

MISCELLANEOUS RECORD No. 7.

285

78025—STATE JOURNAL COMPANY, LINCOLN, NEB.

IN THE COUNTY COURT, OF THE COUNTY OF SARPY, STATE OF NEBRASKA.
(Certified Copy of Record)

STATE OF NEBRASKA,) ss
County of Sarpy

I, J.M. Wheat, Judge of the County Court, of the County of Sarpy, State of Nebraska, do hereby certify that I have compared the foregoing copies of "Decree on Final Account", and "Last Will and Testament together with Certificate of Probate", with the original records thereof, now remaining in said Court; that the same are correct transcript thereof, and of the whole of said original records.

In re Estate of ALEXANDER CATHERY (CD, Deceased).

In Witness Whereof I have hereunto set my hand and affixed the seal of said County Court, in Papillion, County of Sarpy, State of Nebraska, on this 10th day of March, A.D. 1930.

#Seal of the County Court Sarpy County Nebraska#
#####

J.M. WHEAT, Judge of the County Court
By Esther Cordes, Clerk of the County Court.

JOSEPH C. KRASKA, ET AL.

to

NEBRASKA POWER COMPANY.
Contract \$2.00 Pd.

Filed April 5, 1930, at 10 A.M.

County Clerk.

CONTRACT.

This indenture made this 28th. day of February, 1930, by and between NEBRASKA POWER COMPANY, a corporation, hereinafter called "The Company" and JOSEPH C. KRASKA and ANNA KRASKA, husband and wife, of Sarpy County, Nebraska, owners; Federal Land Bank of Omaha, Douglas County, Nebraska, Mortgagee of a certain indenture of mortgage made by said Joseph C. Kraska and Anna Kraska to said Federal Land Bank of Omaha, under date of February 4th, 1924, said mortgage being recorded in the records of Sarpy County, in book thirty-three (33) of mortgages at page four hundred ninety three (493); and Columbus State Bank of Platte County, Nebraska, Assignee of a certain indenture of mortgage made by said Joseph C. Kraska and Anna Kraska to Howard A. Clarke under date of February 27th., 1924, said mortgage being recorded in the records of Sarpy County, in book thirty-seven (37) of mortgages at page two hundred nineteen (219). said assignment being recorded in the records of said County in book forty-one (41) of mortgages at page four hundred eighty one (481) hereinafter called "Grantors";

WITNESSETH: That for and in consideration of Fifteen Hundred (\$1500.00) dollars, receipt whereof is hereby acknowledged by the Grantors and mutual covenants and agreements herein contained, the Grantors do hereby grant and convey unto the Company, its lessees, successors and assigns, the perpetual right, privilege, easement, authority and right of way to construct, operate and maintain its steel towers, poles, electric transmission lines, wires, guys, anchors, and other fixtures and appliances, over, upon along and above the following described property situated in Sarpy County, State of Nebraska, at the points designated on the blue print hereto attached, marked Exhibit "A", and by reference made a part hereof, to wit North fifty (50) feet in width of the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) North thirty-three (33) feet in width of the northeast quarter of the southwest quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), all of the southeast quarter of the northwest quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), lying south and west of Papillion Creek, all of the south half of the north east quarter (S $\frac{1}{2}$ of the NE $\frac{1}{4}$) lying south and west of Papillion Creek, all of the Tax Lot Two (2) lying west of new Papillion Drainage Ditch, and also south fifty (50) feet in width of Tax lot Two (2), and Tax Lot One-B, (1-B), all being in section nineteen (19), Township fourteen (14) north, range thirteen (13) east of the 6th. P.M. and also Tax Lot three A (3-A, in the south east quarter of the south west quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section eighteen (18), Township Fourteen (14) north, range thirteen (13), east of the 6th. P.M.

The Grantors do hereby further grant unto the Company, its lessees, successors and assigns, the right, privilege and authority to enter upon and pass over said property and the property of the Grantor adjacent thereto for the purpose of constructing, repairing, operating and maintaining said lines and equipment under the property above described.

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The Grantors do hereby further grant unto the Company, its lessees, successors and assigns the permanent right, privilege and authority to cut down or trim trees under or within twenty-five (25) feet of the Company's lines, and to cut down or trim any trees or limbs of trees on either side thereof as would be a hazard to said lines in breaking off and falling over against said lines, provided, however, it is agreed between the parties hereto that owner shall have the right to plant and maintain "hedge" trees under the Company's lines on the tract known as Tax lot three -A (3-A), said hedge, however, to be maintained by owner in such a way as not to interfere with the Company's poles, wires, etc. located on and across said tax lot three -A (3-A), and it is further agreed that should said hedge grow to the point of interfering with the Company's poles, wires, etc. owner shall, or company may cut down or trim said hedge to have and maintain a minimum clearance of fifteen (15) feet under and twenty-five (25) feet to the side of the wires of Company's transmission lines.

