

RETURN TO:
OMAHA PUBLIC POWER DIS
% Right of Way 6W/EP1
444 South 16th Street Mall
Omaha, NE 68102-2247



RECEIVED

Nov 20 2 30 PM '96

STUG-1
October 9, 1996

DOUGLAS COUNTY REGISTER OF DEEDS
DOUGLAS COUNTY, NE

RIGHT-OF-WAY EASEMENT

Walter L. Dardon and Veatrice Hale Owner(s)
of the real estate described as follows, and hereafter referred to as "Grantor",

Lot Three Hundred Twenty-nine (329) in Stony Brook Replat, a subdivision, 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:

The east Five feet of the above lot, intent being a strip of land Five feet (5') in width, and abutting the common lot line of Lots Three Hundred Twenty-nine (329) and Three Hundred Thirty (330).

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 prior notification to the District. The Grantor understands that a single pole and appurtenances may be used to provide service to this property.

Grantee agrees to one (1) relocation of its facilities, at Grantees sole expense, provided however, Grantor agrees to grant a new easement to Grantee over and along a 10' strip of land located on Grantors property and at a point mutually agreeable to both parties.

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 11th day of December, 1996

OWNERS SIGNATURE(S)

Walter L. S. Dardon
Veatrice Hale

Walter L. S. Dardon
Veatrice Hale

CORPORATE ACKNOWLEDGMENT

INDIVIDUAL ACKNOWLEDGMENT

STATE OF

STATE OF

COUNTY 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.

On this 11 day of Dec, 1996, before me the undersigned, a Notary Public in and for said County and State, personally appeared Walter L. S. Dardon & Veatrice Hale 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 the date above written.

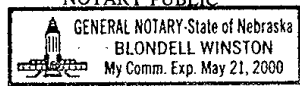
Witness my hand and Notarial Seal the date above written.

B403 #

NOTARY PUBLIC

Blondell Winston
NOTARY PUBLIC

FEE 0.00 R 79-513 FB 65-37131



LEGAL ENGINEER
Section _____ Date _____ Property Management
Salesman _____ North, Range _____
Winston Engineer Miller Estimate # _____

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS