

D E E D

FILED FOR RECORD ON THIS 26th DAY OF MAY, A. D. 1954 AT 11 O'CLOCK
AND 46 MINUTES A. M. AND RECORDED IN DEED BOOK 104 AT PAGE 187.

Fee: \$3.70

KITTY A. ROUSH, Register of Deeds

D E E D

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Don F. Pollock Properties, Inc., and Empire City Utility Company, corporations of the County of Dodge, State of Nebraska, grantors, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration in hand paid do hereby grant, bargain, sell, convey and confirm unto the City of Fremont, Nebraska, a municipal corporation, grantee, the following described real estate situated in Empire City Sub-division found in tax lot 3 in the southeast quarter of the southeast quarter of Section 22 Township 17 north, range 8 east of the 6th P.M., adjoining the City of Fremont in Dodge County, Nebraska, to-wit:

Upon all streets, avenues, alleys and public ways in the Empire City Sub-division located in Platte Township, Dodge County, Nebraska, as recorded in Book P Miscellaneous, at Page 703, dated October 18, 1951, the right to install, operate and maintain electric utilities together with any and all electric power lines or electric fixtures in, on, along, over, through, across, or under said streets, avenues, alleys and public ways, and further the grantors' rights upon the rear 8 feet of each lot as platted and recorded in the foregoing Empire City Sub-division plat, to install, operate and maintain electric power lines or electric fixtures in, on, along, over, through, across or under, said rear 8 feet of each lot of said Sub-division.

Together with the right to said grantee, its successors, and assigns, to place, erect, maintain, inspect, add to the number of, and relocate at will, poles, towers, cross-arms or fixtures, and string wires and cables, adding thereto from time to time, across, through, or over, the above-described premises, to cut and remove from said premises or the premises of the grantors adjoining the same on either side any trees, overhanging branches or other obstructions which may endanger the safety or interfere with the use of said poles and towers or fixtures or wires attached thereto, or any structures on said premises, and the right of ingress and egress to and over said above-described premises and any of the adjoining lands of the grantors at any and all times, for the

purpose of patrolling the line or repairing, renewing, or adding to the number of said poles, towers, structures, fixtures, and wires, and for doing anything necessary or useful or convenient for the enjoyment of the easement herein granted; also the privilege of removing at any time any or all of said improvements created upon, over, under, or on, said lands.

Together with the rights, easements, privileges, and appurtenances in or to said lands, which may be required for the full enjoyment of the rights herein granted.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and appurtenances thereunto belonging, unto the said City of Fresno and its heirs and assigns forever. And the grantors do hereby covenant with said Grantee and with its heirs and assigns, that lawfully seized of said premises; that they are free from encumbrances and that they have good right and lawful authority to sell the same; and the grantors do hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whatsoever.

And the said grantors do hereby relinquish any and all of their rights in and to the property herein conveyed and represent and warrant that no other electric utility, public or private, shall be granted similar rights over and upon the streets, avenues,

belonging, unto the said City of Fremont and its heirs and assigns forever. And the grantors do hereby covenant with said Grantee and with its heirs and assigns, that lawfully seized of said premises; that they are free from encumbrances and that they have good right and lawful authority to sell the same; and the grantors do hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whatsoever.

And the said grantors do hereby relinquish any and all of their rights in and to the property herein conveyed and represent and warrant that no other electric utility, public or private, shall be granted similar rights over and upon the streets, avenues, alleys or public ways or the rear 5 feet of any of the lots as platted and recorded in the Empire City Sub-division.

IN WITNESS WHEREOF, the grantors and grantee affix their signatures hereto on this 26th day of May, 1954.

DON F. POLLOCK PROPERTIES, INC. and
EMPIRE CITY UTILITY COMPANY, a Corporation

By William E. Fallick
Their Presidents

By H. M. Kumpfmacher
Their Secretaries

ATTEST:

CITY OF FREMONT, NEBRASKA, a Municipal
Corporation

City Clerk

BY

Its Mayor

STATE OF KANSAS }
COUNTY OF DOVER } SS

On this 26th day of May, 1954, before me a Notary Public in and for said county, personally appeared Helen E. Pollock, President, and H. M. Kruplinsky, Secretary of Don P. Pullock Enterprises, Inc., and Empire City Utility Company, corporations, to me personally known to be the identical persons and officers executing the foregoing instrument on behalf of said corporations and they acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said corporations.

WITNESS my hand and official seal the date last above written.



NOTARY PUBLIC

Notary Public for the State of Kansas, My Commission Expires May 31, 1955