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STATE OF NEBRASKA
FILED FOR RECORD
HOLT COUNTY, AS
MO. 11 DAY 8 20 06
AT 1 O'CLOCK P FILE CODED
IN BOOK 83 OF Misc
PAGE 562
CATHY FAVEL, COUNTY CLERK
Linda Schaf CHIEF CLERK

RIGHT-OF-WAY PERMIT AND EASEMENT

W.O. #12599 - WATER PUMP

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned,

~~KEATING RANCH~~ Gerard Keating

(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 **25** miles in a **Northeasterly** direction from the Town of **Atkinson**, and further described as:

The Southwest Quarter (SW 1/4) of Section Twenty-One (21) Township Thirty-Three (33) North and Range Thirteen (13) 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 24 day of May, 2006

[signature]

STATE OF IL)
)
COUNTY OF Kane)

Now on this 24 day of May, 2006, before me the undersigned, a Notary Public in and for said County and State personally appeared Gerard Keating, 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.

Kristin Halbert
NOTARY PUBLIC

OFFICIAL SEAL
KRISTIN HALBERT
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/09/09

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