

Doc # 59

FILED FOR RECORD ^{10:50} ~~10-5-72~~ AT ~~11~~ A. M. IN BOOK 13 OF Miss.
PAGE 461 REGISTER OF DEEDS, CASS CO., NEBR.
Betty Philpot Fee \$25.75

LICENSE

KNOW ALL MEN BY THESE PRESENTS:

COMPARED

That the BEAVER LAKE CORPORATION, a corporation organized and existing by virtue of the laws of the State of Nebraska, hereinafter referred to as the "Grantor", its lessees, successors and assigns, in consideration of One Dollar and other valuable consideration to it paid, receipt whereof is hereby acknowledged, does hereby grant, convey, sell, assign, transfer, and set over unto the OMAHA PUBLIC POWER DISTRICT, a public corporation, organized and existing by virtue of the laws of the State of Nebraska, hereinafter referred to as the "Licensee", its lessees, successors and assigns, a perpetual, non-exclusive license in common with other utilities, holding a similar license, permitting the Licensee to exercise certain rights, privileges, authority and right-of-way, as hereinafter more specifically set forth, under, upon, along and above the following described easement, to-wit:

15 feet wide along both sides of all road rights of way; and 10 feet wide along the side and rear lines of each lot, together with the right to ingress and egress. The person owning more than one lot may build on any such lot line and the easement shall be inoperative as to said line provided that such building shall be placed thereon prior to the instigation of use of this easement.

reserved in each and every lot contained in the legal description attached hereto and by this reference made a part hereof. The above easement arises by virtue of the protective covenants, restrictions and easements of record recorded in Book D Pages 195 and 196 in the records of the Office of the Register of Deeds of Cass County, Nebraska, incorporated into and made a part of

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and thereby encumbering each and every deed conveying each and every lot contained in the above described realty. This license shall run with the easement which in turn runs with the land.

More specifically, the Grantor grants, conveys, sells, assigns and transfers the following perpetual non-exclusive rights in common with other utilities holding similar rights, in the above described easements to the Licensee, to-wit:

1. The Licensee shall have the right of ingress and egress across the Grantor's easement for any purpose necessary in connection with the survey, construction, relocation, inspection, repair, replacement, addition to, maintenance, operation and removal of power lines. Such ingress and egress shall be exercised in a reasonable manner.

2. The Licensee shall have the right to trim or remove all trees and brush on said right-of-way as may be necessary to efficiently survey, construct, reconstruct, relocate, inspect, repair, replace, add to, maintain, operate and remove said lines, together with the express provision that any and all trees which, in falling, would come within 15 feet of the nearest electric line conductor, may be topped or removed. All refuse from such cutting or trimming shall be removed by the Licensee.

3. The Licensee shall have the right, at any time, to relocate or add additional electric transmission lines consisting of poles, towers, tower foundations, down-guys, anchors, cross-arms, insulators, wires, supports and other fixtures and equipment, with changed dimensions and different voltages, over, above, along, under, in and across the above described real estate covered by the easement.

4. It is further agreed that the Grantor has reserved in himself a valid easement and that he therefore has good,

The Grantor, its successors and assigns, does further, hereby grant, convey, sell, assign and transfer to the District, its successors and assigns, the right, privilege, easement and authority to enter upon and pass over all private roads and street and other property of the Grantor for the purpose of constructing, repairing, operating and maintaining said lines and equipment upon or under the above described easement.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument in triplicate.

OMAHA PUBLIC POWER DISTRICT

[Signature]
Assistant General Manager

BEAVER LAKE CORPORATION

[Signature]
President

[Signature]
Secretary

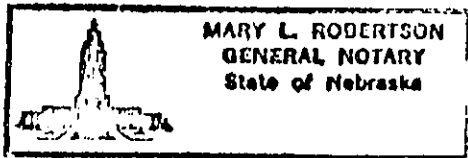
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 13th day of September, 1972, before me, the undersigned, a notary public in and for said county, personally came Kenneth F. Gorman and Barbara Slaughter, President and Secretary, respectively, of BEAVER LAKE CORPORATION, a corporation, to me personally known to be the President and Secretary and identical persons whose names are affixed to the above License, and they acknowledged the execution thereof to be their voluntary act and

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deed as such officers, and the voluntary act and deed of said corporation.

