

EASEMENT FOR RIGHT OF WAY  
(Aerial and Underground)  
JOINT CONSTRUCTION

In consideration of the mutual benefits to be derived from the facilities proposed hereinafter, and the further consideration of One (1) Dollars, in hand paid, receipt whereof is hereby acknowledged, the undersigned, Wayne E. Koenig and Duane G. Koenig a.k.a. Koenig & Koenig Developers, does hereby grant and convey to THE LINCOLN TELEPHONE AND TELEGRAPH COMPANY and to their successors and assigns, and to THE CITY OF BEATRICE, NEBRASKA, a municipal corporation, its successors and assigns, and to THE BEATRICE CABLE T-V COMPANY, its successors and assigns, the right to construct, reconstruct, perpetually maintain and operate joint aerial and underground electric power line, telephone line and Cable T-V, together with the necessary poles, cables, wires, crossarms, brackets, underground conduits, overhangs, anchors and etc., the right to construct, reconstruct, perpetually maintain and operate with the necessary pipes, fittings, etc. for each with the right to enter said premises for the purpose of installing, repairing, replacing, operation and maintaining and removing said joint construction in whole or in part, in, under and above the said property at about the following describe location:

- (a) The North Ten (10) feet of the East Half of Lot Thirty-seven (37), I. N. McConnell's Subdivision of the South Half of the Southeast Quarter of Section Thirty-two (32), Township Four (4) North, Range Six (6) East, East of the Sixth Principal Meridian, Gage County, Nebraska; also, that part of said East Half of Lot Thirty-seven (37) described as follows: commencing at the Southwest corner of said East Half of said Lot Thirty-seven (37); thence North Two Hundred Thirty-one and Five Hundredths (231.05) feet; thence East Ten (10) feet; thence South a distance of One Hundred Ten and Five Hundredths (110.05) feet, more or less; thence East Five (5) feet; thence South Ten (10) feet; thence West Five (5) feet; thence South Forty-two (42) feet; thence East Twenty-three (23) feet; thence South Ten (10) feet; thence West Twenty-eight (28) feet; thence South to the South line of said East Half of Lot Thirty-seven (37); thence West to the p.o.b.
- (b) Commencing at the southeast corner of Lot Thirty-six (36), I. N. McConnell's Subdivision of the South Half of the Southeast Quarter of Section Thirty-two (32), Township Four (4) North, Range Six (6) East, East of the Sixth Principal Meridian, Gage County, Nebraska; thence North along the East line of said Lot Thirty-six (36) a distance of Sixty-four (64) feet, more or less, to a point; thence West Ten (10) feet; thence North Fifty (50) feet, more or less, to a point; thence East Ten (10) feet to a point on the East line of said Lot Thirty-six (36) One Hundred Fourteen (114) feet, more or less, North of the Southeast corner of said Lot Thirty-six (36); thence running North along said East line to the Northeast corner of said Lot Thirty-six (36); thence West a distance of Ten (10) feet; thence South parallel to and Ten (10) feet from said East line a distance of Eighty-five (85) feet, more or less; thence East a distance of Five (5) feet; thence South a distance of Thirty (30) feet; thence West Fifteen (15) feet; thence South a distance of Sixty-one (61) feet, more or less, to a point; thence West Fifteen (15) feet, more or less; thence South Ten (10) feet; thence East Thirty (30) feet; thence South to the South line of said Lot Thirty-six (36); thence East to the p.o.b., and the North Ten (10) feet of the West One Hundred Seventy and Seven Tenths (170.7) feet of Lot Thirty-six (36); I. N. McConnell's Subdivision of the South Half of the Southeast Quarter of Section Thirty-two (32), Township Four (4) North, Range Six (6) East, East of the Sixth Principal Meridian, Gage County, Nebraska;



also, that part of said Lot Thirty-six (36) described as follows: commencing at a point Ten (10) feet South and Eighty-two (82) feet, West of the Northeast corner of said Lot Thirty-six (36); thence South Seven (7) feet; thence West Ten (10) feet; thence North Seven (7) feet; thence East Ten (10) feet to the p.o.b.

