

11546

ACCESS EASEMENT

Donley F. Gerbig, herein called "Grantor", record owner of the real property hereinafter described, for and in consideration of the sum of One (\$1.00) Dollar and other valuable consideration (OVC), duly paid, the receipt whereof is duly acknowledged, does hereby GRANT, REMISE and RELINQUISH unto the City of Lincoln, Nebraska, A MUNICIPAL CORPORATION, d/b/a Lincoln Electric System, its successors and assigns, herein called "LES" as follows:

The permanent right, privilege, and easement to go on, over and through the herein described real property which includes the right of ingress and egress over the herein described real property for its employees, contractors, vehicles and equipment in connection with installing, constructing, operating and maintaining LES transmission lines, the corridor of which is established by separate right-of-way easement, which right of ingress and egress and additional easement as described herein is hereby granted over the following described real property to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD unto the City of Lincoln, Nebraska, a municipal corporation, d/b/a Lincoln Electric System, its successors and assigns forever, or until released by LES.

Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above-described property for any other purpose. Any damage to crops of Grantor or any tenant or any compaction of the soil resulting from the entry upon the property of Grantor for construction, maintenance, or repair purposes, shall be paid to Grantor or Grantor's tenant as determined by agreement of the Parties, or as determined by law.

2

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, lessees, successors, and assigns of the respective Parties, and the easements, rights, obligations, and privileges of LES created by this instrument shall not in any manner be released, waived, or in any way terminated or affected by any delay, failure or lack of use by LES for any period of time.

IN WITNESS THEREOF, we have hereunto set out hand this 22 day of March, 1993.

X Donley F. Gerbig
Donley F. Gerbig

Julia V. Gerbig

STATE OF NEBRASKA)
LANCASTER COUNTY) SS.

The foregoing Access Easement was acknowledged before me this 22 day of March, 1993 by Donley F. Gerbig
Julia V. Gerbig



Notary Public

DESCRIPTION of an Access Easement across a part of Lot 25 of Irregular Tracts located in the South One-Half of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described by metes and bounds as follows:

Referring to the Southeast corner of the South One-Half of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska. Thence in a Northerly direction along the East line of the South One-Half of the Northeast Quarter of Section 23 on an assumed bearing of N 00° 03' 32" E a distance of Eighty and No Tenths (80.0) feet. Thence N 89° 41' 15" W parallel to and Eighty and No Tenths (80.0) feet North of the South Line of the South One-Half of the Northeast Quarter of said Section 23 a distance of One Thousand Fifty-Three and Nineteen Hundredths (1,053.19) feet to the Point of Beginning. Thence N 48° 16' 52" W a distance of Four Hundred Thirteen and Thirty-One Hundredths (413.31) feet to a point on the Northeasterly Fifty and No Tenths (50.0) foot Right-Of-Way line of the Burlington Northern Railroad. Thence S 28° 26' 30" E along the said Northeasterly Fifty and No Tenths (50.0) foot Right-Of-Way line of the Burlington Northern Railroad a distance of Three Hundred Eleven and Eighty-One Hundredths (311.81) feet to a point Eighty and No Tenths (80.0) feet North of the South line of the South One-Half of the Northeast Quarter of said Section 23. Thence S 89° 41' 15" E parallel to and Eighty and No Tenths (80.0) feet North of the South line of the South One-Half of the Northeast Quarter of said Section 23 a distance of One Hundred Sixty and No Tenths (160.0) feet to the Point of Beginning.

AND THE FOLLOWING DESCRIBED ACCESS EASEMENT:

Referring to the Southeast corner of the South One-Half of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska. Thence in a Northerly direction along the East line of the South One-Half of the Northeast Quarter of Section 23 on an assumed bearing of N 00° 03' 32" E a distance of Eighty and No Tenths (80.0) feet. Thence N 89° 41' 15" W parallel to and Eighty and No Tenths (80.0) feet North of the South Line of the South One-Half of the Northeast Quarter of said Section 23 a distance of One Thousand Three Hundred Fifty-Five and Seventy-Seven Hundredths (1,355.77) feet to a point on the Southwesterly Seventy-Five and No Tenths (75.0) foot Right-Of-Way line of the Burlington Northern Railroad and Point of Beginning. Thence N 28° 26' 30" W along the said Southwesterly Seventy-Five and No Tenths (75.0) foot Right-Of-Way line of the Burlington Northern Railroad a distance of One Hundred Sixty-Five and Three Hundredths (165.03) feet. Thence N 61° 33' 30" E a distance of Twenty-Five and No Tenths (25.0) feet to a point on the Southwesterly Fifty and No Tenths (50.0) foot Right-Of-Way line of the Burlington Northern Railroad. Thence N 28° 26' 30" W along the said Southwesterly Fifty and No Tenths (50.0) foot Right-of-Way line of the Burlington Northern Railroad

4

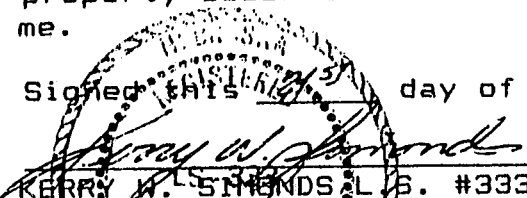
EXHIBIT "A"

