

MISC

2005120513



SEP 26 2005 13:46 P 9

33 DE SCH PV

Received - DIANE L. BATTIATO

UNG July 5, 2005

## 

#### **RIGHT-OF-WAY EASEMENT**

Owner(s) of the real estate described as follows, and hereafter referred to as "Grantor",

Lots One Hundred Eleven (111), Lots One Hundred Fifteen thru One Hundred Thirty (115 - 130), Inclusive, Lots One Hundred Thirty-two thru One Hundred Forty-one (132-141), Inclusive, and Lots Two Hundred Sixty-four thru Two Hundred Sixty-five (264, 265) and Lots Two Hundred Eighty-eight thru Two Hundred Ninety-one (288, 289, 290, 291) all in Springbrook, an Addition as surveyed, platted and recorded in 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, consisting of cables, wires, conduits, manholes, drains, splicing boxes and other appurtenances, upon, over, along and under the following described real estate, to wit:

(See attached exhibits for sketches of easements and easement descriptions.)

#### 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. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

In granting this easement, 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 and growing crops arising from the construction and maintenance of the aforesaid system shall be paid for by the District.

The Grantor covenants that he/they has/have lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her/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 Owner(s) have executed this instrument this 23 day of 5, 2005.

OWNERS SIGNATURE(S)

Lexen gripm

( # & A Consulting Group)

E & A Consulting Group 12001 Q Street Omaha, NE 68137

#### CORPORATE ACKNOWLEDGMENT

# COUNTY OF DOCCAMION this 23 day of Super

On this 23 day of 500 hor , 2005, before me the undersigned, a Notary Public in and for said County, personally came

Loren Johnson

Witness my hand and Morarial Seal the date above written.

SENERAL NOTARY - State of Nebraska ANDREA M. BOOZE My Comm. Bop. Jan. 30, 2007

#### INDIVIDUAL ACKNOWLEDGMENT

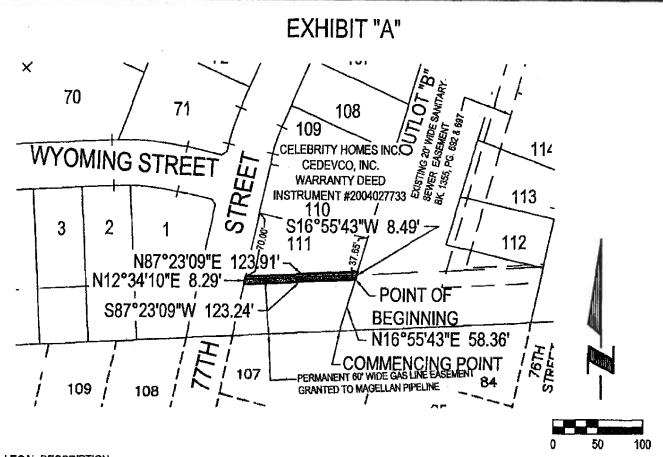
COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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) 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



LEGAL DESCRIPTION
CELEBRITY HOMES, INC.
CEDEVCO, INC.
WARRANTY DEED
INSTRUMENT NO. 2004027733

Scale: 1" = 100'

AN 8.00 FOOT WIDE O.P.P.D. EASEMENT LOCATED IN LOT 111, SPRINGBROOK, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF THE SE1/4 OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