(c) The East Ten (10) feet of the South One Hundred Eighty-six and Five Hundredths (186.05) feet of the West One Hundred Thirty-three and Seven Tenths (133.7) feet of Lot Seventeen (17), and the South Ten (10) feet of the West One Hundred Thirty-three and Seven Tenths (133.7) feet of <sup>Lot Seventeen (17),</sup> I. N. McConnell's Subdivision of the South Half of the Southeast Quarter of Section Thirty-two (32), Township Four (4) North, Range Six (6) East, East of the Sixth Principal Meridian, Gage County, Nebraska, also that part of said West One Hundred Thirty-three and Seven Tenths (133.7) feet of Lot Seventeen (17) described as follows: commencing at a point One Hundred Twenty-three and Seven Tenths (123.7) feet East and Fifty-five (55) feet South, more or less of the Northwest corner of said Lot Seventeen (17); thence West Twenty-six (26) feet, more or less; thence South Ten (10) feet; thence East Twenty-six (26) feet, more or less; thence North Ten (10) feet to the p.o.b.

(See Attached Drawing)

The Lincoln Telephone and Telegraph Company, the City of Beatrice, Nebraska, the Beatrice Cable T-V and their assigns shall at all times exercise all due care and diligence to avoid injury or damage to the property of the Grantors, personal or otherwise and all the above mentioned shall indemnify and save harmless the Grantors from any such damage and loss arising or occurring to such property solely by reason of this construction, operation, maintenance and removal.

This Grant shall be binding upon the heirs, executors, administrators, successors and assigns of the Grantor herein.

IN WITNESS WHEREOF, the Parties have hereunto set their hands this 7 day of October, 1976.

In presence of:

\_\_\_\_\_ Dwaine D. King, MD  
 \_\_\_\_\_ James J. Johnson  
 \_\_\_\_\_ Wayne Spring  
 \_\_\_\_\_ Edna Pearl Kaeding

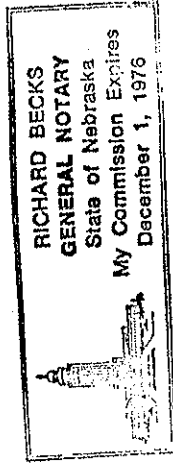
City of Beatrice, Nebraska, a Municipal Corporation

\_\_\_\_\_ Stephen J. Baird

By Stephen J. Baird  
 General Manager, Board of Public Works,  
 in behalf of the municipal corporation.

STATE OF NEBRASKA:  
COUNTY OF GAGE : SS

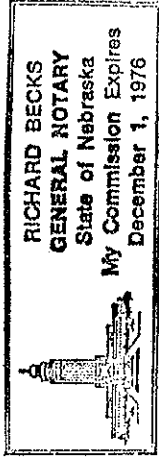
The foregoing instrument was acknowledged before me this 7 day of October, 1976, by Wayne E. Koenig and Edna Pearl Koenig, husband and wife; and Duane G. Koenig and Yvonne J. Koenig, husband and wife.



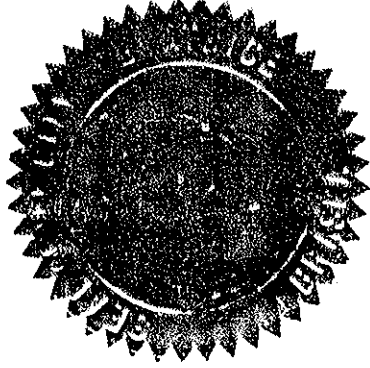
*Richard Becks*  
Notary Public

STATE OF NEBRASKA:  
COUNTY OF GAGE : SS

The foregoing instrument was acknowledged before me this 26 day of October, 1976, by James Beitel General Manager of the Board of Public Works, of the City of Beatrice, Nebraska, a municipal corporation, in behalf of the municipal corporation.