The Company shall at all times exercise all due care and diligence to avoid any injury or damage to the crops, live-stock and other property of the Grantors and the Company agrees to indemnify and save harmless the Grantors from any and all damage and loss arising or occurring to any person or property by reason of the Company's negligence in the construction, operation and maintenance of said transmission line.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the 28th. day of February, 1930.

F.J. Moylan, Ass't. Secretary,

#Nebraska Power Company, Seal, 1917.#

WITNESSES:

NEBRASKA POWER COMPANY,
BY Roy Page, General Manager,

E.R. Anderson,
E.R. Anderson,

Joseph C. Kraska,
Anna Kraska,

Attest:

G.C. Foreman, Ass't. Secretary,

#Federal Land Bank of Omaha, Eighth -8- Federal Land Bank District,#####
#Corporate Seal,Chartered March 8, 1917, Iowa,Nebraska,South Dakota,Wyoming,##

Attest:

H.A. Clarke, Secretary,

#Columbus State Bank, Corporate Seal, Columbus, Neb.##

Columbus State Bank,
By, M. Brugger, Pres.

GRANTORS.

STATE OF NEBRASKA,)
COUNTY OF SARPY, (SS. On this 28th. day of February 1930, before me the undersigned, a Notary Public, in and for said County and State, personally appeared Joseph C. Kraska and Anna Kraska, husband and wife, personally to me known to be the identical persons who signed the foregoing instrument as Grantors and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

WITNESS my hand and notarial seal the date above written.

#E.R. Anderson, Notarial Seal, #
#Douglas County, Nebraska, #
#Comission Expires Mar. 9, 1934. #

State of Nebraska,)
Douglas County, (SS. On this 21st. day of March, 1930, before me, the undersigned, a Notary Public in and for said County, personally came T.C. Horby, Vice President, of The FEDERAL LAND BANK OF OMAHA, to me personally known to be the Vice President, and the identical person whose name is affixed to the above release, and acknowledged the execution thereof to be his voluntary act and deed as such officer, and the voluntary act and deed of THE FEDERAL LAND BANK OF OMAHA.

Witness my hand and notarial seal at Omaha, Nebraska, in said County, the day and year last above written.

#J.M. Gurnett, Notarial Seal, #
#Douglas County, Nebraska, #
#Comission Expires Sept. 17, 1935. #

State of Nebraska,)
Platte County, (SS. On this 3rd. day of April, A.D. 1930, before me, the undersigned, a Notary Public, duly commissioned and qualified for and residing in said county, personally came

J.M. Gurnett, Notary Public,
My commission expires Sept. 17, 1935.
Engineers Approval F.E. Smith.

EXHIBIT-18

STEEL
TOWER
T.M.N.-R.I.S.E.

S.E. CORNER S.E. 1/4
T.M.N.-R.I.S.E.

SOUTH LINE SECTION 10-T.M.N.-R.I.S.E.
NORTH LINE SECTION 10-T.M.N.-R.I.S.E.

ANCHOR

LEGEND

- - STEEL TOWERS
- - TWO POLE "H" FRAME
- - THREE POLE ANGLE FRAME
- ▲ - ANCHOR

RED LINE - BOUNDARY LINE - KRSKA LAND

SOUTHWEST QUARTER
SOUTHWEST QUARTER
SECTION 18 - T. 14 N. - R. 13 E.

TAX LOT A-B

TAX LOT 3-4

S.E. CORNER S.E. 1/4
SEC. 18 - T. 14 N. - R. 13 E.

112.75 CH.

ANCHOR

TAX

LOT

1-B

SOUTH LINE SEC
NORTH LINE SEC

□ - 52

• - 7A

• - 7A

• - 1B

RED LINE

TAX LOT 2

WEST HALF NORTHWEST QUARTER
WEST OF PAPILLION CREEK

PAPILLION

ORIGINAL

CENTER LINE OF
H. FERRIS LINE

NEW

PAPILLION

CREEK

ALL SOUTH HALF OF NORTHEAST QUARTER
SOUTH & WEST OF PAPILLION CREEK

ANCHOR 2
53 RODS

ANCHOR

H. FERRIS

CENTER LINE OF H. FERRIS LINE

575'

536'

107 RODS

725'

