

RIGHT-OF-WAY EASEMENT

1. La Verle Bundy of the real estate described as follows, and hereafter referred to as "Grantor",

Lots One (1) thru Forty-six (46), inclusive, of Valley View Estates, an addition to Saunders County, Nebraska, as surveyed, platted and recorded.

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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 ONAHA 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:

A Five foot (5') strip of land abutting all front boundary line of Lots One (1) thru Forty-six (46), inclusive; a Five foot (5') strip of land abutting all side boundary lines of Lots One (1) thru Forty-six (46), except the common side boundary lines between Lots Twelve (12) and Thirteen (13); Fourteen (14) and Fifteen (15); Twenty-eight (28) and Twenty-nine (29) and Thirty-two (32) and Thirty-three (33); an Eight foot (8') wide strip of land abutting the rear boundary lines of all interior lots; and a Sixteen foot (16') wide strip of land abutting the rear boundary lines of all exterior lots.

CONDITIONS:

- (a) where Grantee's facilities are constructed Grantees shall have the right to operate, maintain, repair, replace and renew said facilities consisting of poles, wires, cables, fixtures, guys and anchors and other instrumentalities within a strip of land as indicated above. Together with the right to trim or remove any trees along said line so as to provide a minimum clearance from the overhead facilities of at least Twelve feet (12').
- (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) where Grantee's facilities have been installed, no trees, permanent buildings or other structures shall be placed in or encroach the easement and no change of grade elevation or any excavations shall be made therein without prior written approval of the Grantees, but the same may be used for landscaping or other purposes that do not then or later interfere with the granted easement uses.
- (d) It is further agreed that 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 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 5th day of April, 1980.

La Verle Bundy

STATE OF
COUNTY OF

STATE OF Nebraska
COUNTY OF Dodge

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

On this 5th day of April, 1980 before me the undersigned, a Notary Public in and for said County and State, personally appeared La Verle Bundy

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.

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be her voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at _____ in _____

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

Warren D. Whitaker
NOTARY PUBLIC

My Commission expires: _____

My Commission expires: February 8, 1980

Distribution Engineer BD Date 5/3/80 Land Rights and Services RWP Date 5-5-78

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19____
Section 34 Township 17 North, Range 8 East, Salaman Kaibit Engineer WOODHEAD Dist. 85350 N.O. 8118