*Richard Becks*  
Notary Public



NUMBER   
ALPHA   
PAGED  X

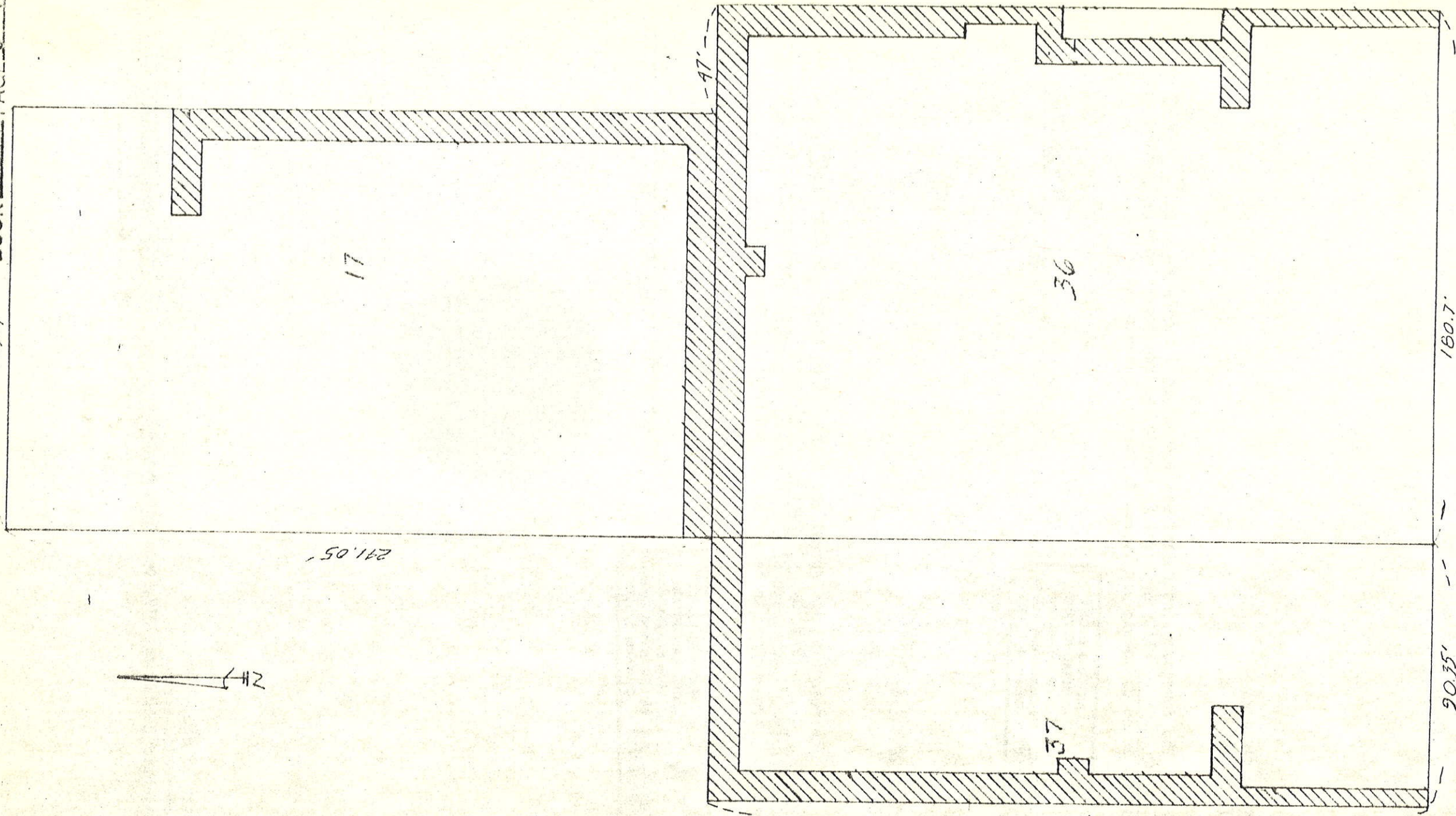
STATE OF NEBRASKA } ss  
County of Gage }  
Filed for record and entered in  
Numerical Index November 4  
1976 at 8:30 o'clock A.M.  
Recorded in Book 54 of  
Miscellaneous Page 801  
*Richard Becks*  
REGISTER OF DEEDS

Fee: \$12.25 Chg. & Return:  
Board of Public Works  
ATTN: Richard Becks, Box 279, Beatrice, Ne 68310

By \_\_\_\_\_ Deputy

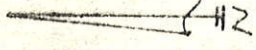
BOOK 54 PAGE 803





17

36



241.05'

241.05'

47'

160.7'

90.35'