

91-02330

STUG

Doc. # _____

February 11, 1991

RIGHT-OF-WAY EASEMENT

Charles G. Smith

Owner(s)

of the real estate described as follows, and hereafter referred to as "Grantor",

Tax Lot 11, located in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-three (23), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M., Sarpy 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 North Ten feet of Tax Lot 11.

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 12th day of February, 19 91.

Charles G. Smith

OWNERS SIGNATURE(S)

Distribution Engineer _____ Date _____ Property Management _____ Date _____

Section SE $\frac{1}{4}$ 23 Township 14 North, Range 12 East

Salesman De George Engineer White Est. # _____ W.O.# _____

COMPLETE APPROPRIATE ACKNOWLEDGEMENT ON REVERSE SIDE

02330

OPPD
chr

P 5E/4
4

91-02330A

CORPORATE ACKNOWLEDGEMENT

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF

STATE OF Nebraska

COUNTY OF

COUNTY OF Sarpy

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

On this 12th day of February, 19 91,
before me the undersigned, a Notary Public in and for said
County and State, personally appeared

Charles G. Smith

_____ 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.

_____ 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.

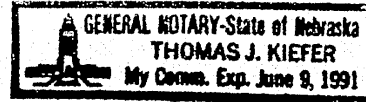
Witness my hand and Notarial Seal the date above written.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

Thomas J. Kiefer

NOTARY PUBLIC



Proof	_____
D.E.	_____
Verify	_____
Filmed	_____
Checked	_____
Fee \$	10 ⁵⁰

FILED SARPY CO. NE.
INSTRUMENT NUMBER
91-02330

91 FEB 20 PM 3:21

Carol A. Gavin
REGISTER OF DEEDS

RETURN TO:
OMAHA PUBLIC POWER DISTRICT
% Real Estate Division
444 South 16th Street Mall
Omaha, NE 68102-2247