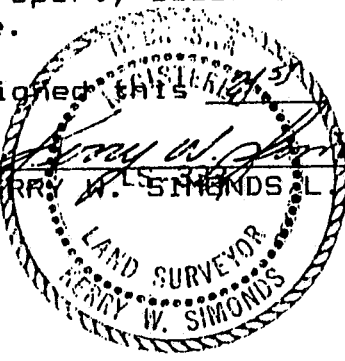
a distance of Seventy-Eight and Nineteen Hundredths (78.19) feet. Thence S 61° 33' 30" W a distance of One Hundred and No Tenths (100.0) feet. Thence S 28° 26' 30" E parallel to and One Hundred Fifty and No Tenths (150.0) feet Southwesterly of the Centerline of the Burlington Northern Railroad a distance of Two Hundred Two and Seven Hundredths (202.07) feet to a point Eighty and No Tenths (80.0) feet North of the South line of the South One-Half of the Northeast Quarter of said Section 23. Thence S 89° 41' 15" E parallel to and Eighty and No Tenths (80.0) feet North of the South line of the South One-Half of the Northeast Quarter of said Section 23 a distance of Eighty-Five and Fifty-Five Hundredths (85.55) feet to the Point of Beginning and containing a Total Easement area of 40,522 Square Feet.

CERTIFICATION:

I hereby certify the location of the Proposed Easement on the property described above. The centerline of which was located by me.

Signed this 27th day of December, 1992


KERRY W. SIMONDS, L.S. #333

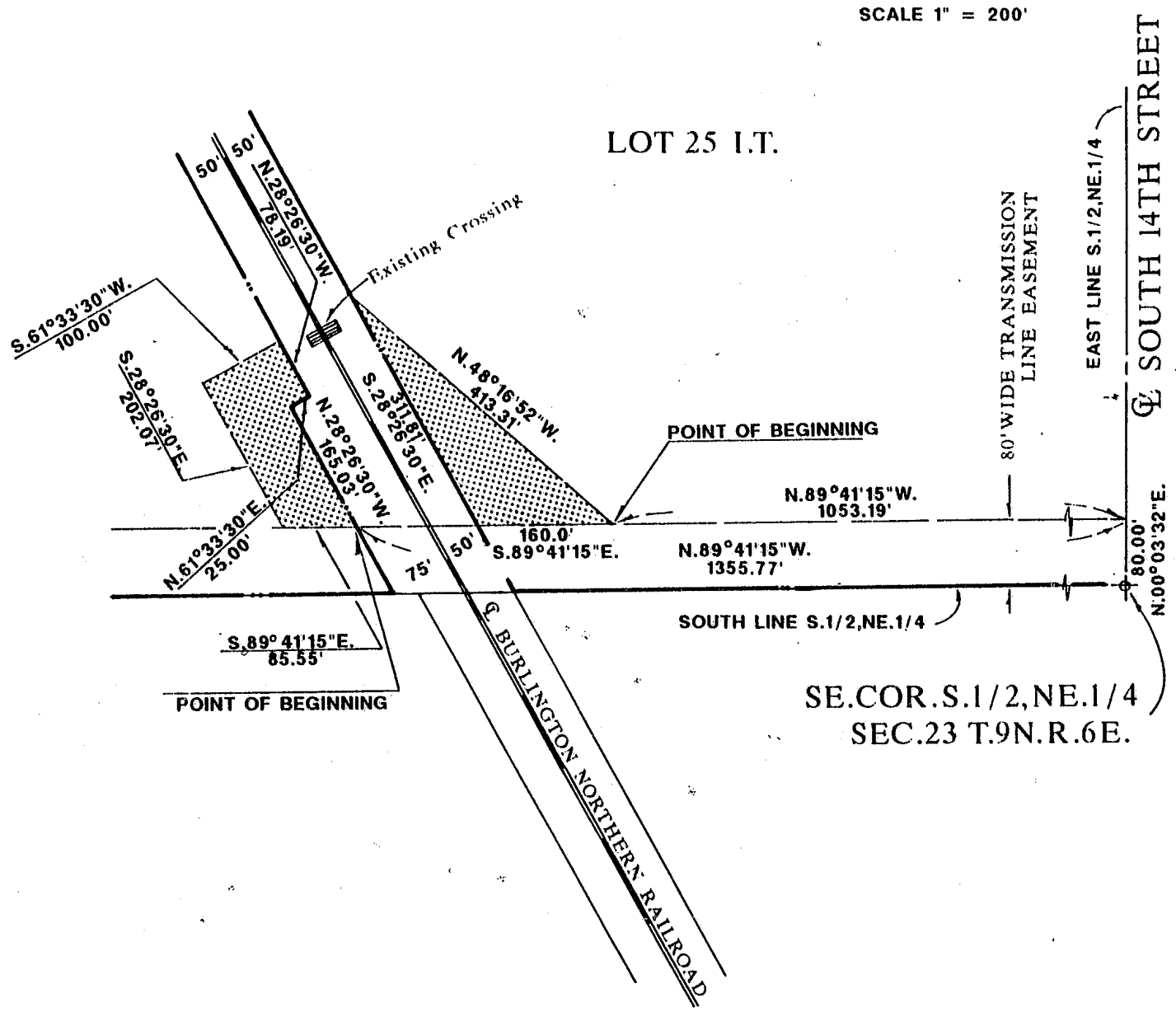


5

L.E.S. ACCESS EASEMENT



SCALE 1" = 200'



TOTAL EASEMENT AREA = 40,522 SQ. FT.

BLOCK
CORNER
CITY OF
LANCASTER
NEB
MAR 31 9 15 AM '93
INST. NO 93 11546

LANCASTER COUNTY, NEB
DEPT. OF REVENUE
REGISTER OF DEEDS

\$25.50

LES

LEGAL DESCRIPTION:	
Easement across a part of LOT 25 I.T. located in the S.1/2, NE.1/4 of Sec. 23 T.9N. R.6E.	
Date: 12/21/1992	
Scale: 1" = 200'	Drawing No.

Change LES