

# **City of Scottsbluff, Nebraska**

**Monday, September 16, 2019**

**Regular Meeting**

## **Item Reports3**

**Council to discuss and consider action on an Addendum to Easement for Solar Project.**

**Staff Contact: Nathan Johnson, City Manager**

City of Scottsbluff  
2525 Circle Drive  
Scottsbluff, NE 69361

### **ADDENDUM TO EASEMENT**

This Addendum to Easement ("Addendum") is made September 16, 2019. The City of Scottsbluff, Nebraska, a municipal corporation ("Grantor"), granted an Easement to Farmers Irrigation District ("Grantee") pursuant to an Easement recorded on December 20, 2001 in the records of the Scotts Bluff County Register of Deeds known as Instrument No. 2001-8491 ("Original Easement"). The Original Easement granted Grantee the right to place a buried PVC pipe to convey irrigation water within a fifteen (15) foot easement on each side of buried PVC pipe.

As a result of the construction of a fence around solar array panels located on a portion of Grantor's Real Estate set forth in the Original Easement, this Addendum is required to set forth the current location of the Grantee's buried PVC pipe. This Addendum affects only the Grantor's Real Estate described as follows:

The Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of Section Twelve (12), Township Twenty-Two (22) North, Range Fifty-Five (55) West of the 6<sup>th</sup> P.M., in Scotts Bluff County, Nebraska, ("Real Estate").

The new location and placement of Grantee's buried PVC pipe on the Real Estate is set forth on Exhibit "A" which is attached hereto and incorporated by this reference.

This Addendum shall include the right of ingress and egress for the purpose of maintenance, repair and, if necessary, replacement of the buried PVC pipe outside the fenced area.

If Grantee should find it necessary to uncover the PVC pipe to perform maintenance, repair or replacement work, they may do so but must restore the dirt and existing fill material after the work is completed. Grantee will not be required to replace any sod, road surface materials or other improvements.

This Addendum shall be binding upon the parties, their successors and assigns and shall run with the land. This Addendum shall affect only the Real Estate described herein and as set forth on Exhibit "A". All other terms and conditions of the Original Easement shall otherwise remain in effect.

[SIGNATURE PAGE WILL FOLLOW]

CITY OF SCOTTSBLUFF, NEBRASKA,  
a municipal corporation,

By \_\_\_\_\_  
Raymond Gonzales, Mayor

STATE OF NEBRASKA                      COUNTY OF SCOTTS BLUFF ss.

        This Addendum to Easement was acknowledged before me on the \_\_\_\_ day of September, 2019 by Raymond Gonzales, Mayor of the City of Scottsbluff, Nebraska, a municipal corporation, on behalf of the City.

\_\_\_\_\_  
Notary Public

(Notary Seal)

**-AS-BUILT IRRIGATION PIPE EASEMENT-**

PART SW1/4 SECTION 12, T 22 N, R 55 W, SCOTTS BLUFF COUNTY, NEBRASKA

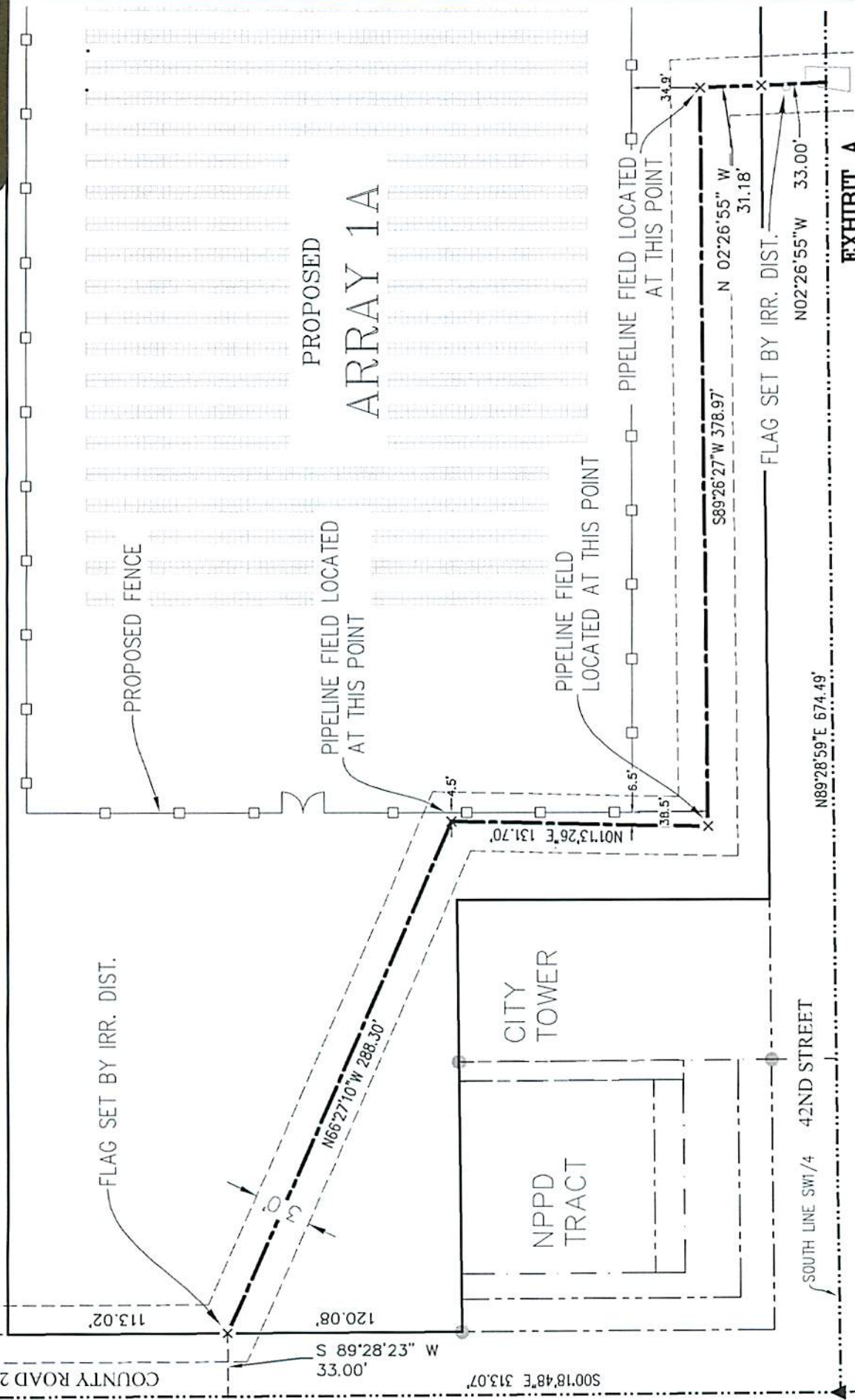


EXHIBIT A

**30' WIDE BURIED PVC IRRIGATION PIPELINE EASEMENT**

Underground Irrigation Pipeline was installed and the centerline located on 9-11-2019. The intent of this exhibit is to show the as-built location of the Farmers Irrigation Districts pipeline as a supplement to the existing Easement document recorded as Inst. 2001-08491 in the Scotts Bluff County Register of Deed Office.

SW COR, S1/2 SW1/4  
SEC 12, T22N, R55W



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**FARMERS IRRIG. DIST. PIPELINE**