Witness my hand and notarial seal at Omaha, Nebraska, in said county, the day and year last above written.



Mary L. Robertson
Notary Public

My commission expires: January 18, 1976.

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SCHEDULE A

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Legal Description: Beaver Lake

Situated in the County of Cass, State of Nebraska and known as being part of Sections 12 and 13, Twp 11 N., Rge 13 East, part of Sections 7, 17, 18, 19 and 20, Twp 11 N., Rge 14 East, E. of 6th P.M. bounded and described as follows:

Beginning at the Southeast corner of Sec. 13;

Thence South $89^{\circ}57'00''$ West along the South line of said Sec. 13, a distance of 1668.57 feet to a point;

Thence North $1^{\circ}44'00''$ West, a distance of 719.25 feet to a point;

Thence South $48^{\circ}08'16''$ West, a distance of 191.05 feet to a point;

Thence South $58^{\circ}28'00''$ West, a distance of 278.79 feet to a point;

Thence North $15^{\circ}40'57''$ West, a distance of 104.40 feet to a point;

Thence South $39^{\circ}23'03''$ West, a distance of 153.05 feet to a point;

Thence North $15^{\circ}40'57''$ West, a distance of 104.40 feet to a point;

Thence North $5^{\circ}37'29''$ West, a distance of 555.42 feet to a point;

Thence North $0^{\circ}16'10''$ East, a distance of 2568.00 feet to a point;

Thence South $89^{\circ}44'53''$ West, a distance of 400.00 feet to a point on the West line of the $E\frac{1}{2}$ of Sec. 13;

Thence North $0^{\circ}16'09''$ East along the West line of the $E\frac{1}{2}$ of Sec. 13, a distance of 1662.24 feet to the Northwest corner of the $NE\frac{1}{4}$ of said Sec. 13;

Thence North $0^{\circ}57'57''$ East along the West line of the $E\frac{1}{2}$ of Sec. 12, a distance of 924.00 feet to a point;

Thence North $75^{\circ}24'06''$ East, a distance of 1665.17 feet to a point;

Thence North $89^{\circ}33'10''$ East, a distance of 1031.37 feet to a point on the East line of Sec. 12, said line being also the West line of Sec. 7;

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Thence due South along the said West line of Sec.7, a distance of 664.91 feet to a point;

Thence South $89^{\circ}09'33''$ East, a distance of 1306.35 feet to a point;

Thence North $0^{\circ}09'10''$ East, a distance of 80.64 feet to a point;

Thence South $44^{\circ}07'00''$ East, a distance of 262.51 feet to a point of curvature;

Thence Southeasterly by a curve to the left an arc distance of 553.66 feet to a point of tangency, said curve having a radius of 703.94 feet and a chord which bears South $66^{\circ}38'56''$ East, a distance of 539.48 feet;

Thence South $0^{\circ}49'08''$ West, a distance of 20.00 feet to a point;

Thence South $89^{\circ}10'52''$ East, a distance of 1317.37 feet to a point;

Thence South $62^{\circ}19'55''$ East, a distance of 732.73 feet to a point on the North line of Sec.18;

Thence South $89^{\circ}12'10''$ East along the said North line of Sec.18, a distance of 1323.10 feet to the Northeast corner of said Sec.18;

Thence South $89^{\circ}34'10''$ East, along the said North line of Sec.17, a distance of 1322.34 feet to the Northeast corner of the NW $\frac{1}{2}$ of NW $\frac{1}{2}$ of Sec.17;

Thence South $0^{\circ}00'18''$ East along the East line of the NW $\frac{1}{2}$ of NW $\frac{1}{2}$ of Sec.17, the East line of the SW $\frac{1}{2}$ of NW $\frac{1}{2}$ of Sec.17 and the East line of the NW $\frac{1}{2}$ of SW $\frac{1}{2}$ of Sec.17, a distance of 3969.24 feet to the Northeast corner of the SW $\frac{1}{2}$ of SW $\frac{1}{2}$ of Sec.17;

