

ORDINANCE No. 57

AN ORDINANCE granting to The Central Nebraska Public Power and Irrigation District, its successors and assigns, a right of way as hereinafter described, for a period of twenty-five (25) years, for the construction, operation and maintenance of an electric transmission line; regulating the erection thereof; providing for the protection thereof, and a penalty for injury to or interference with the property of the District thereon; regulating the trimming of trees by the District; and repealing all ordinances or parts of ordinances in conflict therewith.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
GOTHENBURG, NEBRASKA:

Section 1. That a right of way be and is hereby granted to The Central Nebraska Public Power and Irrigation District, its successors and assigns, for a period of twenty-five years for the construction, operation and maintenance of an electric transmission line. The center line of said right of way is as follows:

Beginning at a point on the east side of the tailrace south of the present Gothenburg generating station in the SW $\frac{1}{4}$ of Section 10, Township 11 North, Range 25, West, in the City of Gothenburg, and proceeding in a southerly direction to an angle point approximately 975 feet from the source; thence to the west side of the tailrace to a point in the SE $\frac{1}{4}$, Section 9, Township 11, North, Range 25, West; thence south to an angle point in the northwest corner of the intersection of blocks 7, 14 and 15 of the Hiles and Reynolds' addition in Section 16, Township 11, North, Range 25, West; thence southeasterly into Section 15, Township 11 North, Range 25, West, and beyond the corporate limits to an angle point in the SW $\frac{1}{4}$ of Section 15, Township 11, North, Range 25, West; thence in a more easterly direction toward Cozad and on Willow Island.

Section 2. That the transmission line erected, operated and maintained upon and over said right of way shall not unnecessarily obstruct any streets, alleys or public ground which it parallels, intersects or crosses, or interfere with the use thereof for the purposes for which acquired by the City, and all structures and equipment placed upon the right of way by the District shall

comply with any law or laws then in effect.

Section 3. That the District, its successors and assigns, shall not in any manner trim, mutilate or injure trees along said right of way, or adjacent or near thereto without first obtaining the written permission of the owner of the property upon which such tree or trees are located.

Section 4. That any person who shall interfere with, cut, destroy or damage any pole, wire, fixture, instrument or other property of the District, its successors or assigns, erected or installed upon said right of way, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not exceeding \$100.00, and shall stand committed to the jail of the City until such fine and costs of prosecution are paid, secured or otherwise discharged according to law.

Section 5. That the District, its successors or assigns, shall save harmless the City of Gothenburg from any and all claims arising out of injuries to person or property as a result of the negligence of the District, its successors or assigns, in constructing, maintaining or operating its property upon said right of way.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 7. That this ordinance shall be in full force and effect when passed, approved and published according to law.

PASSED AND APPROVED THIS 3rd day of Mch, 1942.

Attest:

P. F. Williams
City Clerk

Erma Bentafon
Mayor