

# MISC. BOOK

142

## MISCELLANEOUS RECORD

Contract and Deed of Easement <sup>C. E. H.</sup> Form 172

M. B. Packard, et al

To

Iowa Nebraska Light & Power Co.

Filed for Record

March 11, 1931 at 12:00 M.

T. E. Wheeler, Register of Deeds

By J. G. Vaughan, Deputy

Fee \$1.75

### CONTRACT AND DEED OF EASEMENT

This indenture made this 31st day of December, 1920, by and between Iowa Nebraska Light & Power Co., a corporation (hereinafter called "Electric Company"), and Packard Carl E. and Hogue of the County of Lancaster State Nebraska (hereinafter called "Grantor"):

WITNESSETH: That for and in consideration of the mutual covenants and agreements herein contained, the

aforsaid Grantor does hereby grant unto the Electric Company, its lessees, successors and assigns, the perpetual right, privilege, easement, authority and right-of-way to build, construct, erect, operate and maintain its poles, electric transmission lines, necessary wires, guys, supports, cross arms and other apparatus and fixtures, over, upon, along, above, through and across the following described property located in Lancaster County, State of Nebraska, to wit: Sec 35-T-9-N-R-6-E

Recorded on Map No. 7-C-494

By D. C. R. Date 3-5-31

NO. E 47

DWG. ----

And said Grantor does hereby further grant unto said Electric Company, its lessees, successors and assigns, the right, privilege and authority to enter upon and over said property and premises and the property of the Grantor adjoining thereto, and to cut down or trim any trees along the said transmission line or route, necessary to keep the said line or lines and wire or wires and equipment clear and unobstructed, and for said tree trimming and clearance purposes grantee shall have and is hereby given the right, privilege and authority to cut and clear trees adjoining said electric line for a space of fifty (50) feet on each side of said line; and the said Electric Company is further authorized and empowered at all times to enter upon and over said premises for the purpose of constructing, repairing, <sup>operating</sup> and maintaining said lines and equipment on, across, along and over the aforsaid described property.

In consideration of said right, grant and easement aforsaid, Electric Company has this day paid the Grantor \$1.00 in cash, the receipt of which said amount Grantor hereby acknowledges, and which said amount shall be and constitute the entire compensation and consideration for the rights, privileges and easement hereby granted for all time to come.

Electric Company shall at all times exercise all due care and diligence to avoid unnecessary damage to crops, live stock and other property of Grantor; and Electric Company agrees to indemnify and save harmless Grantor from any and all damage and loss arising or occurring to any person or property by reason of the negligent construction, operation and maintenance of said electric transmission line during the life of this easement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the 31st day of December, 1920

ATTEST:  
O. R. Mallat,  
Assistant Secretary..

APPROVED  
R. Hibacht  
Ass't Chief Engineer  
Witness: J. E. Shuff



IOWA NEBRASKA LIGHT & POWER COMPANY  
A Corporation,

By F. H. Brooks, President.

M. B. Packard  
Carl E. Hogue, Grantor.

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MISCELLANEOUS RECORD

STATE OF Nebraska }  
COUNTY OF Lancaster } ss.

On this 31st day of Dec 1920, before me, the undersigned, a Notary Public in and for said County of Lancaster, State of Nebraska, personally appeared M. B. Packard, -Carl E. Hogue, known to me to be the identical persons who signed the foregoing instrument as Grantor; and who acknowledged to me that he signed the same as his free and voluntary act and deed for uses and purposes therein mentioned.

*George H. Schaberg*  
Notarial Seal  
Commission Expires  
Oct 19 1932  
Lancaster County Nebraska

WITNESS MY HAND and Notarial Seal the day and date first above written.

My commission expires on the 19th day of October, 1932

George H. Schaberg, Notary Public  
residing at Lincoln Neb.

Approved:--  
As To Form: ---  
As To Contents and Terms:---  
As To Property Description:  
D. C. R.

