

125.4

CONSENT AGREEMENT

WHEREAS, an easement granting the right of ingress and egress for farming purposes on Lot 22 of Irregular Tracts located in the Northwest Quarter of Section 17, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska has been recorded as Instrument #80-13059 in the Lancaster Register of Deeds office in Lincoln, Lancaster County, Nebraska encumbering a portion of:

Lot 22 of Irregular Tracts located in the Northeast Quarter of Section 18, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the Lincoln Electric System desires to install electrical facilities for electrical service across the encumbered area and Kenneth Deinert, assignee of the access easement grantee, is willing to permit such installation in the access easement area.

NOW, THEREFORE, the Lincoln Chamber Industrial Development Corporation, a Nebraska Corporation, successor to the easement grantor, and owner of record of said encumbered Irregular Tract, in consideration of One Thousand Four Hundred Dollars (\$1,400.00) and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. The Lincoln Chamber Industrial Development Corporation hereby consents and agrees to grant an additional access easement to Kenneth Deinert for One Dollar (\$1.00) and other valuable consideration. Said easement shall be Twenty Five Feet (25') in width, and be located contiguous with the West line of the existing easment filed as Instrument #80-13059. Said easement shall extend the full length of the existing easement.

2. Kenneth Deinert hereby consents and agrees to permit Lincoln Electric System, its successors and assigns, to construct and maintain, electrical facilities on the access easement filed as Instrument #80-13059, for so long a term as such electrical facilities shall be there maintained, together with the right of ingress and egress thereto for the purpose of constructing, inspecting, repairing, and maintaining the said electrical facilities.


3. Kenneth Deinert hereby consents and agrees to relocate at his own expense the existing access roadway to allow a minimum of 10 feet horizontal clearance from all electrical facilities shown on the attached drawing marked exhibit "A" and any roadbed either existing or to be constructed. Kenneth Deinert agrees to conduct all operations within the transmission corridor of Lincoln Electric System located on the access easement in accordance with the National Electrical Safety Code.

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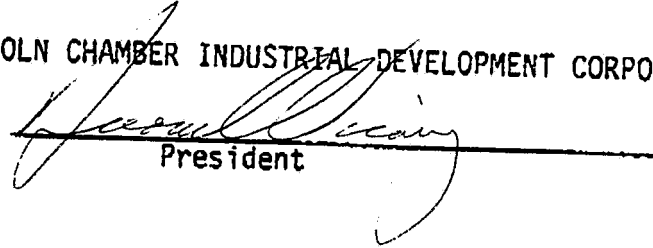
4. Lincoln Electric System in its sole discretion shall also have the right at any time to trim or remove such trees or underbrush as may endanger or interfere with the electrical facilities.

5. Kenneth Deinert and Lincoln Electric System each agree to be responsible for their own negligence. Kenneth Deinert agrees to save Lincoln Electric System harmless from and indemnify Lincoln Electric System against any loss or damage resulting from any injury to person or damage to property resulting from the position or condition of poles, wires, or cables and supports, or the operation of its power line.

Dated this 6<sup>th</sup> day of April, 1989.

  
Kenneth E. Deinert

LINCOLN CHAMBER INDUSTRIAL DEVELOPMENT CORPORATION

By:   
President

CITY OF LINCOLN dba LINCOLN ELECTRIC SYSTEM

By:   
Administrator

k1s/000103LMP

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) ss.

On April 6, 1989, before me, the undersigned, a Notary Public duly commissioned and qualified for in said County, personally came Duane S. Kistner to me known to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

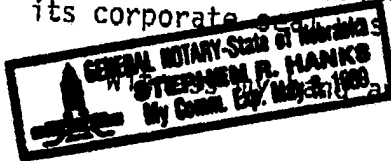
Witness my hand and notarial seal the day and year last above written.

Kenneth D. Kisten  
Notary Public



STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) ss.

On April 6, 1989, before me, the undersigned, a Notary Public duly commissioned and qualified for in said County, personally came Duane S. Kistner to me known to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.



and notarial seal the day and year last above written.

Stephen R. Hanks  
Notary Public

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) ss.

