

11/81

OPPD Form 4-78-R.U.G.

BOOK 663 PAGE 166

Non-specific Easement

File _____

Doc. _____

R/W 5 _____

RIGHT-OF-WAY EASEMENT

I, John E. North and Joyce Z. North, husband and wife Owner of the real estate described as follows, and hereafter referred to as "Grantor",

The East Three Quarters of the South One-half of the Northwest Quarter (E3/4 S1/2 NW1/4 of Section Three (3), Township Fifteen (15) North, Range Eleven (11), 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 referred to as "Grantee", 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:

A strip of land Ten feet (10') in width to provide for the installation of customers service. It is agreed that this easement shall become null and void at such time as Grantor ceases to require electric service.

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 parties hereto have signed their names and caused the execution of this instrument this 6 day of Nov, 1981.

John E. North

John E. North
Joyce Z. North

Joyce Z. North

STATE OF _____
COUNTY OF _____
On this _____ day _____, 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 NEBRASKA
COUNTY OF DOUGLAS
On this 6th day of November, 1981, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____
John E. North and Joyce Z. North
personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.
Witness my hand and Notarial Seal at _____ the date above written.
JUDITH A. INTLEKOFER
My Comm. Exp. Aug. 3, 1983
Judith A. Intlekofer
NOTARY PUBLIC
My Commission expires: 8-3-83

Distribution Engineer HA Date 11-10-81; Land Rights and Services ABH Date 11/10/81
Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section _____ Township _____ North, Range _____ East Engineer D Clausen Est. # 8102035 M.O. # 0708
E3/4 S1/2 NW1/4 Sism: D Clausen

6 Mean

RECEIVED
1981 NOV 20 AM 8 34
CLARENCE OESTER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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