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Lancaster County, NE Assessor/Register of Deeds

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EASE

Pages 8



### TRANSMISSION RIGHT OF WAY EASEMENT

Lincoln Electric System – Southeast Reliability Project  
(Tracts 16, 17 and 20 – Etmund)

That **Cora H. Etmund ("Grantor")**, whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar and other valuable consideration (\$1.00 and OVC), duly paid the receipt whereof is duly acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby GRANT, REMISE, and RELINQUISH unto the **CITY OF LINCOLN, NEBRASKA, a municipal corporation, d/b/a/ LINCOLN ELECTRIC SYSTEM ("Grantee")**, its successors and assigns as follows:

The permanent right, privilege, and easement to access, survey, construct, reconstruct, relocate, maintain, inspect, operate, alter, and replace electric transmission lines and appurtenances thereto including structures, structure foundations, poles, pole foundations, down guys, anchors, insulators, underground cables, communication lines, communication equipment, and attachments, wires and supports upon, above, along, under, in and across the following described real property, to-wit:

#### Attached Exhibits "A", "B" and "C"

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, a municipal corporation, d/b/a LINCOLN ELECTRIC SYSTEM ("Grantee"), its successors and assigns, forever, or until released by "Grantee".

It is the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above-described property for any purpose except that which would, in the judgement of Grantee, endanger or be a hazard to or interfere with, the rights of Grantee to use the same for the purpose herein expressed in accordance with the terms hereof and subject to any prior leases or easements of record heretofore granted to other parties.

Grantee shall have the right of reasonable ingress and egress to and from the easement area from public roads and streets and from adjacent properties for its employees, contractors, vehicles, and equipment, and shall have the right to install gates or culverts or remove fencing or other obstructions.

Grantee shall have the right, at any time, at its expense, to clear any and all vegetation including, but not limited to, vines, briars, shrubs, trees and other woody stem vegetation from the full width of the easement, either by cutting and removing the growth and/or application of environmentally safe herbicides. Grantee shall have the right to remove or trim trees outside of the easement at its sole expense if, in the judgement of Grantee, they have the potential to fall into the electrical conductor. Row crops are permitted within the easement area, but tree farms and the growing of nursery stock are prohibited.

Grantor shall not change or alter the grade of the right-of-way described hereinabove without the prior written approval of Grantee. Grantee shall not utilize the easement for the storage or placement of items that would, in the judgement of Grantee, endanger or impede access or interfere with Grantee's operations including but not limited to building improvements, barns, outbuildings, swimming pools, lagoons, ponds, billboards, poles, antennas, bulk materials, vehicles, hay bales, large equipment, or combustible materials.

Grantee shall have the right to remove items which now or at any future time are located on, overhang, or extend onto the easement area including but not limited to the following: building improvements, barns, outbuildings, swimming pools, lagoons, ponds, billboards, poles, antennas, bulk materials, vehicles, hay bales, large equipment, or combustible materials.

As soon as possible following completion of any construction by Grantee in the easement area, Grantee will cause to be removed from the property hereinabove described all debris and construction equipment and restore the premises to the extent practical. Any damage to crops of Grantor or any tenant resulting from the entry upon the property of Grantor for construction, maintenance, or repair purposes shall be paid to Grantor or Grantor's tenant as determined by agreement of the parties or as determined by law.

Grantee shall have the right to take any actions necessary, at its sole expense, to comply with then existing local, state and federal laws and regulations which apply to Grantee.

Charge to LES

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, lessees, successors, and assigns of the respective parties, and the easements, rights, obligations, and privileges of Grantee created by this instrument shall not in any manner be released, waived, or in any way terminated or affected by any delay, failure, or lack of use by Grantee for any period of time.

IN WITNESS WHEREOF, we have hereunto set our hands this 7th day of June, 2017.

By: Cheryl A. Brown, P.R.  
Cora H. Edmund

STATE OF NEBRASKA )  
 ) ss.  
COUNTY LANCASTER )

Before me, a Notary Public, qualified for and in said County, personally came Cheryl A. Brown known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS my hand and notarial seal on this 7th day of June, 2017.

