet along the extended southwest right of way line of 86th Avenue;  
Thence South 42°30'36" West for 114.33 feet;  
Thence South 47°30'51" East for 139.56 feet parallel with and ten foot (10') northeast of the said northeast right of way line of Wenninghoff Road to the northwest line of Lot 255, SOMERSET;  
Thence South 42°29'09" West for 10.00 feet to the Point of Beginning.  
Contains 3796 square feet.

**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.

In granting this right-of-entry, 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, growing crops, landscaping, and improvements arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The District covenants not to remove or relocate any existing improvements, including but not limited to structures, utilities, septic tanks and septic fields.

The Grantor makes no warranty, representation or consent with respect to the property.

#2 IN WITNESS WHEREOF, the Owner(s) have executed this instrument this 9 day of MARCH ~~1996~~ 1998 M+R

OWNERS SIGNATURE(S)

#3 \_\_\_\_\_

001

**CORPORATE ACKNOWLEDGMENT**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 9 day of MARCH, 1998, before me the undersigned, a Notary Public in and for said County, personally came MICHAEL F. ROGERS President of ROGERS PDS, 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.

*Walt Slobotski*

NOTARY PUBLIC

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, said County and State, personally appeared \_\_\_\_\_

\_\_\_\_\_ 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.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

