

RIGHT-OF-WAY EASEMENT

Robert J. Dionne 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, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its 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:

Lot Ten (10), Block Two (2), in Spring Valley, a subdivision of Tax Lot Seventeen (17) in Section Thirty-six (36), Township Seventeen (17) North, Range Twelve (12) East of the 6th P.M., Washington County, Nebraska.

STATE OF NEBRASKA, COUNTY OF WASHINGTON) SS 243
ENTERED IN INDEX AND FILED FOR RECORD
THIS 9th day of February, A.D. 1977
AT 8:55 O'CLOCK A.M. AND RECORDED IN BOOK
112 AT PAGE 30
COUNTY CLERK Charlotte A. Pittsenger
DEPUTY Robert Madson

CONDITIONS:

- (a) Where Grantees' facilities are constructed, Grantees 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 and for the transmission of signals and sound of all kinds and the reception thereof, including all services of the Grantees 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 Grantees.
(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) 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 Grantees' facilities have been constructed.
(d) Grantees 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 heirs, executors, administrators, successors or assigns shall warrant and defend the same and will indemnify and hold harmless the Grantees 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 21st day of January, 1977.

XXXXX

XXXXX

Robert J. Dionne Grantor(s)

STATE OF COUNTY OF On this 21st day of January, 1977, before me the undersigned, a Notary Public in and for said County, personally came Robert J. Dionne, 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 his voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at Pott. in said County, the day and year last above written. Notary Public Seal: Robert W. Steger, Notary Public, My Commission expires 30 September 1979.

Witness my hand and Notarial Seal the date above written. Notary Public Seal: My Commission expires:

Distribution Engineer B.S. Date 1/21/77 Land Rights and Services R.W.P. Date 1-25-77 Recorded in Misc. Book No. at Page No. on the day of 19 Section 36 Township 17 North, Range 12 East. Salesman Kuhn Engineer Scott Est. # 82982 W.O. # 82982