

Miscellaneous Record No. 4

LUDL PRINTING CO., Wahoo, Nebraska

as provided by law and to be approved by the Court.

BY THE COURT,  
RAYMOND J. CASE  
County Judge.

IN THE COUNTY COURT OF CASS COUNTY, NEBRASKA

THE STATE OF NEBRASKA )  
                                  )SS                                  CERTIFICATE OF TRANSCRIPT  
COUNTY OF CASS          )

I, Raymond J. Case County Judge of Cass County, Nebraska, do hereby certify the foregoing to be a true, perfect and complete copy of Order Appointing Conservator entered in the matter of the Conservatorship of Mary A. Irons as the same appears on file and of record in the County Court of Cass County, Nebraska.

I further certify that I am ex-officio Clerk of said Court; that I have legal custody and control of the records of said Court; that said Court is a Court of Record, has a seal, and the said seal is hereto affixed; and that the foregoing attestation is in due form and according to the laws of the State of Nebraska.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the County Court of Cass County, Nebraska, at Plattsmouth, this 18th day of July, A.D. 1950.

(SEAL OF THE COUNTY COURT)  
(OF CASS COUNTY, NEBRASKA)

Raymond J. Case  
County Judge and Ex-officio Clerk of  
the County Court of Cass County, Nebraska

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RIGHT-OF-WAY EASEMENT  
A. B. Rogers et ux  
to  
Eastern Nebraska Public Power District  
-----  
Tract # 164

JUMPAREL

Filed July 26, 1950 at 9:15 A. M.  
Lucille Horn Gaines  
Register of Deeds  
\$ 2.50 ↑

A. B. & Irma Rogers

Right-of-Way Easement

In consideration of the sum of \$25.00 dollars, receipt of which is hereby acknowledged, and of the further agreements herein stated, the undersigned hereby grant(s) and convey(s) to Eastern Nebraska Public Power District, Syracuse, Nebraska, a public corporation, its successors and assigns, a Right-of-Way for the construction, maintenance, operation and inspection of an electric transmission line consisting of poles, towers, wires, equipment and fixtures, with right to alter, repair and remove the same in whole or in part at any time, in, over and across the following described lands situated in Cass County, State of Nebraska, to-wit:

The Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) and the South Half (S 1/4) of the Southeast Quarter (SE 1/4) of Section twenty-six (26), Township twelve (12), Range thirteen (13), East of 6th P.M., Cass County, Nebraska.

and any abutting public highway or place, also the right to clear timber and to trim and keep trimmed as may be reasonably necessary, all trees, hedges, and shrubs. The route of the line and location of poles, structures and guys shall be approximately as shown on the attached map. The Grantee shall have the right of ingress to and from such right-of-way and transmission line for the purpose of making necessary changes in the line and for the purpose of maintaining the line, including tree and brush trimming. It is understood that the right of ingress and egress acquired hereunder will be exercised in a reasonable manner and, as nearly as possible, in conformance with the wishes of the owner and occupant of the premises.

Grantee agrees that this easement shall revert to Grantor in case of removal or abandonment of the line.

The said Grantor(s), his or their heirs or assigns, are to be entitled to the full use and enjoyment of the said premises, subject only to the rights of the Grantee herein granted and of its successors or assigns.

Grantee or its successors or assigns hereby agrees to make final settlement and payment

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as hereinafter provided and, in addition thereto, agrees to pay any damages which may be caused to crops, fences, or any other portion of Grantor's property by reason of the building or the future maintenance of said transmission line.

Grantor(s) agree(s) not to locate nor allow any building, hay stack, <sup>straw stack,</sup> tree, structure, or any other combustible material to be placed under the wires or near the poles, wires, or fixtures in such a manner as to endanger or to be endangered by the same, or to interfere with the operation thereof, or in such a way as to be likely to result in damage to the property of either party if a fire should occur in or around the transmission line or any such property of Grantor.

Final settlement and payment for the rights herein granted shall be made on the following basis, payment to be made within a reasonable time after this instrument shall be signed and acknowledged:

	In Meadow or Cultivated Fields	In Permanent Pasture or Uncultivated Land
For Poles	Twenty-five Dollars each -	Twelve and one-half Dollars each
For Anchors and Guys	Twenty-five Dollars each -	Twelve and one-half Dollars each

The down payment of \$25.00 to be deducted therefrom.

2 poles @ \$25.00

It is understood that Grantor(s) will not receive electric service from this line.

