

Miscellaneous Record I

LEFEBURE CORPORATION, CEDAR RAPIDS, IOWA 166423-A

It is further understood that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural and that words used in the masculine gender shall be construed to read in the feminine.

IN WITNESS WHEREOF, the undersigned has set his hand this 28 day of October, 1939.

J. E. Martin, Witness

Bruce S. Moore

STATE OF NEBRASKA) ss.
MADISON COUNTY)

ACKNOWLEDGMENT

On this 28 day of October, 1939, before me, a notary public duly commissioned and qualified for and in said county, personally came Bruce S. Moore, to me known to be the identical person whose name is affixed to the foregoing instrument as grantor and acknowledge the same to be his voluntary act and deed.

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

(SEAL) My commission expires 1-31-1942 J. E. Martin Notary Public

Northwestern Public Service

Company to

Consumers Public Power District of Columbus, Nebraska

CONVEYANCE OF

CONVEYANCE OF RIGHT OF WAY EASEMENTS AND AGREEMENTS

RIGHT-OF-WAY EASEMENTS

AND AGREEMENTS

Filed July 11, 1940 at 8:00 A. M.:

Rec'd. in Bk. I of Misc., Pg. 220:

Herbert Lock, County Clerk

KNOW ALL MEN BY THESE PRESENTS: That, Northwestern Public Service Company, a Delaware corporation duly authorized to transact business in the State of Nebraska, party of the first part, in consideration

of the sum of One Hundred Dollars (\$100.00) and other valuable consideration, the receipt of which is hereby acknowledged, in hand paid by Consumers Public Power District, a public corporation and political subdivision of the State of Nebraska, party of the second part, does hereby grant, bargain, sell, convey and assign unto the second party, its successors and assigns, all of the right, title and interest of the first party in and to all easements, licenses, rights of way and similar interests for the location or maintenance of transmission and distribution lines and substations in the counties of Butler, Colfax, Merrick and Platte, Nebraska, subject to any defects or encumbrances on the respective titles of the first party's grantors, Without limitation of the generality of the foregoing, said easements, licenses, rights of way and similar interests include those granted to first party by the owners hereinafter designated, over and across the premises respectively set forth after the name of each original grantor, to-wit:

Grantor

Location

Butler County

James M. McNally and Emily R. McNally Lot 1, Sec. 12, Twp. 16 N., R. 1 East, Butler County.

Merrick County

Adam Sock and Mary Sock Lot 1 in the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 7, and Lot 1 in the NW $\frac{1}{4}$ of Sec. 8, Twp. 15 N., R. 3 West, Merrick County.

F. P. Osterman Lots 5 and 6 in the SE $\frac{1}{4}$ of Sec. 5, Twp. 14 N., R. 4 West, Merrick County.

Mike Sock and Eva Sock Lots 3 and 4 and 6 in the S $\frac{1}{2}$ of Sec. 7, Twp. 15 N., R. 3 West, Merrick County.

Louis Boss and Rosa Boss, Fred Boss and Laura Boss, and Chris Boss and Martha Boss Lot 2 in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 25, Twp. 16 N., R. 3 West, Merrick County.

Laura M. Johnson Lot 1 in the SE $\frac{1}{4}$ of Sec. 22, Twp. 15 N., R. 4 West, Merrick County.

Thersa Osterman Lots 3 and 4 in the NE $\frac{1}{4}$ of Sec. 5, Twp. 14 N., R. 4 West, Merrick County.

Drainage District No. 1, a corporation SW $\frac{1}{4}$ of Sec. 14, Twp. 14 N., R. 5 West, Merrick County.

Otto Dittmer, Adm. of Est. of Henry Dittmer, and Maggie Dittmer Lot 3, Sec. 27, and Lot 1 in Sec. 28, Twp. 15 N., R. 4 West, Merrick County.

C. J. Dittmer and Elizabeth Blumer Dittmer Lot 3, Sec. 28, Lot 1, Sec. 33, Twp. 15 N., R. 4 West, Merrick County.

Gus Haman and Rosa Haman Lot 1 in N $\frac{1}{2}$ of Sec. 27, Twp. 15 N., R. 4 West, Merrick County.

John A. Adelson and Emma Adelson Lots 1, 3 and 4, Sec. 23, Twp. 15 N., R. 4 West, Merrick County.

Lydia E. Pope All that part of Sec. 5, Twp. 15 N., R. 3 West, lying south of the Union Pacific Right-of-Way, Merrick County.

Roscoe Pound That part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ and Tax Lot "M" Sec. 27, Twp. 15 N., R. 4 West, Merrick County.

