

AN ORDINANCE GRANTING A RIGHT-OF-WAY EASEMENT TO THE SPERRY-RAND CORPORATION, SPERRY-NEW HOLLAND DIVISION; STATING THE MANNER AND TERMS THEREOF.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. The City of Lexington, Nebraska, is the owner of real estate described as follows, to-wit:

A tract of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5), Township Nine (9) North, Range Twenty-one (21) West of the 6th P.M., Dawson County, Nebraska, and more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5), Township Nine (9) North, Range Twenty-one (21) West of the 6th P.M.; thence West along the South line of said Section Seven Hundred Eighty-eight and seven-tenths feet (788.7'); thence North Five Hundred Fourteen feet (514.0') on a line parallel with the East line of said Section Five (5) to the South line of the Union Pacific Railroad right-of-way; thence in a southeasterly direction and along the South line of the said Union Pacific Railroad right-of-way to the East line of said Quarter; thence South Two Hundred Eighty-eight feet (288.0') to the place of beginning.

Section 2. The City of Lexington hereby grants unto Sperry-Rand Corporation, Sperry-New Holland Division, of New Holland, Pennsylvania, a right-of-way easement for the purpose of constructing industrial railroad trackage upon the land above described. The right-of-way easement over the above described land is described as follows, to-wit:

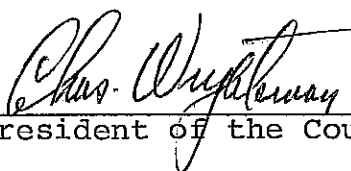
A tract of land Twenty feet (20') in width, Ten feet (10') either side of a line described as follows:
Beginning at a point on the South line of Section Five (5), Township Nine (9) North, Range Twenty-one (21) West of the 6th P.M., Dawson County, Nebraska, and then Seventy feet (70') West of the Southeast corner of said Section Five (5); thence running North to a point of curvature a distance of Thirty-two and six-tenths feet (32.6'); thence running Northwesterly through a curve to the left with $\Delta = 31^{\circ}43'$, $R = 600.81$ feet, $L = 332.5$ feet more or less to the Southerly line of the Union Pacific Railroad right-of-way, containing 0.17 acres, more or less.

Section 3. Sperry-Rand Corporation, Sperry-New Holland Division, shall have the right of ingress to and egress from said premises for the purpose of constructing, inspecting, repairing, maintaining, renewing and replacing the property of Sperry-Rand Corporation, Sperry-New Holland Division, located thereon or the removal thereof.

Section 4. The term of this right-of-way easement shall be perpetual. If at any time Sperry-Rand Corporation, Sperry-New Holland Division, shall determine that the described area or any portion thereof is not required for the stated purposes, it shall then release this easement as to the unused portion and relinquish all rights thereunder. The consideration for this right-of-way easement shall be One Dollar (\$1.00) and other valuable consideration.

Section 5. This Ordinance and notice hereof shall be published as provided for in the NEBR. REV. STAT., Section 16-202 (Reissue 1970). After publication and on failure of a remonstrance against such grant of easement, the City Manager is authorized to execute a right-of-way easement with Sperry-Rand Corporation, Sperry-New Holland Division, pursuant to the manner and terms hereof.

PASSED AND APPROVED this 27th day of November, 1973.



President of the Council

Approved:



City Clerk

(SEAL)