

PARTIAL RELEASE OF EASEMENT  
AND  
GRANT OF COVENANTS

WHEREAS, the undersigned, Loup River Public Power District (herein called "District") is the Grantee and holder of an easement executed by Arthur Larson, Henry Larson and George Larson covering the West 1/2 of the Southwest Quarter (SW<sup>1</sup>/<sub>2</sub>) of Section Eleven (11), Township Fourteen (14) North, Range Twelve (12) East of the 6th P.M. in Douglas County, Nebraska, which easement was dated March 14, 1939 and was recorded March 17, 1939, in Book 135 at Page 86 of the Miscellaneous Records in the office of the Register of Deeds of Douglas County, Nebraska, and

WHEREAS, the District has located its electric transmission line diagonally across said land within the confines of a 100-foot wide easement way described and laid out upon the plat of Wildewood, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded on October 4, 1961 in Book 1135 at Page 675 of the Deed Records in the office of the Register of Deeds of Douglas County, Nebraska.

NOW, THEREFORE, in consideration of One Dollar and other valuable consideration, the District does hereby release said easement from all of said land excepting only the said 100-foot-wide overhead power easement which diagonally traverses said land, and which easement is described and laid out on said plat of Wildewood, it being understood and agreed that the District retains the easement and all rights granted therein, over, upon and along said 100-foot-wide overhead power line easement together with rights of ingress and egress thereto and therefrom over the publicly dedicated roads on said plat, to-wit: Harrison Street, 34th Street and Ralston Avenue.

Clair M. Wilson and Ethel E. Wilson, in consideration of the foregoing release, and as owners of all the following described real estate, do hereby acknowledge that said easement is reserved over portions of the following described lots as shown on said recorded plat:

Lots 1 through 11, both inclusive, in Wildewood.

Said easement extends 100 feet in width, and the following covenants shall govern the use of land within said easement way until such time as the District, or its assigns, may consent to a release or modification of these restrictions:

(1) No planting will be made within the boundaries of said easement grant which may interfere with or otherwise endanger the safe operation of said transmission line and equipment used in connection therewith.

(2) As a safeguard against the erection of buildings and structures which might endanger or interfere with the operation and maintenance of said transmission line, on lots or parcels of land either adjacent to or partially within the boundaries of such 100-foot easement, the following limitations on height of structures and proximity to boundaries are imposed on all lots adjacent to or wholly or partially within the boundaries of such transmission line easement:

(a) No structure shall be placed within the boundaries of such easement, except underground water, sewer and gas mains, street paving, driveways or sidewalks.

(b) Permanent structures may be placed on such lots which are partially within the boundaries of such easement on the express condition that such structure does not encroach on the defined easement area and that the maximum height of such structure and appendages is limited to thirty feet at the outer easement boundary, and one additional foot of height is permitted for each foot of distance, measured from the nearest point, from such outer boundary.

EXECUTED this 19th day of March, 1962

LOUP RIVER PUBLIC POWER DISTRICT

*Clair M. Wilson*  
Clair M. Wilson

By: *W.A. Boettcher*  
Vice President

*Ethel E. Wilson*  
Ethel E. Wilson

Attest: *Mary K. ...*  
Assistant Secretary

STATE OF NEBRASKA

COUNTY OF Platte

ss. On the date last above written before me, the undersigned, a Notary Public in and for said County, personally appeared W.A. Boettcher, who is known to be the Vice President of Loup River Public Power District, a Public Power District organized under the laws of the State of Nebraska, and the identical person who executed the foregoing instrument as such officer, and he acknowledged his execution thereof to be his voluntary act and deed as such officer, and the voluntary act and deed of said Loup River Public Power District.

Vice President of the Loup District signed partial release of easement in the absence of the President of the District who is out of the state.

*W.A. Boettcher*  
Notary Public

My Commission Expires: Feb 23 1968

STATE OF NEBRASKA

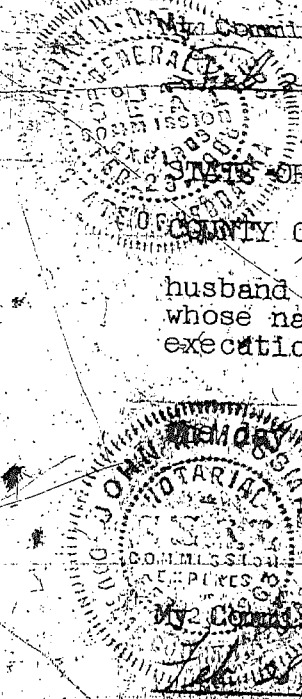
COUNTY OF DOUGLAS

ss. On the date last above written before me, the undersigned, a Notary Public in and for said County, personally came CLAIR M. WILSON and ETHEL E. WILSON, husband and wife, to me personally known to be the identical persons whose names are affixed to the above instrument, and acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal at Omaha in said County on the 19th day and year last above written.

*John H. ...*  
Notary Public

My Commission Expires: Feb 23 1963



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