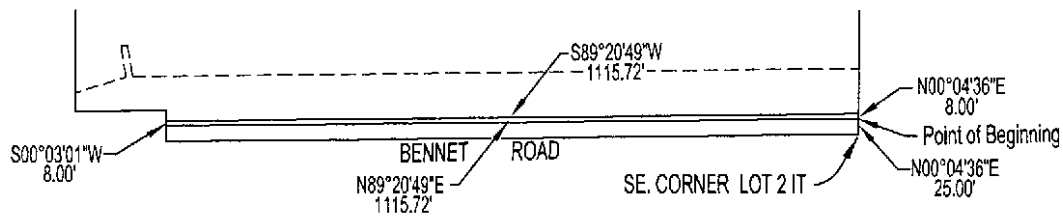
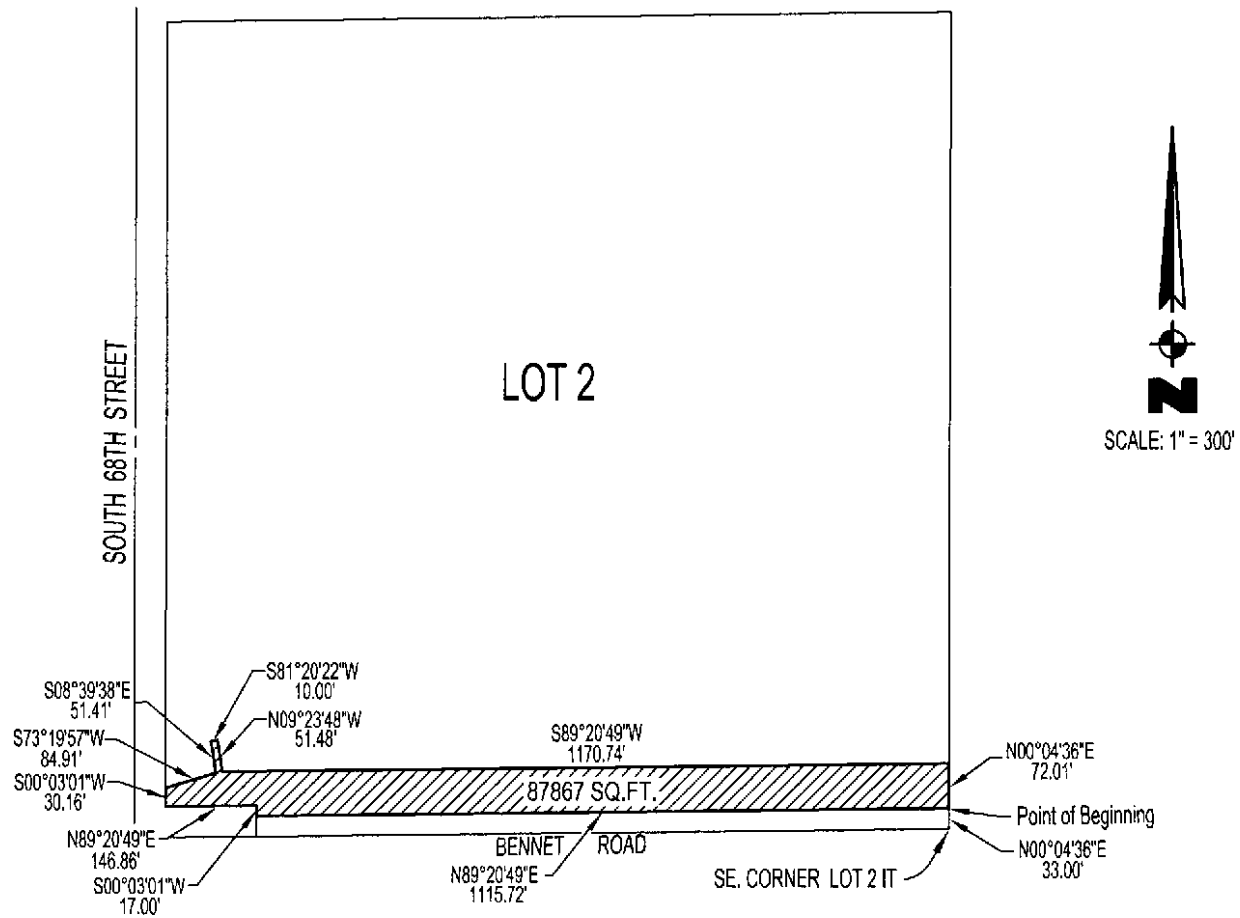