A. B. Rogers

Irma Rogers

In Presence of

STATE OF NEBRASKA )  
                          )ss  
CASS COUNTY       )

### ACKNOWLEDGMENT

I hereby certify that on this 18 day of April, A.D. 1950, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came A. B. Rogers and Irma Rogers his wife, to me personally known to be the same person(s) who signed and executed the above instrument, and they each duly acknowledged the execution of the same.

WITNESS my hand and Notarial Seal on the day and date last above written.

(R. C. JOHNSON )  
(GENERAL NOTARY SEAL)  
(COMMISSION EXPIRES )  
(APRIL 30, 1955 )  
(STATE OF NEBRASKA )

R. C. Johnson  
Notary Public

My commission expires April 30/55.

7A

LAW OFFICES  
VAN PELT, MARTI & O'GARA

ROBERT VAN PELT  
LLOYD J. MARTI  
J. P. O'GARA  
WARREN K. DALTON  
ROBERT D. MCNUTT

204 FIRST NATIONAL BANK BLDG.  
LINCOLN, NEBRASKA

July 25, 1950

Lucille Horn Gaines  
Register of Deeds  
Cass Connty  
Plattsmouth, Nebraska

Dear Mrs. Gaines:

We enclose herewith our check in the sum of \$28.25  
to pay for the easements.

In filing these easements you may use the plat which  
is now attached to them and it is necessary that you  
return only the easement itself to us.

Yours very truly,

VAN PELT, MARTI & O'GARA

By Robert McNutt

RMC:HA

TITLE:

EASTERN NEBRASKA PUBLIC POWER DISTRICT 8-A

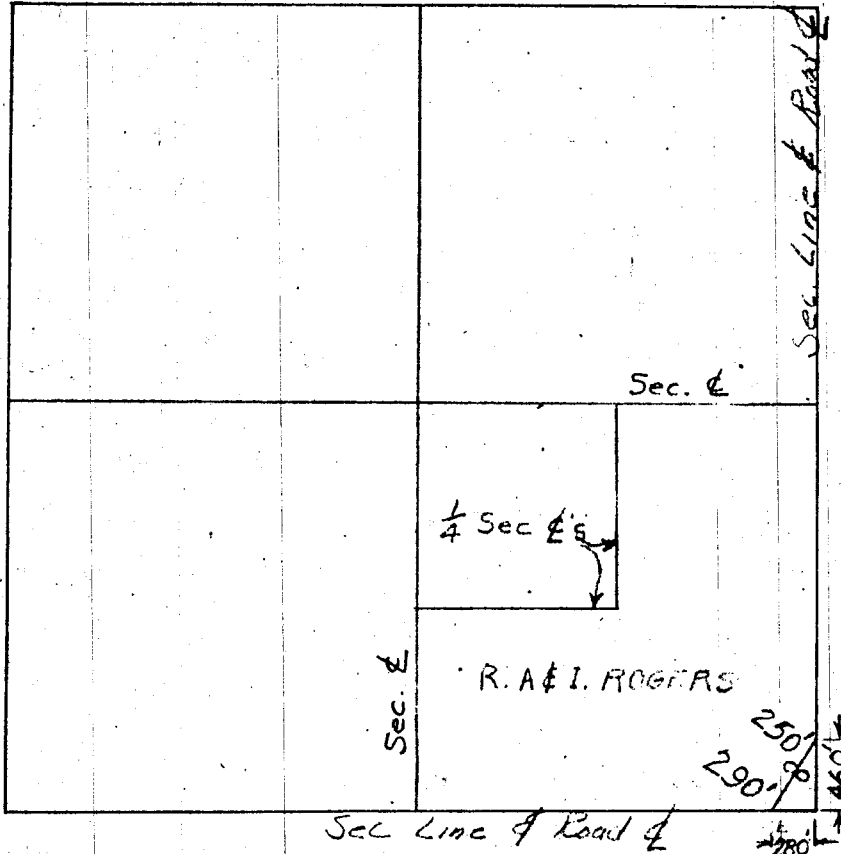
TRANSMISSION LINE RIGHT OF WAY

R. A. & IRMA ROGERS

SECTION 26

TWP 12

RANGE 13



THE PROPOSED TRANSMISSION LINE WILL BE LOCATED APPROXIMATELY AS SHOWN ON THIS PLAT

EXHIBIT \_\_\_\_\_  
SCALE 1" = 1000'



LOCATION:

H-B 164

DATE

8.30.49

BY

M. I. K.

JOB

579

HENNINGSON ENGINEERING CO.

OMAHA, NEBRASKA