

1-23-87

60-703

Distribution

RIGHT-OF-WAY EASEMENT

I, Wesley H. Turtcher Owner(s)  
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot One Hundred Thirty-one (131) of a replatting of Lots 2, 3, 4, 5 and  
Part of Lot 1, Southhampton, in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section  
Thirty-four (34), Township Fourteen (14) North, Range Twelve (12) East  
of the 6th P.M., Sarpy County, Nebraska.

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FILED FOR RECORD 3-9-87 100<sup>ft</sup> IN BOOK 60 OF NEB  
PAGE 203 Ray D. Dowling REGISTER OF DEEDS, SARPY COUNTY, NE

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:

See sketch on the reverse side hereof for easement area.

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 trees, 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) Where Grantee's facilities are placed adjacent to Grantor's property line, Grantor hereby grants the owner of said adjacent property, or his agent, reasonable access to Grantee's facilities.
- (e) It is further agreed that 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 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 28 day of JANUARY 19 87.

X Wesley H. Turtcher  
3701

60-7032

STATE OF  
COUNTY OF

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

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.

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

NOTARY PUBLIC

My Commission expires: \_\_\_\_\_

STATE OF NEBR.  
COUNTY OF SARPY

On this 28 day of January, 1987,  
before me the undersigned, a Notary Public in and  
for said County and State, personally appeared

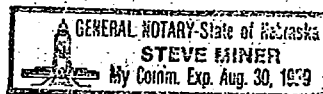
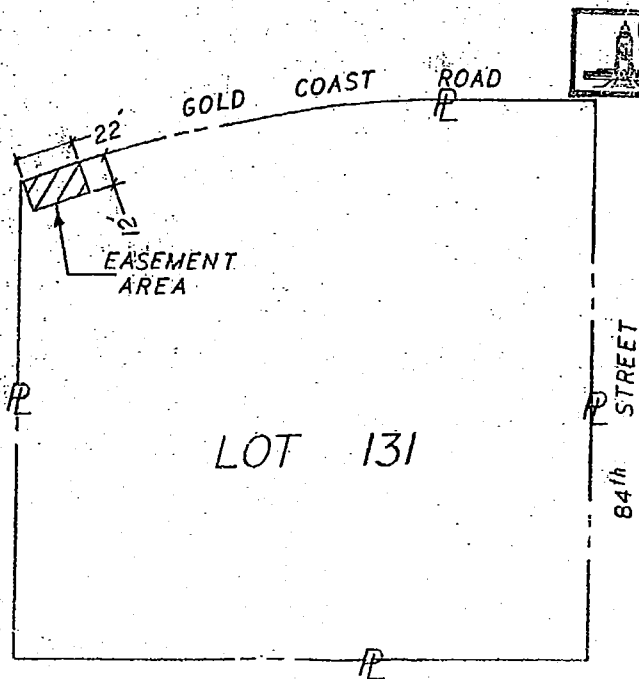
Wesley H. Hostetter

personally to me known to be the identical person(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.

NOTARY PUBLIC

My Commission expires: Aug 30, 1989



RETURN TO:  
OMAHA PUBLIC POWER DISTRICT  
1623 HARNEY ST. - RM. 401  
OMAHA, NE 68102

Distribution Engineer RLH Date 2-11-87

Property Management RLH Date 1-29-87

Recorded in Misc. Book No. \_\_\_\_\_ at Page No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

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

Salesman Hostetter Engineer Plummer Est. # 8700019 W.O. # \_\_\_\_\_