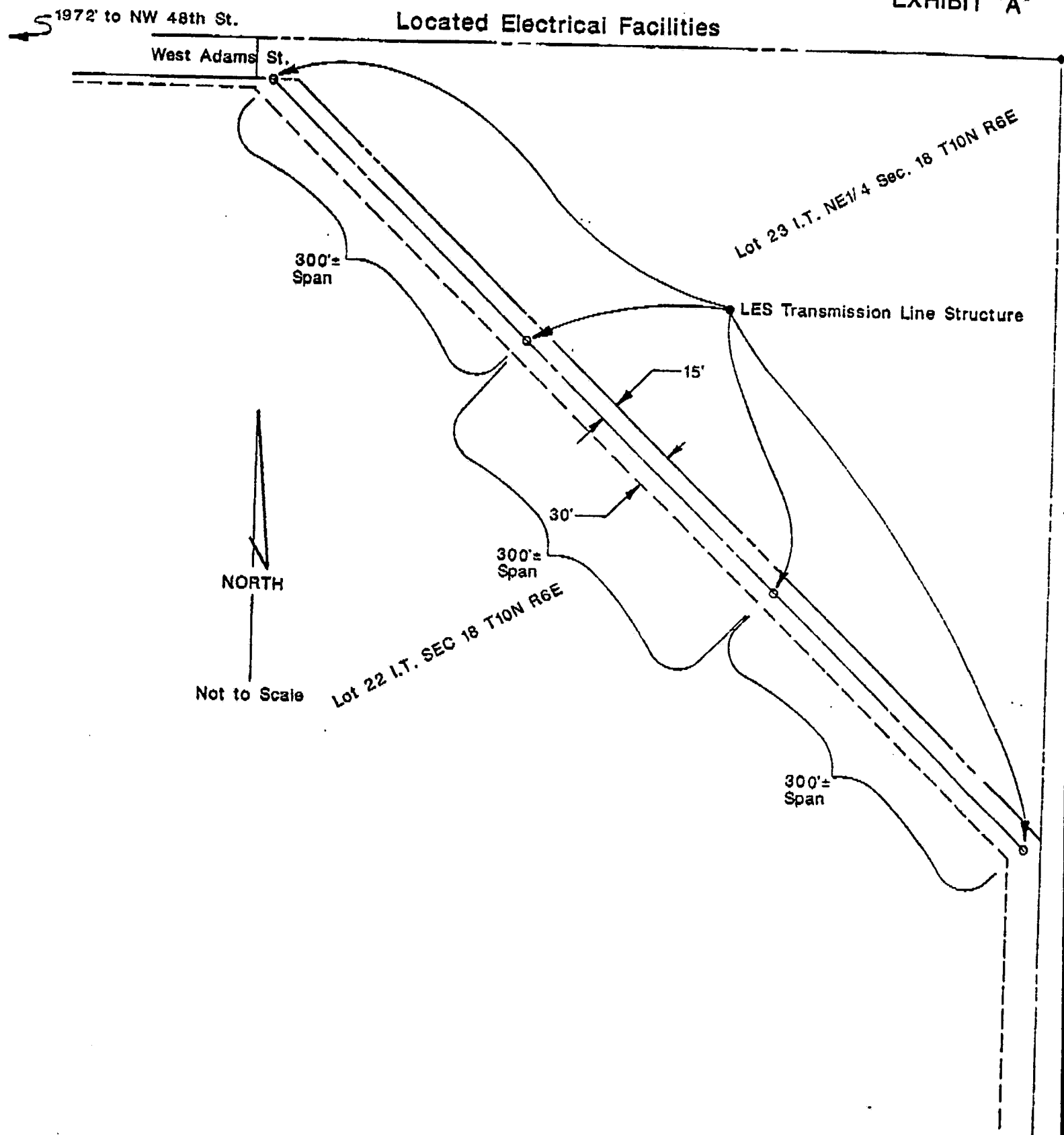
On April 6, 1989, before me, the undersigned, a Notary Public duly commissioned and qualified for in said County, personally came Walter A. Cannon to me known to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

Witness my hand and notarial seal the day and year last above written.

Stephen R. Hanks  
Notary Public



EXHIBIT "A"



LES 4-5-89

EASEMENT

LINCOLN CHAMBER INDUSTRIAL DEVELOPMENT CORPORATION, herein called "Grantor" record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the agreements by Grantee as hereinafter set forth, does hereby grant and convey unto KENNETH E. DEINERT an easement 25 feet in width across property hereinafter described for the sole purpose of ingress and egress for farming purposes to real estate owned by Grantee, legally described as follows:

Lot Twenty-two (22) of Irregular Tracts located in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Seventeen (17), Township Ten (10) North, Range Six (6) East of the 6th P.M., Lancaster County, Nebraska

Said easement shall exist across property owned by Grantor in the Northeast Quarter of the Northeast Quarter of Section 18, Township 10 North, Range 6 East of the 6th P.M., Lancaster County and shall extend Twenty-Five Feet (25') in width; parallel to and Thirty-Three Feet (33') Southwesterly and Westerly from that portion of the Northeast and East Lot lines of Grantor's property which lot lines are more particularly described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 18; thence Southeasterly to the Southeast Corner of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 18; thence Southerly along the East line of said Section 18 to a point located 825 feet South of the Northeast Corner of said Section 18.

The Grantee shall be responsible for any expenses which may be incurred for grading for the purpose of relocation of an existing roadway currently being used by Grantee over an easement recorded as Instrument No. 80-13059 in the records of the Register of Deeds of Lancaster County, Nebraska.

This easement shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, lessees, successors and assigns of the respective parties.

Dated this 6<sup>th</sup> day of April, 1989.

LINCOLN CHAMBER INDUSTRIAL  
DEVELOPMENT CORPORATION

By: *John D. Vicary*  
President

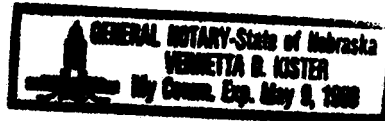
STATE OF NEBRASKA    )  
  ) SS  
COUNTY OF LANCASTER )

Before me, a Notary Public, qualified for and in said county, personally came Duane S. Vicary, known to me to be the identical person who signed the foregoing instrument acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of Lincoln Chamber Industrial Development Corporation.

Witness my hand and notarial seal on this 6 day of April, 1989.

*Vermetta D. Kister*  
Notary Public

My Commission Expires: May 9, 1989



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BLOCK

CODE

CHECKED

*VB*

ENTERED

*Cl*

EDITED

*Cl*

U.S. GOVERNMENT PRINTING OFFICE

*Dan Pelt*

REGISTER OF FEES DS

1989 MAY 22 PM 3:15

ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD AS:

INST. NO. 8913314

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*LPS*