

Inst # 2014008592 Wed Mar 12 12:55:11 CDT 2014
Filing Fee \$46.00
Lancaster County, NE Assessor/Register of Deeds Office ERSE
Pages 7



RIGHT OF WAY EASEMENT

That Cheryl J. Bowman, Rebecca L. Foster and Blayde L. Keel; Chad W. Keel and Lanyce S. Keel, Trustee of the Chad W. Keel and Lanyce S. Keel Trust dated March 22, 2006; and Jeanne Keel Dixon Trustee of the Jeanne Keel Dixon Revocable Trust dated November 7, 2007, herein called "Grantor", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar and other valuable consideration (\$1.00 and OVC), duly paid the receipt whereof is duly acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, 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 survey, construct, reconstruct, relocate, maintain, inspect, operate, alter and replace electric transmission lines and appurtenances thereto including structures, structure foundations, poles, pole foundations, down guys, anchors, insulators, underground cables, communication lines, wires and supports upon, above, along, under, in and across the following described real property, to-wit.

Attached Exhibit "A" and "B"

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, d/b/a LINCOLN ELECTRIC SYSTEM, its successors and assigns, forever, or until released by LES

LES shall have the right of reasonable ingress and egress to and from the easement area from public roads and streets and from adjacent properties for its employees, contractors, vehicles, and equipment, and shall have the right to remove, control, impede the growth of, trim, and clear away any trees, weeds, rocks, shrubs, roots, limbs or other surface materials which now or at any future time are located on, overhang, or extend onto the easement area LES will remove all brush, trimmings and debris at its expense.

LES shall have the right, at any time, at its expense, to clear any and all vegetation including, but not limited to, vines, briars, shrubs, trees and other woody stem vegetation from the full width of the easement, either by cutting and removing the growth and/or application of environmentally safe herbicides which pose no harmful effects to animals or grasses. Certain indigenous plants, if approved by LES, may be planted within the easement area Certain row crops (corn, wheat, soy beans) are permitted in rural easement areas, but tree farms and the growing of nursery stock are prohibited in rural and urban easement areas.

It is the intention of the parties hereto that 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 purpose except the construction of buildings or structures, storage of any flammable material, metal, or other personal property, or use of the area in any way which would, in the judgement of LES, endanger or be a hazard to or interfere with, the rights of LES to use the same for the purpose herein expressed in accordance with the terms hereof and subject to any prior leases or easements of record heretofore granted to other parties. Grantor shall not change or alter the grade of the right-of-way described hereinabove without the prior written approval of LES.

As soon as possible following completion of any construction by LES in the easement area, LES will cause to be removed from the property hereinabove described all debris and construction equipment and restore the premises to the extent practical. Any damage to crops of Grantor or any tenant 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

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

merci - LES

CRG-LES

IN WITNESS WHEREOF, we have hereunto set our hands this 10th day of March, 20 14

By: *Cheryl J. Bowman*
Cheryl J. Bowman

By: *Blayde L. Keel*
Blayde L. Keel

By: *Rebecca L. Foster*
Rebecca L. Foster

By: *Chad W. Keel, Trustee*
Chad W. Keel, Trustee

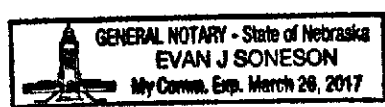
By: *Lanyce S. Keel Trustee*
Lanyce S. Keel, Trustee

By: *Jeanne Keel Dixon, Trustee*
Jeanne Keel Dixon, Trustee

STATE OF Nebraska)
COUNTY Lancaster) ss.

Before me, a Notary Public, qualified for and in said County, personally came **Cheryl J. Bowman**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed

WITNESS my hand and notarial seal on this 10th day of March, 20 14

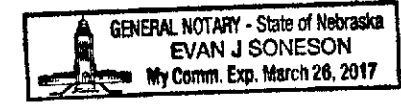


Evan J. Soneson
Notary Public

STATE OF Nebraska)
COUNTY Lancaster) ss.

Before me, a Notary Public, qualified for and in said County, personally came **Rebecca L. Foster**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed

WITNESS my hand and notarial seal on this 10th day of March, 20 14

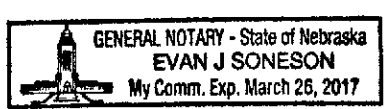


Evan J. Soneson
Notary Public

STATE OF Nebraska)
COUNTY Lancaster) ss.