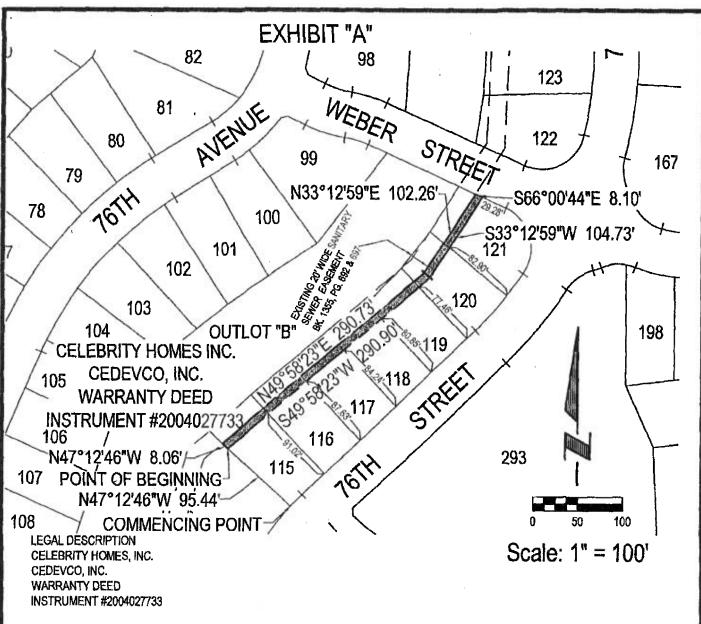
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 111, SPRINGBROOK, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF OUTLOT "B", SAID SPRINGBROOK, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NW1/4 OF SAID SE1/4 OF SECTION 26; THENCE N16°55'43"E (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 111, SPRINGBROOK, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID OUTLOT "B", SPRINGBROOK, A DISTANCE OF 58.36 FEET TO THE POINT OF BEGINNING; THENCE S87°23'09"W, A DISTANCE OF 123.24 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 111, SPRINGBROOK, SAID LINE ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF 77TH STREET; THENCE N12°34'10"E ALONG SAID WESTERLY LINE OF LOT 111, SPRINGBROOK, SAID LINE ALSO BEING SAID EASTERLY RIGHT-OF-WAY LINE OF 77TH STREET, A DISTANCE OF 8.29 FEET; THENCE N87°23'09"E, A DISTANCE OF 123.91 FEET TO A POINT ON SAID EASTERLY LINE OF LOT 111, SPRINGBROOK, SAID LINE ALSO BEING SAID WESTERLY LINE OF OUTLOT "B", SPRINGBROOK; THENCE S16°55'43"W ALONG SAID EASTERLY LINE OF LOT 111, SPRINGBROOK, A DISTANCE OF 8.49 FEET TO THE POINT OF BEGINNING.

SAID 8.00 FOOT WIDE O.P.P.D. EASEMENT CONTAINS AN AREA OF 989 SQUARE FEET OR 0.023 ACRES, MORE OR LESS.



8.00 FOOT WIDE O.P.P.D. EASEMENT

DOULGAS COUNTY, NEBRASKA



AN 8.00 FOOT WIDE O.P.P.D. EASEMENT LOCATED IN LOTS 115 THRU 121, INCLUSIVE, SPRINGBROOK, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF THE SE1/4 OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