CENTER LINE - FERRIS LINE



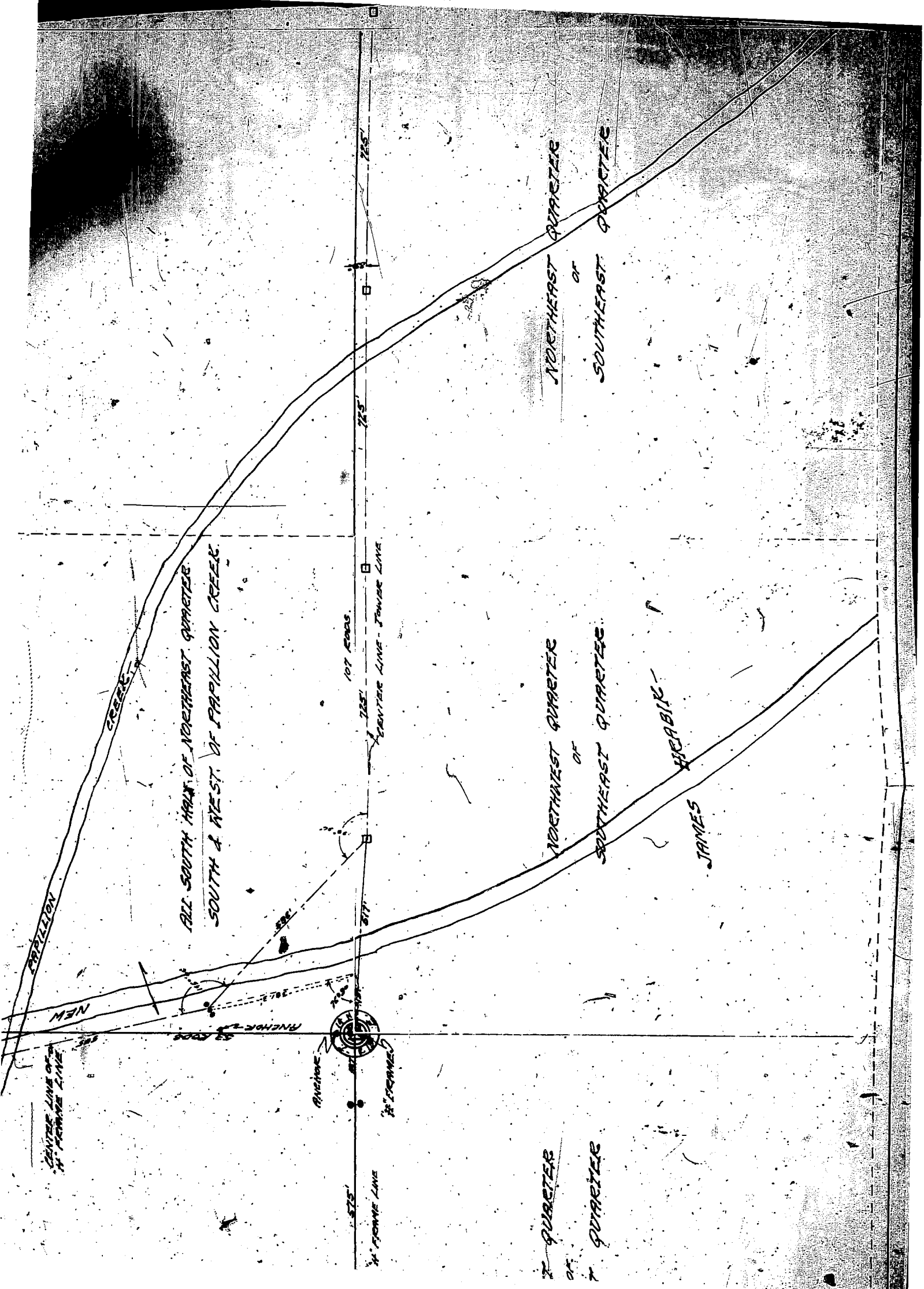
APPILLION

CENTER LINE OF
2ND FLOOR - H.
- 2ND FLOOR CENTER

CENTER LINE - TOWER LINE

NORTHWEST DISTRICT





CENTER LINE OF
1/4 SECTION LINE

NEW

PARTITION
CREEK

ALL SOUTH HALF OF NORTHWEST QUARTER
SOUTH & WEST OF PARTITION CREEK

ANCHOR

ANCHOR

575'

107 RODS

125'

125'

107 RODS

CENTER LINE - JENSEN LINE

125'

125'