Before me, a Notary Public, qualified for and in said County, personally came **Blayde L. Keel**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed

WITNESS my hand and notarial seal on this 10th day of March, 20 14



Evan J. Soneson
Notary Public

STATE OF Nebraska)
COUNTY Douglas) ss

Before me, a Notary Public, qualified for and in said County, personally came **Chad W. Keel, Trustee of the Chad W. Keel Trust dated March 22, 2006**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS my hand and notarial seal on this 6th day of March, 2014.



Carol Adam
Notary Public

STATE OF Nebraska)
COUNTY Douglas) ss.

Before me, a Notary Public, qualified for and in said County, personally came **Lanyce S. Keel, Trustee of the Lanyce S. Keel Trust dated March 22, 2006**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS my hand and notarial seal on this 6th day of March, 2014.



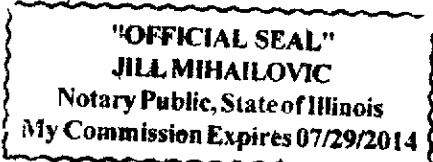
Carol Adam
Notary Public

STATE OF ILLINOIS)
COUNTY COOK) ss.

Before me, a Notary Public, qualified for and in said County, personally came **Jeanne Keel Dixon, Trustee of the Jeanne Keel Dixon Revocable Trust dated November 7, 2007**, known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS my hand and notarial seal on this 3RD day of MARCH, 2014.