Miscellaneous Record I

LEFEBURE CORPORATION, CEDAR RAPIDS, IOWA 166423-A

<u>Grantor</u>	<u>Location</u>
<u>Merrick County - continued</u>	
Emma E. Sutton, Lloyd E. Sutton and Helen Sutton; L. G. Sutton and Hulda Sutton; Ivan L. Sutton and Blanche Sutton; Gladys Sutton Buchta and Geo. F. Buchta	That part of the $W\frac{1}{2}$ of Sec. 34, lying south of the U. P. R. R. Co. right-of-way; that part of the $E\frac{1}{2}$ of the $SE\frac{1}{4}$ of Sec. 33, lying north of the Platte River and that part of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Sec. 33 lying south of the Village of Silver Creek and East of the highway, all in Twp. 16 N., R. 3 West, Merrick County.
Martin Cheloha and Mary Cheloha	$N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Sec. 34, Twp. 16 N., R. 3 West, Merrick County.
James Murray and Blanche Murray	All that part of the $N\frac{1}{2}$ of the $SE\frac{1}{2}$ of the $SE\frac{1}{4}$ and all that part of the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Sec. 27, Twp. 16 N., R. 3 West, Merrick County, lying south of the U. P. Right-of-way.
H. M. Vonderlicth	All that part of the $S\frac{1}{2}$ of the $SE\frac{1}{4}$ of Sec. 27, Twp. 16 N., R. 3 West, Merrick County, lying south of the U. P. Right-of-way.
G. R. Tivey and Rose A. Tivey	Lot 2 in $SE\frac{1}{4}$ of $NE\frac{1}{4}$; Lot 3 in $SE\frac{1}{4}$ lying north of Platte River; that part of $SW\frac{1}{4}$ of $NE\frac{1}{4}$ and $SW\frac{1}{4}$ lying south of U. P. R. R. right of way, Sec. 26, Twp. 16 N., R. 3 West, Merrick County.
Arthur Engel and Anna Engel	Lot 2 in $SE\frac{1}{4}$ of Sec. 24, Lot 1 in $NE\frac{1}{4}$ Sec. 25, and Lot 3 in $NW\frac{1}{4}$ Sec. 25, all in Twp. 16 N., R. 3 West, Merrick County.
C. L. Sprague and Mary E. Sprague	Lots 1 and 2 in $N\frac{1}{2}$ of Sec. 4, Twp. 15 N., R. 3 West, Merrick County.
George Heinemeyer, Guardian of Est. of Wm. H. Heinemeyer	Lot 2 in $NW\frac{1}{4}$ of Sec. 33, Twp. 15 N., R. 4 West, Merrick County
Frank Rystrom and Lena Rystrom	Lots 3 and 4 in the $SW\frac{1}{4}$ of Sec. 33, Twp. 15 N., R. 4 West, Merrick County.
Becher, Hockenberger and Chambers Company	Beginning at a point in the $NW\frac{1}{4}$ of Sec. 18, Twp. 15 N., R. 3 West, where the transmission line of the NWPS Co. crosses the dividing line fence between Mike Sack and the Grantor and continuing in a southwesterly direction across said Sec. 18 and Sec. 13, Twp. 15 N., R. 4 West, to a point in the $SW\frac{1}{4}$ of said Sec. 13, where the said line crosses the division fence between the Grantor and Shepherd. All of said line being located on what is known as the Dry Channel of the Platte River lying north of Island No. 4, all being located in Merrick County.
John J. Feehan and Margaret T. Feehan	$SW\frac{1}{4}$ in Sec. 5, Twp. 14 N., R. 4 West, Merrick County.
Theo E. Moberg and Stella Moberg	Lots 1, 2 and 3, in the $NW\frac{1}{4}$ of Sec. 8, Twp. 14 N., R. 4 West, Merrick County.
William Higgins	Lots 1, 2, 4 and 5 in the $S\frac{1}{2}$ of Sec. 7, Twp. 14 N., R. 4 West, Merrick County.
Luke Lamb	Lot 1 in $NW\frac{1}{4}$ of Sec. 18, Twp. 14 N., R. 4 West, Merrick County.
Peter Trainor and Julia Trainor	Lots 1 and 2 in $NE\frac{1}{4}$ of Sec. 13, Twp. 14 N., R. 5 West, Merrick County.
R. R. Douglas and Olive M. Douglas	Lots 3, 4 and 5 in the $N\frac{1}{2}$ of Sec. 13, Twp. 14 N., R. 5 West, Merrick County.
Earl Applebee and Mary Applebee	Lot 6 in the $W\frac{1}{2}$ of $NW\frac{1}{4}$ of Sec. 13, Twp. 14 N., R. 5 West, Merrick County.
Gertrude Brenneman and D. R. Brenneman	Lot 7 in $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of Sec. 13, Twp. 14 N., R. 5 West, Merrick County.
Jens M. Christensen and Celia M. Christensen	Lot 3, and 4 in the $E\frac{1}{2}$ of Sec. 14, Twp. 14 N., R. 5 West, Merrick County.
J. W. Key and Meta Elizabeth Key	$SW\frac{1}{4}$ of $SE\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 14, Twp. 14 N., R. 5 West, Merrick County.
Charles Wahl and Rose Wahl	$SW\frac{1}{4}$ of $SW\frac{1}{2}$ of Sec. 14, Twp. 14 N., R. 5 West, Merrick County.
T. G. Morgan and Kate Morgan	$NE\frac{1}{4}$ of Lot 4 in $SE\frac{1}{4}$ of Sec. 22, Twp. 14 N., R. 5 West, Merrick County.