Thence South $89^{\circ}26'39''$ East, along the North line of said SE $\frac{1}{2}$ of SW $\frac{1}{2}$ of Sec.17, a distance of 525.86 feet to a point;

Thence South $2^{\circ}45'14''$ East, a distance of 150.01 feet to a point;

Thence South $7^{\circ}28'24''$ East, a distance of 555.00 feet to a point;

Thence South $2^{\circ}18'04''$ East, a distance of 620.04 feet to a point on the South line of Sec.17, said line being also the North line of Sec. 20;

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Thence North $89^{\circ}35'51''$ West along the North line of Sec.20, a distance of 630.06 feet to the Northeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20;

Thence South $0^{\circ}09'29''$ West, along the East line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20, a distance of 1338.48 feet to the Southeast corner thereof;

Thence North $89^{\circ}03'53''$ West along the South line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20, a distance of 1337.50 feet to the Southwest corner thereof;

Thence North $0^{\circ}32'42''$ West along the West line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20, a distance of 232.57 feet to a point;

Thence North $89^{\circ}39'05''$ West, a distance of 1323.00 feet to a point on the West line of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec.19;

Thence North $0^{\circ}18'10''$ West along the West line of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec.19, a distance of 1093.99 feet to a point on the South line of Sec.18;

Thence North $89^{\circ}38'00''$ West, along the South line of Sec.18, a distance 1318.60 feet to the Southwest corner of the SE $\frac{1}{4}$ of said Sec.18;

Thence North $0^{\circ}14'10''$ East along the West line of the SE $\frac{1}{4}$ of Sec. 18, a distance of 1328.53 feet to the Southeast corner of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec.18;

Thence North $89^{\circ}32'39''$ West, along the South line of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec.18, a distance of 1319.49 feet to the Southwest corner thereof;

Thence North $0^{\circ}07'05''$ East along the West line of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec.18, a distance of 330.00 feet to a point;

Thence North $89^{\circ}32'39''$ West, a distance of 1292.23 feet to a point on the West line of Sec.18;

Thence due South, a distance of 1662.64 feet to the place of beginning and containing 1204.050 Acres of land as described by Hedrick, Cox, Dancull & Associates, Engineers and Surveyors, dated November 1970, be the same more or less but subject to all legal highways.

Except Lot 13 in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.17, Twp 11 N., Rge 14 E. of 6th P.M., Cass County, Nebraska, described as follows: Beginning at a point on the East line of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.17 T 11 N R 14 E. of 6th P.M. which is 1450.0' South of the Brass Cap Monument which denotes the NE corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.17; thence West at 90° to said 1/16th Section line for 218.38'; thence S $76^{\circ}40'$ W for 349.50'; thence S $13^{\circ}20'$ E for 200.00'; thence N $76^{\circ}40'$ E for 326.12'; thence East 195.00' to a point on the 1/16th Section line; thence North 200.00' to the place of beginning containing a calculated area of 2.50 acres, more or less.

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Except Lot 37 which falls partly in the $W\frac{1}{2}$ of $SE\frac{1}{4}$ and partly in $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 13, Twp 11 N., Rge 13, E. of 6th P.M., Cass County, Nebraska, described as follows: Starting at the Southwest corner of the $NE\frac{1}{4}$ of Sec. 13; thence North $0^{\circ}16'10''$ East, along the said West line of said $NE\frac{1}{4}$, a distance of 993.00 feet; thence North $89^{\circ}44'53''$ East, a distance of 400.00 feet to the true place of beginning; thence continuing North $89^{\circ}44'53''$ East, a distance of 10.00 feet; thence South $0^{\circ}16'10''$ West, a distance of 2568.00 feet; thence South $89^{\circ}44'53''$ West, a distance of 10.00 feet; thence North $0^{\circ}16'10''$ East, a distance of 2568.00 feet to the place of beginning, and containing 0.59 Acres, more or less.

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