[Signature]  
Notary Public

# L.E.S. EASEMENT

## Exhibit "A"

Page 1 of 2



(EASEMENT AREA WITHIN COUNTY RIGHT OF WAY)  
DETAIL:

LEGAL DESCRIPTION: Transmission Line Easement across a part of Lot 2 of Irregular Tracts located in the SW 1/4 of Section 3, T.8N.R.7 East of the 6th PM., Lancaster County, Nebraska

SCALE: 1" = 300' DATE: 8/23/2016 JOB # 2015-0319

Tract 16

# Exhibit "A"

## Page 2 of 2

### TRACT NO. 16

DESCRIPTION OF A TRANSMISSION LINE EASEMENT ACROSS A PART OF LOT 2 OF IRREGULAR TRACTS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID LOT 2, ON AN ASSUMED BEARING OF N00°04'36"E, FOR A DISTANCE OF 33.00' TO THE POINT OF BEGINNING

THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N00°04'36"E, FOR A DISTANCE OF 72.01'

THENCE S89°20'49"W FOR A DISTANCE OF 1170.74'

THENCE N09°23'48"W FOR A DISTANCE OF 51.48'

THENCE S81°20'22"W FOR A DISTANCE OF 10.00'

THENCE S08°39'38"E FOR A DISTANCE OF 51.41'

THENCE S73°19'57"W FOR A DISTANCE OF 84.91' TO A POINT ON THE WEST LINE OF SAID LOT 2

THENCE S00°03'01"W, ALONG THE WEST LINE OF SAID LOT 2, FOR A DISTANCE OF 30.16'

THENCE N89°20'49"E FOR A DISTANCE OF 146.86'

THENCE S00°03'01"W FOR A DISTANCE OF 17.00'

THENCE N89°20'49"E FOR A DISTANCE OF 1115.72' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 87867 SQUARE FEET OR 2.02 ACRES

### EASEMENT AREA WITHIN COUNTY RIGHT OF WAY

REFERRING TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID LOT 2, ON AN ASSUMED BEARING OF N00°04'36"E, FOR A DISTANCE OF 25.00' TO THE POINT OF BEGINNING

THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N00°04'36"E, FOR A DISTANCE OF 8.00'

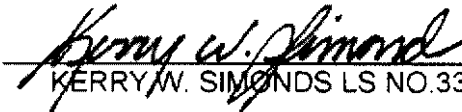
THENCE S89°20'49"W FOR A DISTANCE OF 1115.72'

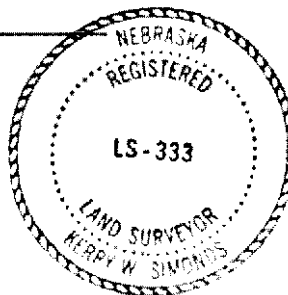
THENCE S00°03'01"W FOR A DISTANCE OF 8.00'

THENCE N89°20'49"E FOR A DISTANCE OF 1115.72' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 8926 SQUARE FEET OR 0.205 ACRES

I HEREBY CERTIFY THE LOCATION OF THE PROPOSED EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, THE CENTERLINE OF WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.

