

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2002-40270  
2002 OCT 11 A 10:08  
*Shirley J. Lawing*  
REGISTER OF DEEDS

Counter *RM*  
Verify *R*  
D.E. *Sm*  
Proof *D*  
Fee \$ *33.00*  
Ck  Cash  Chg   
*OPPD*

Joint  
June 11, 2002

Doc.#

**JOINT UTILITY EASEMENT**

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

Lots 29 thru 36 of Walnut Creek Hills Replat Two Addition, as surveyed, platted and recorded in Sarpy County, Nebraska, together with Lot 57, Lots 230 thru 248 and Lots 270 thru 277 of Walnut Creek Hills Addition, as surveyed, platted and recorded in 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, Qwest Communications and any other company which has been granted a franchise to provide cable television in the area to be subdivided, their successors and assigns, a permanent utility easement to erect, operate, maintain, repair, and renew poles, wires, cables, conduits and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electrical current for light, heat and power and for the transmission of signals and sounds of all kinds including signals provided by a cable television system, and the reception on, over through, under and across the following described real estate, to wit:

See Exhibit "A" and the reverse side hereof and Exhibit "B" attached for sketches of easement areas.

The Grantor hereby grants to said Utilities, their 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.

No permanent buildings or retaining walls shall be placed in the easement area, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

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 Utilities 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 *9* day of *September*, 2002.

OWNERS SIGNATURE(S)

*Shirley J. Lawing*  
President - Celebrity Homes, Inc.

*RJR*  
*1052*

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

40270

A

**CORPORATE ACKNOWLEDGMENT**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF NEBRASKA

STATE OF

COUNTY OF DOUGLAS

COUNTY OF

On this 9 day of September, 2002, before me the undersigned, a Notary Public in and for said County, personally came Gaule L. Larson President of Celebrity Homes, Inc 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 \_\_\_\_\_ day of \_\_\_\_\_, 2002, 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) and 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.

Witness my hand and Notarial Seal the date above written.

Loren Johnson  
NOTARY PUBLIC

\_\_\_\_\_  
NOTARY PUBLIC

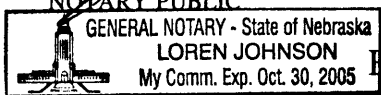


EXHIBIT "A"

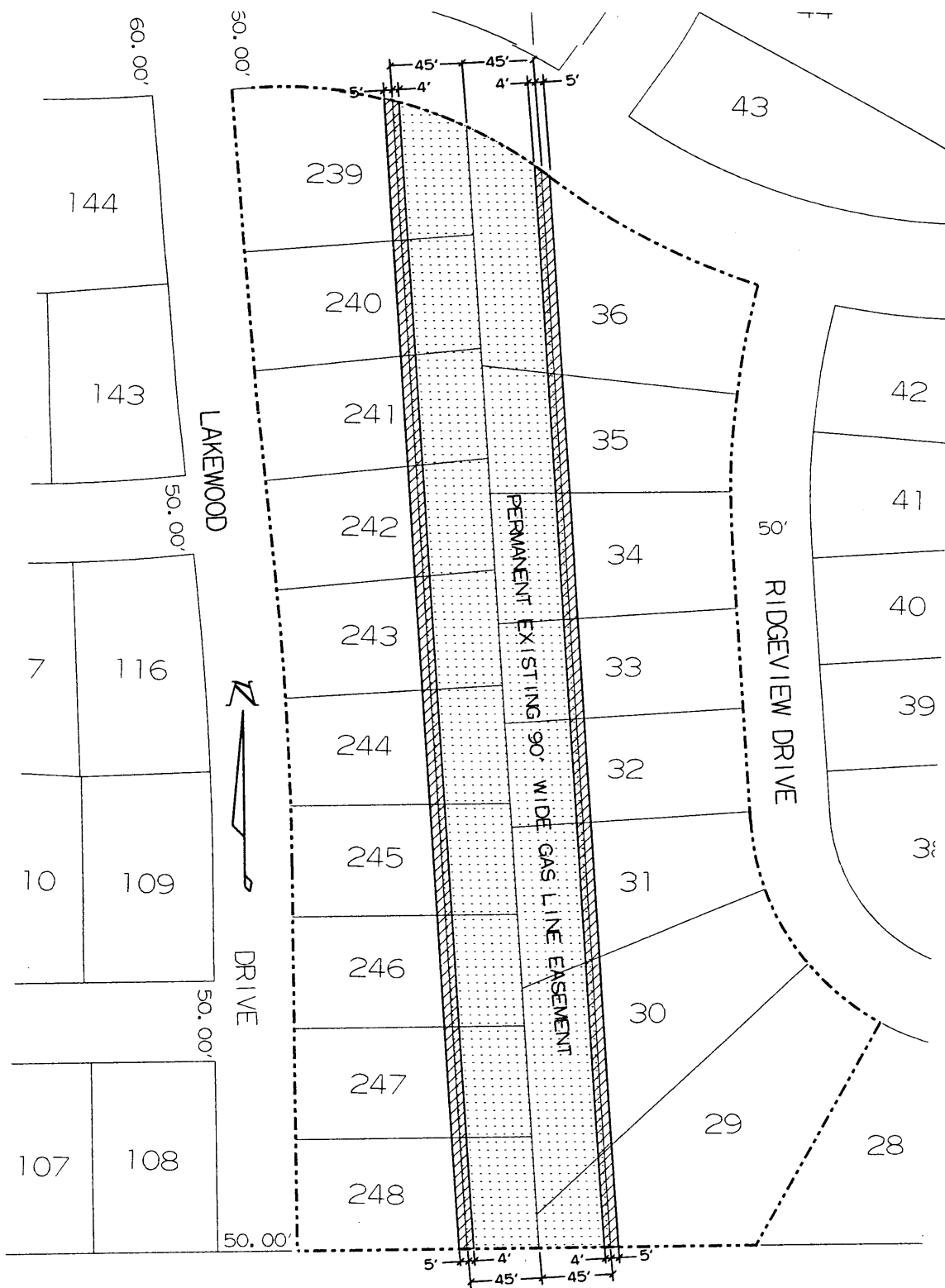


EXHIBIT "B"