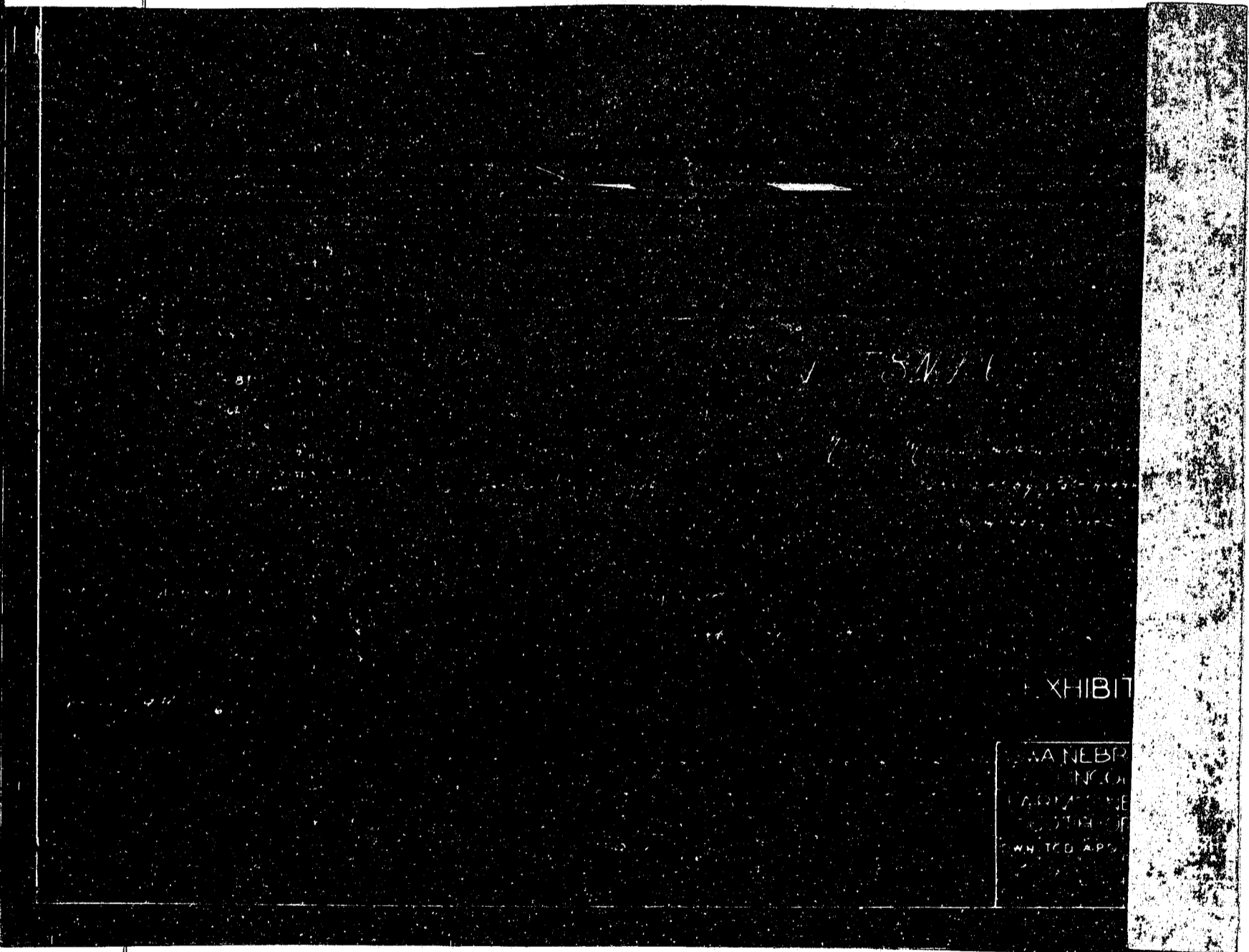


EXHIBIT  
STATE OF NEBRASKA  
NOTARY PUBLIC  
COMMISSION EXPIRES  
OCT 19 1932  
W. T. CO. APP.

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