SIGNED THIS 23RD DAY OF AUGUST, 2016

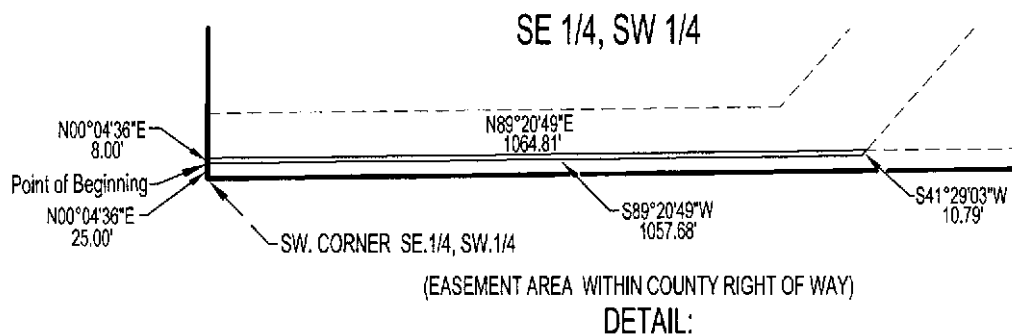
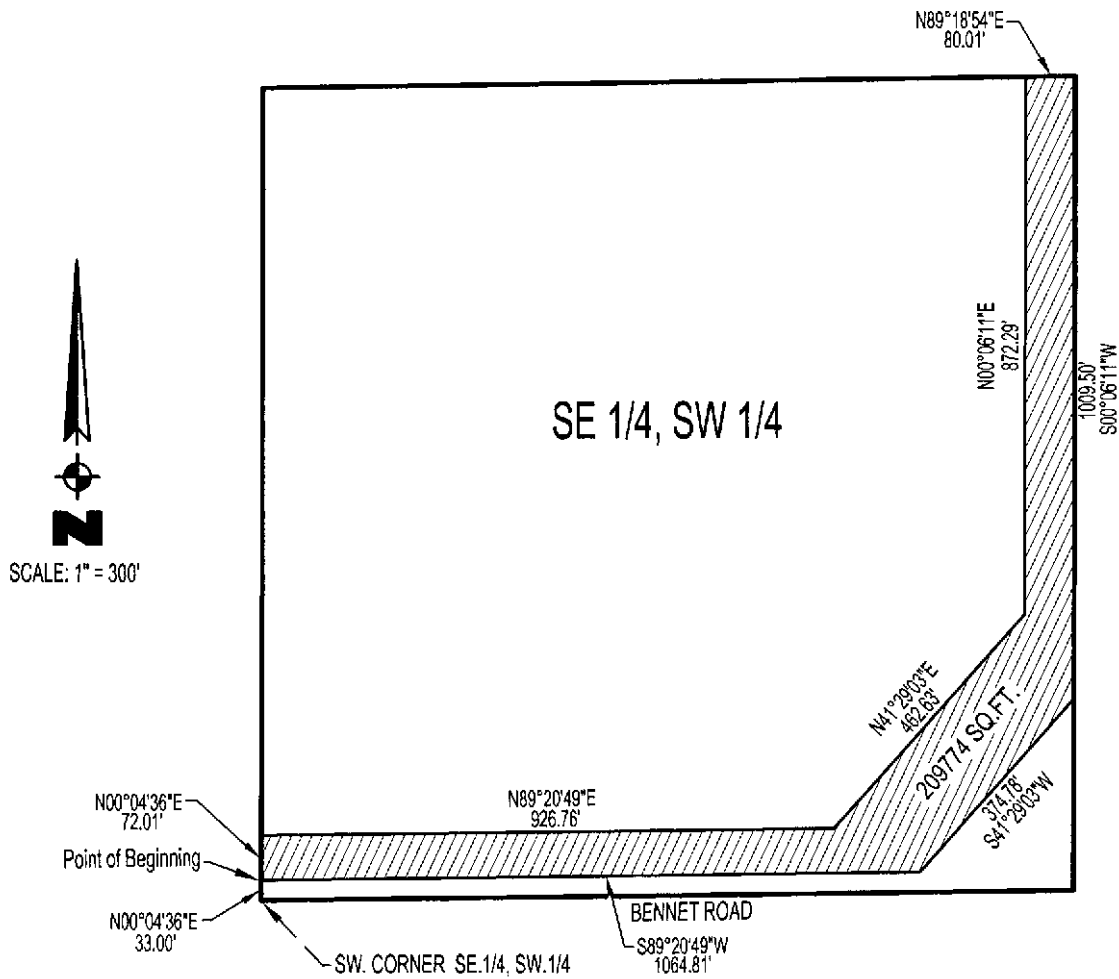
  
KERRY W. SIMONDS LS NO.333



# L.E.S. EASEMENT

## Exhibit "B"

### Page 1 of 2



LEGAL DESCRIPTION: Transmission Line Easement across a part of the SE 1/4 of the SW 1/4 of Section 3, T.8N.R.7 East of the 6th PM., Lancaster County, Nebraska