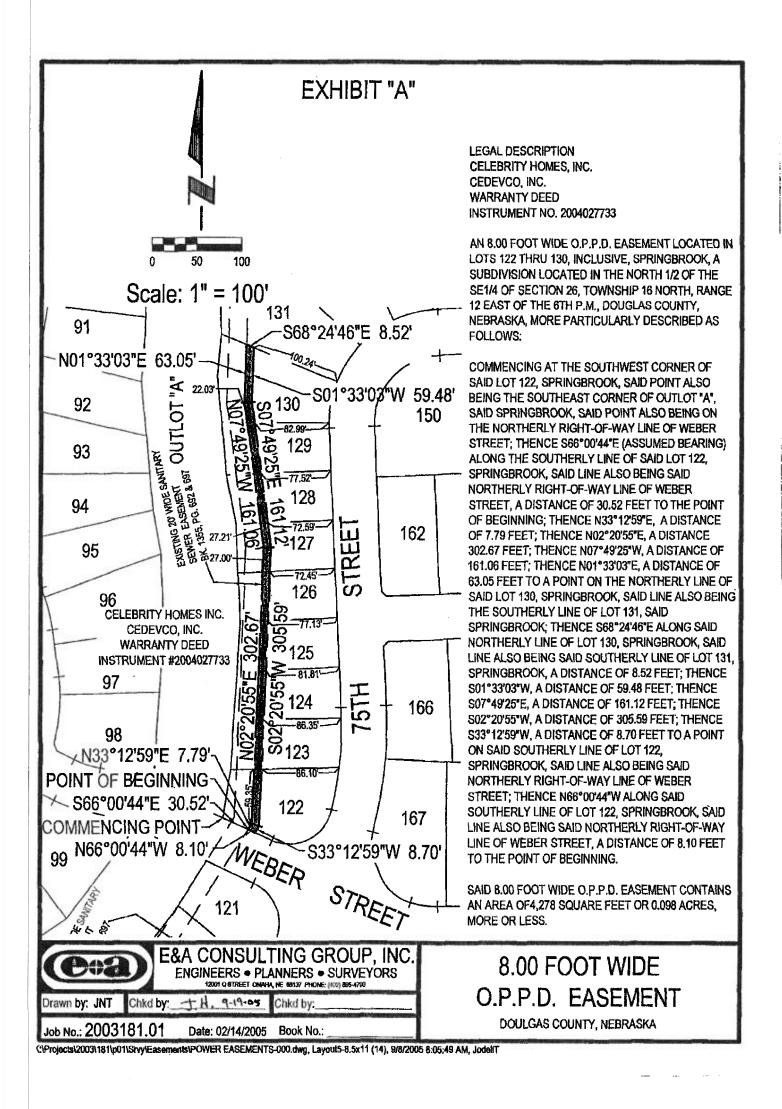
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 115, SPRINGBROOK, SAID POINT ALSO BEING ON THE EASTERLY LINE OF OUTLOT "B", SAID SPRINGBROOK, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF 76TH STREET; THENCE N47°12'46"W (ASSUMED BEARING) ALONG THE SOUTHERLY LINE OF SAID LOT 115, SPRING BROOK, SAID LINE ALSO BEING SAID EASTERLY LINE OF SAID OUTLOT "B", SPRINGBROOK, A DISTANCE OF 95.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N47°12'46"W ALONG SAID SOUTHERLY LINE OF LOT 115, SPRINGBROOK, SAID LINE ALSO BEING SAID EASTERLY LINE OF OUTLOT "B", SPRING BROOK, A DISTANCE OF 8.06 FEET; THENCE N49°58'23"E, A DISTANCE OF 290.73 FEET; THENCE N33°12'59"E, A DISTANCE OF 102.26 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 121, SPRINGBROOK, SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF WEBER STREET; THENCE S66°00'44"E ALONG SAID NORTHERLY LINE OF LOT 121, SPRINGBROOK, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEBER STREET, A DISTANCE OF 8.10 FEET; THENCE S33°12'59"W, A DISTANCE OF 104.73 FEET; THENCE S49°58'23"W, A DISTANCE OF 290.90 FEET TO THE POINT OF BEGINNING.

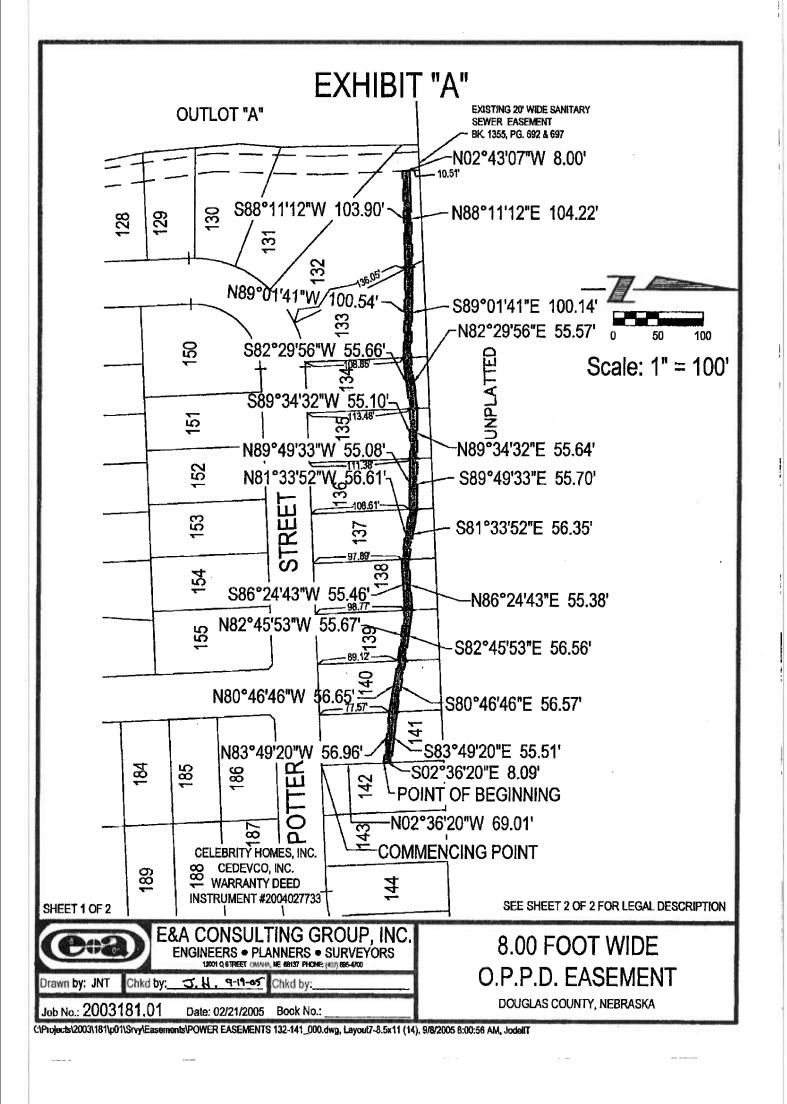
SAID 8.00 FOOT WIDE O.P.P.D. EASEMENT CONTAINS AN AREA OF 3,155 SQUARE FEET OR 0.072 ACRES, MORE OR LESS.