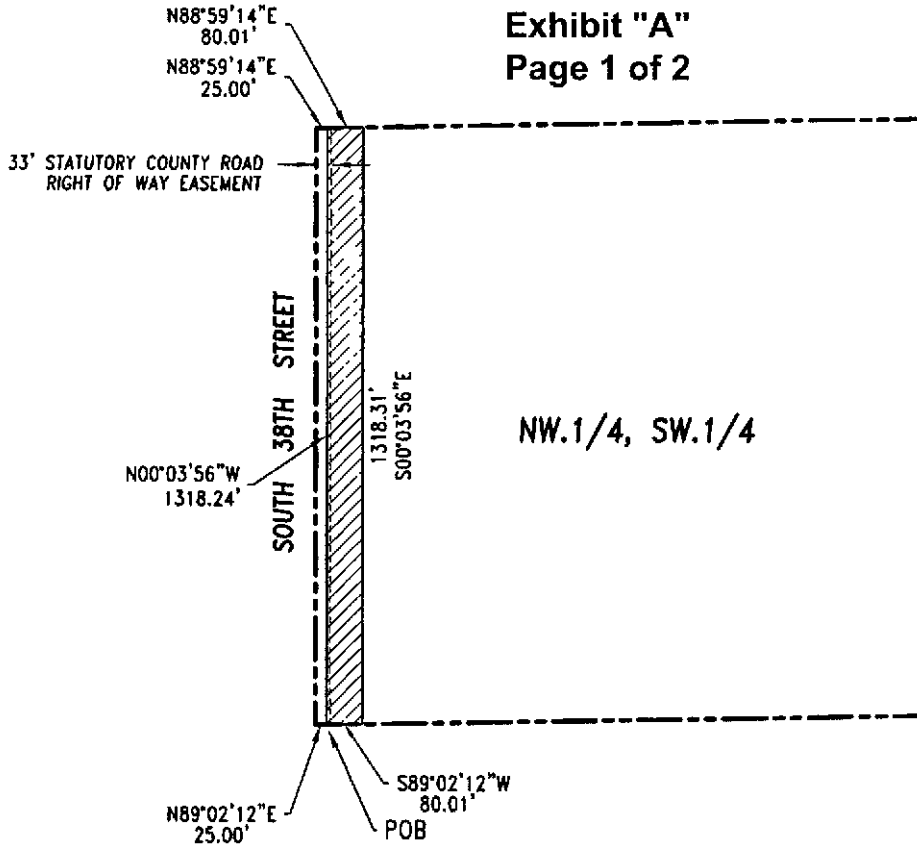
Jill Mihailovic
Notary Public



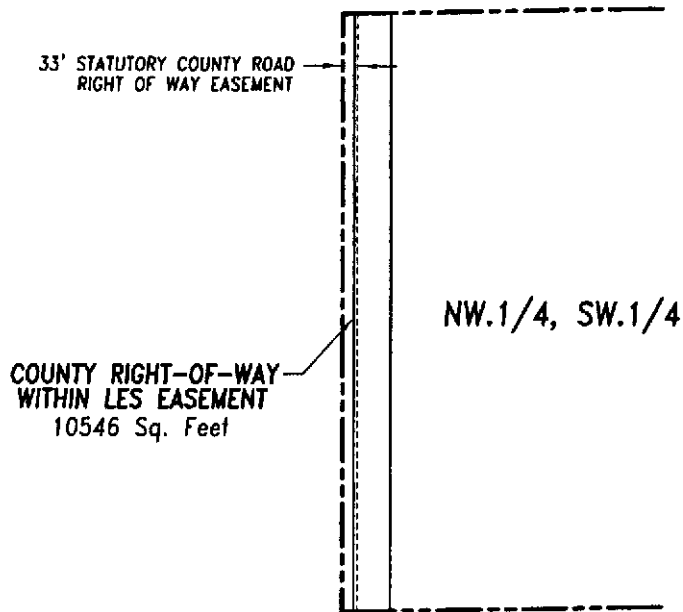
L.E.S. EASEMENT

Exhibit "A"

Page 1 of 2



SCALE: 1" = 400'



DETAIL:

LEGAL DESCRIPTION: A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA

DATE 9/28/2013

TRACT 14A

Exhibit "A"
Page 2 of 2

TRACT NO.14A

DESCRIPTION OF AN ELECTRICAL EASEMENT ON A PART OF THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P M., LANCASTER
COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SAID SECTION 5, THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTH LINE OF THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, ON AN ASSUMED BEARING OF
N 89°02'12" E FOR A DISTANCE OF 25 00' TO THE **POINT OF BEGINNING**

THENCE N 00°03'56" W FOR A DISTANCE OF 1318.24' TO THE NORTHWEST CORNER OF THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5

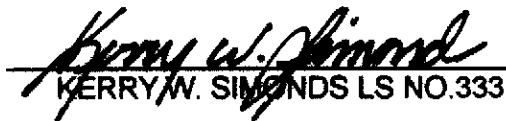
THENCE N 88°59'14" E. ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF SAID SECTION 5, FOR A DISTANCE OF 80 01'

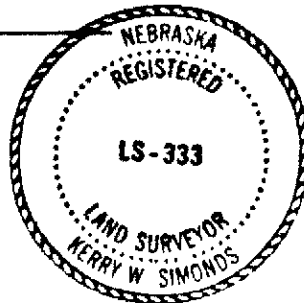
THENCE S 00°03'56" E FOR A DISTANCE OF 1318 31' TO A POINT ON THE SOUTH LINE OF THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5

THENCE S 89°02'12" W. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF SAID SECTION 5, FOR A DISTANCE OF 80 01' TO THE **POINT OF BEGINNING** AND CONTAINING A
CALCULATED AREA OF 105462 SQUARE FEET

I HEREBY CERTIFY THE LOCATION OF THE PROPOSED EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE,
THE CENTERLINE OF WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION

SIGNED THIS 28TH DAY OF SEPTEMBER, 2013

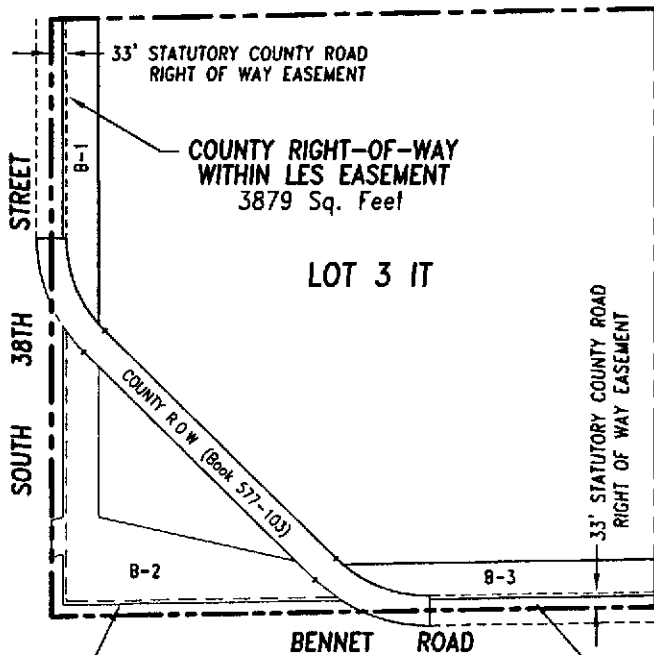
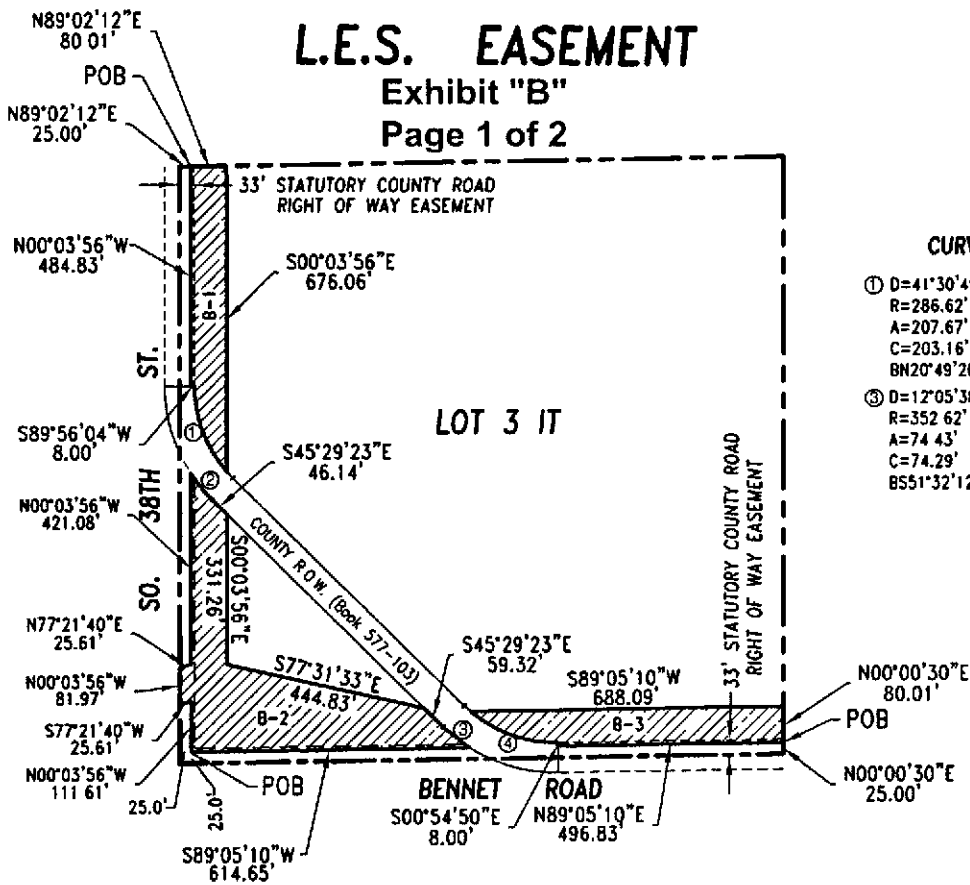

KERRY W. SIMONDS LS NO.333



L.E.S. EASEMENT

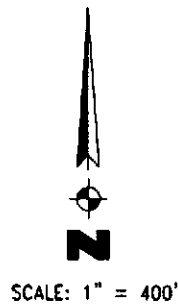
Exhibit "B"

Page 1 of 2



COUNTY RIGHT-OF-WAY WITHIN LES EASEMENT
11732 Sq. Feet

COUNTY RIGHT-OF-WAY WITHIN LES EASEMENT
3973 Sq. Feet



LEGAL DESCRIPTION: A PART OF LOT 3 OF IRREGULAR TRACTS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA

DATE: 9/28/2013

TRACT 14B

Exhibit "B"
Page 2 of 2

TRACT NO 14B

B-1

DESCRIPTION OF AN ELECTRICAL EASEMENT ON A PART OF LOT 3 OF IRREGULAR TRACTS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

REFERRING TO THE NORTHWEST CORNER OF SAID LOT 3, THENCE IN AN EASTERLY DIRECTION, ALONG THE NORTH LINE OF SAID LOT 3, ON AN ASSUMED BEARING OF N 89°02'12" E FOR A DISTANCE OF 25 00' TO THE POINT OF BEGINNING
THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N 89°02'12" E, FOR A DISTANCE OF 80 01'
THENCE S 00°03'56" E FOR A DISTANCE OF 676 06' TO A POINT ON THE EXISTING COUNTY ROAD RIGHT OF WAY (DEED BOOK 577, PAGE 103)
THENCE ON A CURVE TO THE RIGHT, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, AN ARC LENGTH OF 207 67', A RADIUS OF 286 62', A CHORD BEARING OF N 20°49'20" W, A CHORD LENGTH OF 203 16'
THENCE S 89°56'04" W FOR A DISTANCE OF 8 00'
THENCE N 00°03'56" W FOR A DISTANCE OF 484 83' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 48212 SQUARE FEET