SCALE: 1" = 300'

DATE: 8/24/2016

JOB # 2015-0319

Tract 17

**Exhibit "B"**  
**Page 2 of 2**

**TRACT NO. 17**

DESCRIPTION OF A TRANSMISSION LINE EASEMENT ACROSS A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, ON AN ASSUMED BEARING OF N00°04'36"E, FOR A DISTANCE OF 33.00' TO THE **POINT OF BEGINNING**

THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N00°04'36"E, FOR A DISTANCE OF 72.01'

THENCE N89°20'49"E FOR A DISTANCE OF 926.76'

THENCE N41°29'03"E FOR A DISTANCE OF 462.63'

THENCE N00°06'11"E FOR A DISTANCE OF 872.29' TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3

THENCE N89°18'54"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, FOR A DISTANCE OF 80.01' TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3

THENCE S00°06'11"W, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, FOR A DISTANCE OF 1009.50'

THENCE S41°29'03"W FOR A DISTANCE OF 374.78'

THENCE S89°20'49"W FOR A DISTANCE OF 1064.81' TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 209774 SQUARE FEET OR 4.82 ACRES

**EASEMENT AREA WITHIN COUNTY RIGHT OF WAY**

REFERRING TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, ON AN ASSUMED BEARING OF N00°04'36"E, FOR A DISTANCE OF 25.00' TO THE **POINT OF BEGINNING**

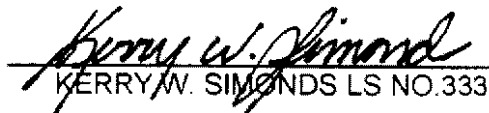
THENCE CONTINUING ON THE LAST DESCRIBED COURSE, ON SAID BEARING OF N00°04'36"E, FOR A DISTANCE OF 8.00'

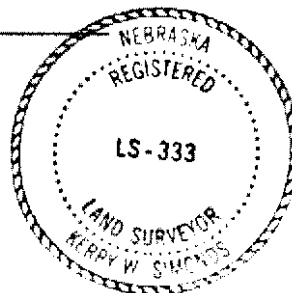
THENCE N89°20'49"E FOR A DISTANCE OF 1064.81'

THENCE S41°29'03"W FOR A DISTANCE OF 10.79'

THENCE S89°20'49"W FOR A DISTANCE OF 1057.68' TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 8490 SQUARE FEET OR 0.195 ACRES

I HEREBY CERTIFY THE LOCATION OF THE PROPOSED EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, THE CENTERLINE OF WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.  
SIGNED THIS 23RD DAY OF AUGUST, 2016