GrantorLocationMerrick County - continued

Louis Jandrall and Edna Jandrall S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, Twp. 14 N., R. 5 West, Merrick County.

John Black and Clara Black Lot 1 in NW $\frac{1}{4}$ of Sec. 27, Lots 1 and 2 in NE $\frac{1}{4}$ of Sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$ all in Sec. 28, Twp. 14 N., R. 5 West, Merrick County.

Roy Clement and Jessie Clement Lot 3 in S $\frac{1}{2}$ of Sec. 28, Twp. 14 N., R. 5 West, Merrick County.

George Reeves and Elner A. Reeves E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 11, Twp. 13 N., R. 6 West, Merrick County.

G. R. Reeves and Mary E. Reeves Lots 4 and 5 in SW $\frac{1}{4}$ of Sec. 28, and Lot⁴ in NW $\frac{1}{4}$ of Sec. 33, all in Twp. 14 N., R. 5 West, and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 11, Twp. 13 N., R. 6 West, Merrick County.

Thomas Stuart Estate by Robert Stuart, Executor N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 32, Twp. 14 N., R. 5 West, Merrick County.

A. F. Jewell Along the north line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$. Also along the west line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 32. Said line to be placed on the east side of an old mill race inside its pasture fence, Twp. 14 N., R. 5 West, Merrick County.

Frank Ashelford and Sadie Ashelford Lot 5 in the NE $\frac{1}{4}$ Sec. 6, Twp. 13 N., R. 5 West, Merrick County.

William Paro Estate by Lillie Paro, Adm. and Gdn. SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 32, Twp. 14 N., R. 5 West, Merrick County.

Albert E. Johnson and Viola M. Johnson W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6, Twp. 13 N., R. 5 West, Merrick County.

The Hord Company All that part of Parker's Island in Sec. 6 and 7, Twp. 13 N., R. 5 West, and all that part of Parker's Island in Sec. 12 and 13, except a 10 acre tract and adjoining and lying east of the highway in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 12, and the SW $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, all in Twp. 13 N., R. 6 West, Merrick County.

Hiram W. Cudney and Bertha B. Cudney A 10 acre tract of land located on what is known as Parker's Island and lying on the east side of the highway in the SE $\frac{1}{4}$ of Sec. 12, Twp. 13 N., R. 6 West, Merrick County.

Robert Stuart and Alice Stuart The SW $\frac{1}{4}$ of Sec. 11, Twp. 13 N., R. 6 West, Merrick County.

Francis Coyle and Julia Coyle Lot 1 in Sec. 4 and Lot 1 in Sec. 5, Twp. 14 N., R. 4 West, Merrick County.

Union Pacific Railroad Co. Extending over and across said right of way, main track and wires along a line parallel to and 51.6 feet distant north (measured along the center line of said main tract) from the south line of Sec. 11, Twp. 13 N., R. 6 West, Merrick County.

PLATTE COUNTY

Thomas L. Foley and Mae Folye; and Edward Arndt and Matilda Arndt SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, Twp. 18 N., R. 2 West, Platte County.

Parker F. Miller, Emil Lammart, Edward Lammart, Richard O. Berger and Joseph C. Tiffany SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, Twp. 17 N., R. 1 West, Platte County.

Helen H. Stires, H. L. Stires and Bertha C. Stires That portion of the SE $\frac{1}{4}$ of Sec. 24, Twp. 17 N., R. 1 West, Platte County, lying south of the main line right of way of the U. P. R. Co.

