

RIGHT-OF-WAY PERMIT AND EASEMENT

W.O. #11755

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, (whether one or more)

CSS NONPAREIL FARMS

(husband and wife) (unmarried) for a good and valuable consideration, the receipt whereof is acknowledged, do hereby grant unto the NIOBRARA VALLEY ELECTRIC MEMBERSHIP CORPORATION, (hereinafter called the "Cooperative"), whose post office address is O'Neill, Nebraska, and to its successors or assigns, the right to enter in and upon the lands of the undersigned, located in the County of Holt, State of Nebraska, and more particularly described as follows:

A tract of land approximately 160 acres in area, located 5 miles in a Southeasterly direction from the Town of Stuart, and further described as:

The Northwest Quarter (NW 1/4) of Section Fourteen (14) Township Thirty (30) North and Range Fifteen (15) West of the 6th P.M., Holt County, Nebraska;

and to construct, operate and maintain an electric transmission and/or distribution line or system on or under the above-described lands and/or in, upon or under all streets, roads or highways abutting said lands; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as the Cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures; to cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery located within 10 feet of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use or occupancy of the lines, system or, if any of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned covenant that they are the owners of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

IN WITNESS WHEREOF, the undersigned have set their hands this 13 day of August, 2002.

STATE OF NEBRASKA FILED FOR RECORD HOLT COUNTY, SS Mo. 12 Day 19 2002 At 9 O'clock A.M. Recorded in book 79 of Misc Page 413 GARY DEVALL, County Clerk [Signature]

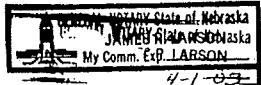
STATE OF NE ) COUNTY OF Holt )

Now on this 13 day of August, 2002, before me the undersigned, a Notary Public in and

for said County and State personally appeared Jeff Phillips personally known to me to be the identical person or persons whose name or names are affixed to the foregoing agreement, and who acknowledge that they executed the same to be their own voluntary act and deed.

Witness my hand and seal on the day and year last above written.

[Signature] NOTARY PUBLIC



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