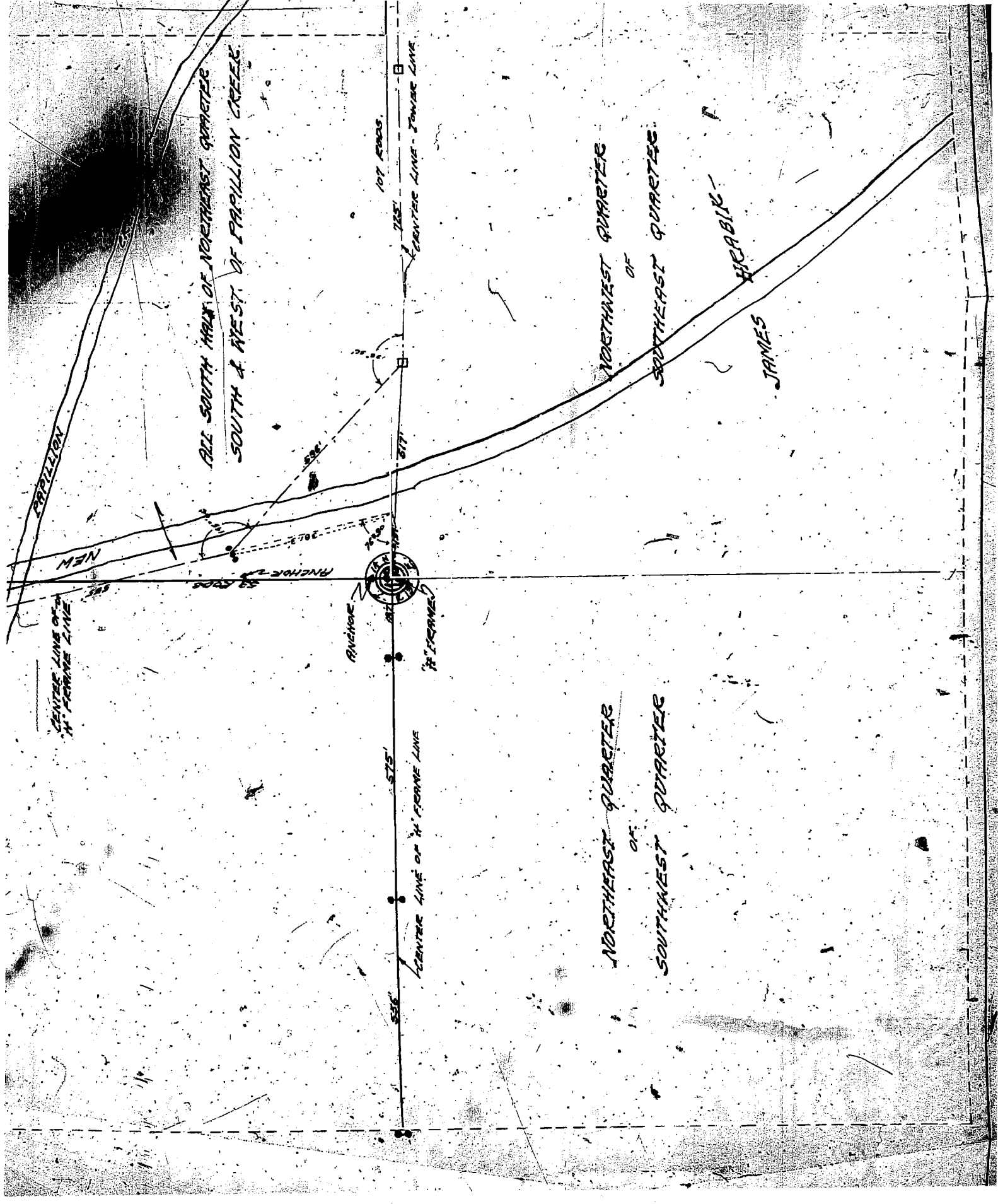
SOUTHWEST
QUARTER
of
SOUTHWEST QUARTER

NORTHWEST QUARTER
of
SOUTHWEST QUARTER

NORTHWEST QUARTER
of
SOUTHWEST QUARTER

HERABIK

JAMES



ALL SOUTH HALF OF NORTHEAST QUARTER
SOUTH & WEST OF FAPILLION CREEK

NORTHEAST QUARTER
OF
SOUTHEAST QUARTER

NORTHEAST QUARTER
OF
SOUTHWEST QUARTER

HEADQUARTERS
JAMES

107 ACRES
CENTER LINE - FOWNE LINE

ANCHOR
18\"/>

575'
CENTER LINE OF 1/4\"/>

CENTER LINE OF 1/4\"/>

NEW