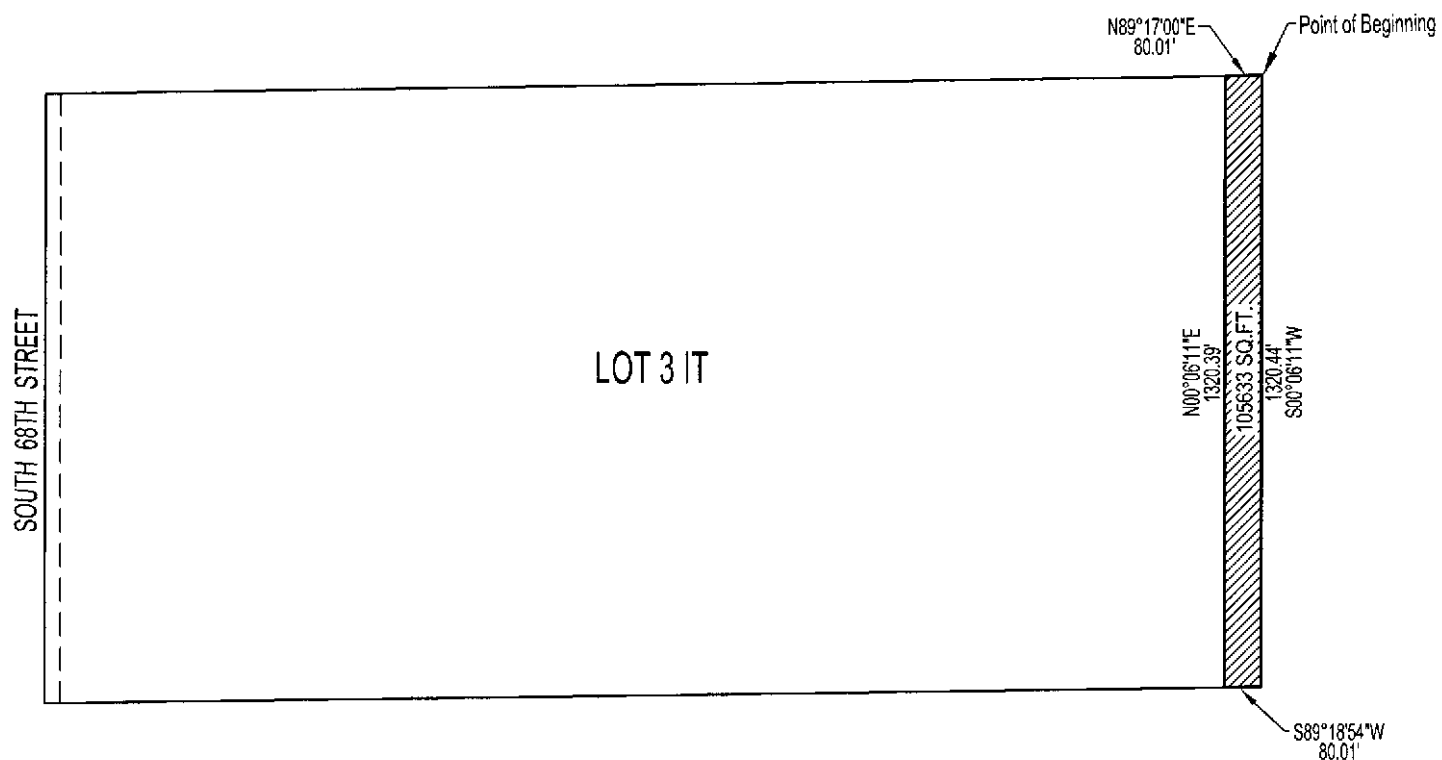
  
KERRY W. SIMONDS LS NO. 333



# L.E.S. EASEMENT

Exhibit "C"

Page 1 of 2



SCALE: 1" = 400'

LEGAL DESCRIPTION: Transmission Line Easement across a part of Lot 3 of Irregular Tracts located in the N.1/2 of the SW. 1/4 of Section 3, T.8N.R.7 East of the 6th PM. ,

Lancaster County, Nebraska

SCALE: 1" = 400'

DATE: 8/25/2016

JOB # 2015-0319

Tract 20

Exhibit "C"  
Page 2 of 2

**TRACT NO. 20**

DESCRIPTION OF A TRANSMISSION LINE EASEMENT ACROSS A PART OF LOT 3 OF IRREGULAR TRACTS LOCATED IN THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

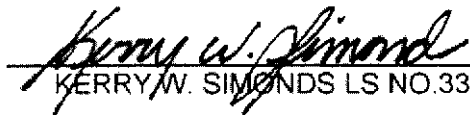
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE IN A SOUTHERLY DIRECTION, ALONG THE EAST LINE OF SAID LOT 3, ON AN ASSUMED BEARING OF S00°06'11"W FOR A DISTANCE OF 1320.44' TO THE SOUTHEAST CORNER OF SAID LOT 3

THENCE S89°18'54"W, ALONG THE SOUTH LINE OF SAID LOT 3, FOR A DISTANCE OF 80.01'

THENCE N00°06'11"E FOR A DISTANCE OF 1320.39' TO A POINT ON THE NORTH LINE OF SAID LOT 3

THENCE N89°17'00"E, ALONG THE NORTH LINE OF SAID LOT 3, FOR A DISTANCE OF 80.01' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 105633 SQUARE FEET or 2.42 ACRES

I HEREBY CERTIFY THE LOCATION OF THE PROPOSED EASEMENT ACROSS THE PROPERTY DESCRIBED ABOVE, THE CENTERLINE OF WHICH WAS LOCATED BY ME OR UNDER MY DIRECT SUPERVISION.  
SIGNED THIS 25TH DAY OF AUGUST, 2016

  
KERRY W. SIMONDS LS NO. 333