R. Y. Lisco and Mary J. Lisco NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 26, Twp. 17 N., R. 1 West, Platte County.

John Duracinski and Agnes Duracinski Lots 3 and 4, in NW $\frac{1}{4}$ of Sec. 26, and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 27, Twp. 17 N., R. 1 West, Platte County.

Arnold Nyffeler and Elise Nyffeler W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 34, Twp. 17 N., R. 1 West and E $\frac{1}{2}$ of Lot 4 in SW $\frac{1}{4}$ of Sec. 4, and Lot 5 in SE $\frac{1}{4}$ Sec. 4, Twp. 16 N., R. 1 West, Platte County.

<u>Grantor</u>	<u>Location</u>
<u>PLATTE COUNTY</u> - continued	
Arthur Engel and Anna Engel	Lots 3 and 5, in SW $\frac{1}{4}$ of Sec. 19, Twp. 16 N., R. 2 West, Platte County.
Walter Forman and Elizabeth Forman	E $\frac{1}{2}$ of Lot 1 in SE $\frac{1}{4}$ of Sec. 19, Twp. 16 N., R. 2 West, Platte County.
Mike Forman	W $\frac{1}{2}$ of Lot 1, SE $\frac{1}{4}$ of Sec. 19, Twp. 16 N., R. 2 West, Platte County.
Martin Karges and Celia Karges	NE $\frac{1}{4}$ of Sec. 19 and Lot 5 in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 20, Twp. 16 N., R. 2 West, Platte County.
Celia Karges and Martin Karges	Lot 5 in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 16, Twp. 16 N., R. 2 West, Platte County.
Mary Nyffeler and Fred Nyffeler	Lots 1 and 2 in S $\frac{1}{2}$ of Sec. 11, Twp. 16 N., R. 2 West, Platte County.
Sam Ernst	Lot 2 in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lots 3 and 4 in N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 12, Twp. 16 N., R. 2 West, Platte County.
Herman Ernst and Rosalie Ernst	SE $\frac{1}{2}$ NE $\frac{1}{4}$ and Lot 1 in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 12; SW $\frac{1}{4}$ Sec. 10; and Lots 1 and 2 in NW $\frac{1}{4}$ Sec. 15, Twp. 16 N., R. 2 West, Platte County.
Paul Blaser and Bertha Blaser	SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and East twenty acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, and Lot 1 in NE $\frac{1}{4}$ and Lot 2 in NE $\frac{1}{4}$ of Sec. 8, all in Twp. 16 N., R. 1 West, Platte County.
Albert Born and Mary Born	Lot 1 in NW $\frac{1}{4}$ Sec. 9, Twp. 16 N., R. 1 West, Platte County.
Caesar Ernst and Mary Ernst	West 15 acres of E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 4, Twp. 16 N., R. 1 West, Platte County.
Wm. Nyffeler and Helen Nyffeler	E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 34, Twp. 17 N., R. 1 West, Platte County.
John F. Nyfeller and Grace Nyffeler	Lot 2 in SE $\frac{1}{4}$ Sec. 19, Twp. 16 N., R. 2 West, Platte County.
Julius O. Nyffeler and Lillian Nyffeler	E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 34, Twp. 17 N., R. 1 West, Platte County.
Ernest Nyffeler and Henrietta Nyffeler	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 4, Twp. 16 N., R. 1 West, Platte County.
Louisa Oppliger	S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 27, and NE $\frac{1}{4}$ of Sec. 34, Twp. 17 N., R. 1 West, Platte County.
Phillip Z. Krzycki, Adm. of Est. of John Krzycki and Barbara Krzycki	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 27, Twp. 17 N., R. 1 West, Platte County.
August Wagner and Pearl Wagner, and Lyman-Richey Sand Co.	S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 24, and the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 23, all in Twp. 17 N., R. 1 West, Platte County; and three-cornered tract described as follows: Commencing at a point on the South right-of-way line of U. P. R. R. Co. 2208.20' West, and 101.50' North of SE corner of Sec. 23, Twp. 17 N., R. 1 West, running thence in a southwesterly direction along the south right-of-way line of the U. P. R. R. Co. for a distance of 184.40' to a point on the north bank of the Loup River, running thence in a southeasterly direction in a straight line for a distance of 200' to a point on the north bank of the Loup River 2208.20' west and 48.40' north of the SE corner of said Sec. 23, running thence northerly on a line at right angles to the South line of Sec. 23, for a distance of 101.50' to the place of beginning, all being located in Lot 5 (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Sec. 23, Twp. 17 N., R. 1 West, Platte County.
Otto Rudat and Anna Rudat	W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 34, E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 33, Twp. 17 N., R. 1 West, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ and Lot 3, Sec. 3, Twp. 16 N., R. 1 West, Platte County.
H. J. Rudat and Lydia Rudat	E $\frac{1}{2}$ of NE $\frac{1}{4}$ and part of E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 4, except the west 15 acres thereof, Twp. 16 N., R. 1 West, Platte County.
John Engel and Ida Engel	Lot 1 SE $\frac{1}{4}$ of Sec. 10, and Lot 5 in NE $\frac{1}{4}$ of Sec. 15, Twp. 16 N., R. 2 West, Platte County.
Frank Torczon and Vera Torczon	SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, SE $\frac{1}{4}$ of NE $\frac{1}{4}$; Lot 3 in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and Lot 4 in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 16, Twp. 16 N. R. 2 West, Platte County.

