

29-449

#51

# Know All Men by These Presents:

That Bernice E. Barkley, a widow

of the County of Sarpy and State of Nebraska, for and in consideration of the sum of One Dollar (\$1.00) per lineal rod, receipt of One Dollar (\$1.00) of which consideration is hereby acknowledged and balance of which is to be paid when and as the location of pipe lines over and through the lands hereinafter described shall be established, surveyed and measured, and the further consideration of the performance of the covenants and agreements by the grantee, as hereinafter set out and expressed, do hereby GRANT, REMISE and RELINQUISH unto NORTHERN NATURAL GAS COMPANY, a Delaware corporation, its successors or assigns, the RIGHT, PRIVILEGE and EASEMENT to construct, maintain and operate pipe lines, and appurtenances thereto, over and through the following described lands and appurtenances thereunto belonging, including riparian rights, situated in the County of Sarpy and State of Nebraska, to-wit:

The Northeast 1/4 Section 33, Township 14 North, Range 11 East.

TO HAVE AND TO HOLD unto said NORTHERN NATURAL GAS COMPANY, its successors and assigns, so long as such pipe lines, and appurtenances thereto, shall be maintained, together with the right of ingress to and egress from said premises, for the purpose of constructing, inspecting, repairing, maintaining and replacing the property of the grantee located thereon, or the removal thereof, in whole or in part, at the will of the grantee; it being the intention of the parties hereto that grantor are hereby granting the uses herein specified without divesting grantor of the rights to use and enjoy said above described premises, subject only to the right of the grantee to use the same for the purposes herein expressed.

As a further consideration for this grant, the grantee herein agrees as follows:

(1) That it will bury all line pipe laid upon said land to a sufficient depth so as not to interfere with the cultivation of the soil.

(2) That it will pay to grantor any damages which may arise to growing crops, trees, shrubbery, fences or buildings from the construction, maintenance or operation of said pipe lines, said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one of whom shall be appointed by the grantor, one by the grantee, and the third to be selected by the two appointed as aforesaid, and the written award of such three persons shall be final, conclusive and binding upon the parties hereto.

(3) That grantee, upon written application by the grantor, will make, or cause to be made, a tap in any gas pipe line constructed by grantee upon the above described premises for the purpose of supplying gas to grantor for domestic purposes only and not for re-sale, and for use upon the above described premises only. All connections required, shall be furnished and paid for by Grantor with the exception of the meter, which is to be furnished and owned by the Grantee. Said tap will be provided by grantee from a convenient point on its main line or some lateral as the grantee may determine, and gas to be taken under this provision shall be measured and furnished to the grantor at the rates and upon the terms as may be established by grantee, or by any vendee of grantee, from time to time.

(4) That grantee will replace or rebuild to the satisfaction of grantor or of their representative any and all damaged parts of all drainage systems, the damage to which shall be occasioned by the construction of said pipe lines under and through the above described premises.

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, successors and assigns of the respective parties.

IN WITNESS WHEREOF we have hereunto set our hands this 7th day

of July, 1962, Bernice E. Barkley  
Bernice E. Barkley

[Signature]  
Right of Way Agent

FILED FOR RECORD IN SARPY COUNTY NEBR March 9 1962 AT 10 O'CLOCK P.M.  
AND RECORDED IN BOOK 29 OF REC. PAGE 418 Edna Hoff COUNTY CLERK 3 25

29-450

STATE OF Nebraska }  
COUNTY OF Sarpy } ss.

On this 7 day of July, A. D. 1962, before me, the undersigned duly commissioned and qualified authority in and for said county and state, personally came Bernice E. Bashley

to me known to be the identical person whose name BS subscribed to the foregoing instrument as Grantor and duly acknowledged the execution of the same as HER voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

(Seal) Notary Public in and for Sarpy County.  
My commission expires the 25 day of July, 1967.

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, before me, the undersigned duly commissioned and qualified authority in and for said county and state, personally came

to me known to be the identical person whose name \_\_\_\_\_ subscribed to the foregoing instrument as Grantor and duly acknowledged the execution of the same as \_\_\_\_\_ voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

(Seal) Notary Public in and for \_\_\_\_\_ County.  
My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

4941

EASEMENT GRANT  
FROM  
TO  
NORTHERN NATURAL GAS COMPANY  
STATE OF NEBRASKA, }  
COUNTY, } ss.  
Filed for record the \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
in Book \_\_\_\_\_ of \_\_\_\_\_  
at Page \_\_\_\_\_  
Registrar of Deeds.  
Deputy.

Northern Natural Gas Co.  
5023 Bridge  
Omaha, Neb. 68131

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, before me, \_\_\_\_\_ duly commissioned and qualified in and for said County, personally came the above named \_\_\_\_\_, President,

\_\_\_\_\_ Secretary, of \_\_\_\_\_ who are personally known to me to be the identical persons whose names are affixed to the above instrument as President and Secretary of said Corporation, and they acknowledge the instrument to be their voluntary act and deed, and the voluntary act and deed of said corporation.

WITNESS, my hand and official seal as \_\_\_\_\_ in said County, the date aforesaid.

Notary Public.  
My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.