AND

B-2

DESCRIPTION OF AN ELECTRICAL EASEMENT ON A PART OF LOT 3 OF IRREGULAR TRACTS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT 25 00' NORTH OF AND 25 00' EAST OF THE SOUTHWEST CORNER OF SAID LOT 3, THENCE IN A NORTHERLY DIRECTION, ON AN ASSUMED BEARING OF N 00°03'56" W FOR A DISTANCE OF 111 81'
THENCE S 77°21'40" W FOR A DISTANCE OF 25 61' TO A POINT ON THE WEST LINE OF SAID LOT 3
THENCE N 00°03'56" W, ALONG THE WEST LINE OF SAID LOT 3, FOR A DISTANCE OF 81 97'
THENCE N 77°21'40" E FOR A DISTANCE OF 25 61' TO A POINT 25 00' EAST OF THE WEST LINE OF SAID LOT 3
THENCE N 00°03'56" W, ALONG THE WEST LINE OF SAID LOT 3, FOR A DISTANCE OF 81 97'
THENCE N 00°03'56" W, PARALLEL TO AND 25 00' EAST LINE OF THE WEST LINE OF SAID LOT 3, FOR A DISTANCE OF 421 08' TO A POINT ON THE EXISTING COUNTY ROAD RIGHT OF WAY (DEED BOOK 577, PAGE 103)
THENCE ON A CURVE TO THE LEFT, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, AN ARC LENGTH OF 74 43', A RADIUS OF 352 62', A CHORD BEARING OF S 39°26'34" E, A CHORD LENGTH OF 74 29'
THENCE S 45°29'23" E, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, FOR A DISTANCE OF 46 14'
THENCE S 00°03'56" E FOR A DISTANCE OF 331 26'
THENCE S 77°31'33" E FOR A DISTANCE OF 444 83' TO A POINT ON THE SAID EXISTING COUNTY ROAD RIGHT OF WAY
THENCE S 45°29'23" E, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, FOR A DISTANCE OF 59 32'
THENCE ON A CURVE TO THE LEFT, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, AN ARC LENGTH OF 74 43', A RADIUS OF 352 62', A CHORD BEARING OF S 51°32'12" E, A CHORD LENGTH OF 74 29'
THENCE S 89°05'10" W FOR A DISTANCE OF 614 65' TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 112739 SQUARE FEET

AND

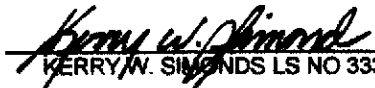
B-3

DESCRIPTION OF AN ELECTRICAL EASEMENT ON A PART OF LOT 3 OF IRREGULAR TRACTS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

REFERRING TO THE SOUTHEAST CORNER OF SAID LOT 3, THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID LOT 3, ON AN ASSUMED BEARING OF N 00°00'30" E FOR A DISTANCE OF 25 00' TO THE POINT OF BEGINNING
THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N 00°00'30" E FOR A DISTANCE OF 80 01'
THENCE S 89°05'10" W FOR A DISTANCE OF 688 09' TO A POINT ON THE EXISTING COUNTY ROAD RIGHT OF WAY (DEED BOOK 577, PAGE 103)
THENCE ON A CURVE TO THE LEFT, ALONG THE SAID EXISTING COUNTY ROAD RIGHT OF WAY, AN ARC LENGTH OF 207 67', A RADIUS OF 286 62', A CHORD BEARING OF S 70°09'25" E, A CHORD LENGTH OF 203 16'
THENCE S 00°54'50" E FOR A DISTANCE OF 8 00'
THENCE N 89°05'10" E FOR A DISTANCE OF 496 83' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 49173 SQUARE FEET

I HEREBY CERTIFY THE LOCATION OF THE PROPOSED EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, THE CENTERLINE OF WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.

SIGNED THIS 28TH DAY OF SEPTEMBER, 2013


KERRY W. SIMMONDS LS NO 333