Miscellaneous Record I

LEFEBURE CORPORATION, CEDAR RAPIDS, IOWA 166423-A

<u>Grantor</u>	<u>Location</u>
<u>PLATTE COUNTY</u> - continued	
Jim Edmison and Amelia Edmison	Lot 5 in SW $\frac{1}{4}$ Sec. 20, Twp. 16 N., R. 2 West, Platte County.
Fred J. Engel and Bertha Engel	Lot 2 in NE $\frac{1}{4}$ of Sec. 20, and Lot 3 in NW $\frac{1}{4}$ of Sec. 20, Twp. 16 N., R. 2 West, Platte County.
Paul Ernst	S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 8, Twp. 16 N., R. 1 West, Platte County.
Rosa Ernst	NE $\frac{1}{4}$ of Sec. 7, Twp. 16 N., R. 1 West, Platte County.
Henry Blaser and Katie Blaser	NW $\frac{1}{4}$ of Sec. 7, Twp. 16 N., R. 1 West, Platte County.
Louis Blaser and Julia Blaser	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of West 20 acres of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 4, Twp. 16 N., R. 1 West, Platte County.
Ed R. Blaser	Along the north line of S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20, Twp. 17 N., R. 1 West, Platte County.

together with all appurtenances thereunto belonging. The first party covenants that it is lawfully seized and has possession thereof, and the right to convey, and that said easements, licenses, rights of way and similar interests are free and clear of all liens and encumbrances done or suffered by first party, and that first party will warrant and forever defend title thereto against any and all of such liens and encumbrances, and against all persons claiming title by, through or under first party. The second party agrees to assume, and indemnify and hold harmless the first party, against all liability arising from the use of all easements, licenses, rights of way and similar interests herein conveyed, including all lines, poles, transformers, or other property now in use, or hereafter erected thereon, from and after the delivery and acceptance of this conveyance. The foregoing agreement to assume responsibility and indemnify first party shall be binding upon the successors and assigns of second party.

In compliance with the provisions of Legislative Bill No. 168 of the 53rd Session of the Legislature of Nebraska (1939 Session), otherwise known as Sec 70-712 C. S. Supp. Nebraska 1939, this conveyance is made upon the condition that the Consumers Public Power District shall comply with the provisions of said bill, and shall annually pay out of its revenue, to the state of Nebraska, county, city, village and school district in which the properties herein conveyed are located, in lieu of taxes, a sum equal to the amount which the state, counties, cities, villages and school districts received from taxation, including occupation taxes, from such property or from the company during the year immediately preceding the purchase of acquisition of such property by the District, so long as such act shall be in full force and effect.

IN WITNESS WHEREOF, Northwestern Public Service Company has hereunto caused this conveyance to be signed on its behalf by its President, thereunto duly authorized, and to be attested by its Secretary, and has caused its corporate seal to be hereunto affixed this 5 day of July, 1940.

Attest:
J. F. Buckmier Secretary (SEAL) By A. B. Sanborn President
R. D. Flory, Witness

STATE OF ILLINOIS) ss. On this 5 day of July, 1940, before the undersigned, a Notary Public
COOK COUNTY) in and for County and State aforesaid, personally came A. B. Sanborn,
President of the Northwestern Public Service Company, a corporation
duly organized, incorporated and existing under and by virtue of the laws of the State of
Delaware, and J. F. Buckmier, Secretary of said corporation, who are personally known to me
to be such officers, and the identical persons whose names are affixed to the foregoing instr-
ument, and acknowledged the same to be their voluntary act and deed, and the voluntary act
and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Seal this day and year last above mentioned.

(SEAL) Geo. Loacker Notary Public

My commission expires My commission expires Jan. 16, 1941.