8.00 FOOT WIDE O.P.P.D. EASEMENT

DOULGAS COUNTY, NEBRASKA





### **EXHIBIT "A"**

LEGAL DESCRIPTION
CELEBRITY HOLMES, INC.
CEDEVCO, INC.
WARRANTY DEED
INSTRUMENT NO. 2004027733

AN 8.00 FOOT WIDE O.P.P.D. EASEMENT LOCATED IN LOTS 132 THRU 141, INCLUSIVE, SPRINGBROOK, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF THE SE1/4 OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 141, SPRINGBROOK, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 142, SAID SPRINGBROOK, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF POTTER STREET; THENCE NO2°36'20"W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID LOT 141, SPRINGBROOK, SAID LINE ALSO BEING THE WEST LINE OF SAID LOT 142, SPRINGBROOK, A DISTANCE OF 69.01 FEET TO THE POINT OF BEGINNING; THENCE N83°49'20"W, A DISTANCE OF 56.96 FEET; THENCE N80°46'46"W, A DISTANCE 56.65 FEET; THENCE N82°45'53"W, A DISTANCE OF 55.67 FEET; THENCE S86°24'43"W, A DISTANCE OF 55.46 FEET; THENCE N81°33'52"W, A DISTANCE OF 56.61 FEET; THENCE 89°49'33"W, A DISTANCE OF 55.08 FEET; THENCE S89°34'32"W, A DISTANCE OF 55.10 FEET; THENCE S82°29'56"W, A DISTANCE OF 55.66 FEET; THENCE N89°01'41"W, A DISTANCE OF 100.54 FEET; THENCE S88°11'12"W, A DISTANCE OF 103.90 FEET; THENCE N02°43'07"W, A DISTANCE OF 8.00 FEET; THENCE N88°11'12"E, A DISTANCE OF 104.22 FEET; THENCE S89°01'41"E, A DISTANCE OF 100.14 FEET; THENCE N82°29'56"E, A DISTANCE 55.57 FEET; THENCE N89°34'32"E, A DISTANCE OF 55.64 FEET; THENCE S89°49'33"E, A DISTANCE OF 55.70 FEET; THENCE S81°33'52"E, A DISTANCE OF 56.35 FEET; THENCE N86°24'43"E, A DISTANCE OF 55.38 FEET; THENCE S82°45'53"E, A DISTANCE OF 56.56 FEET; THENCE S80°46'46"E, A DISTANCE OF 56.57 FEET; THENCE S83°49'20"E, A DISTANCE OF 55.51 FEET TO A POINT ON SAID WEST LINE OF LOT 142, SPRINGBROOK, SAID LINE ALSO BEING SAID EAST LINE OF LOT 141, SPRINGBROOK; THENCE S02°36'20"E ALONG SAID WEST LINE OF LOT 142, SPRINGBROOK, SAID LINE ALSO BEING SAID EAST LINE OF LOT 141, SPRINGBROOK, A DISTANCE OF 8.09 FEET TO THE POINT OF BEGINNING.

SAID 8,00 FOOT WIDE O.P.P.D. EASEMENT CONTAINS AN AREA OF 5,213 SQUARE FEET OR 0.120 ACRES, MORE OR LESS.

SHEET 2 OF 2

Job No.: 2003181.01

SEE SHEET 1 OF 2 FOR DRAWING



8.00 FOOT WIDE O.P.P.D. EASEMENT

DOUGLAS COUNTY, NEBRASKA

Date: 02/21/2005 Book No.:

