



MISC 2008117121



DEC 11 2008 08:23 P 7

Misc
FEE 36.00 FE 01-60000818
1 EXP 26-16-10 BU COMP
2 DEL PU SCAN FL clp
N

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/11/2008 08:23:41.74



2008117121

THIS PAGE INCLUDED FOR INDEXING

PAGE DOWN FOR BALANCE OF INSTRUMENT

Return To: Next Page

Check Number

RECORDER NOTES:

Alvin S. Richardson signed for H&T
Corp., was acknowledged to Steve
Richardson

AFTER RECORDING, RETURN TO:

ROUTE: Offutt-North Bend A Cable
MARKER #: 205-207

AT&T
RIGHT OF WAY DEPT.
3001 Cobb Parkway, Room 162
Atlanta, GA 30339

AMENDMENT TO GRANT OF EASEMENT

Parties: AT&T CORP., a New York corporation, (hereinafter referred to as "AT&T") and

Mount Michael Foundation present property owner, and

Regarding: Grant of Communications Systems Right-of-Way and Easement dated November 2, 2007, originally granted by Rt. Reverend Abbot Michael Liebl, President of Mount Michael Foundation as Grantor and recorded in Official Records on May 12, 2008 as Document 2008046608, in the County of Douglas, State of Nebraska.

That Whereas, AT&T is the owner of an easement upon, over and under a strip of land sixteen and one-half (16 ½) feet wide, more particularly described in the above-referenced document, and the present owner, Mount Michael Foundation, and AT&T desire to and agree to amend the legal description of said easement as it affects the lands described in Exhibit "A".

NOW THEREFORE, for and in consideration of the sum of Ten Dollars and Other Valuable Consideration (\$10.00 & OVC), in hand paid, receipt thereof is hereby acknowledged, the legal description of that portion of the easement granted in Official Records of Douglas County, is hereby changed by this Amendment to Grant of Easement to decrease the sixteen and one-half (16 1/2) foot wide easement to a fifteen (15) foot wide easement by subtracting one and one half (1 ½) feet on the south side of the existing sixteen and one-half (16 ½) foot easement. Exhibit "A", pages 1 and 2, are attached and hereby made a part of this Amendment.

NOTWITHSTANDING ANY PROVISION OF THE GRANT OF COMMUNICATION SYSTEMS RIGHT-OF-WAY AND EASEMENT OR THIS AMENDMENT TO THE CONTRARY, IN NO EVENT SHALL GRANTEE BE LIABLE TO GRANTOR FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, RELIANCE OR CONSEQUENTIAL DAMAGES, WHETHER FORESEEABLE OR NOT, INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS OR REVENUE, COST OF CAPTIAL, COST OF REPLACEMENT SERVICES, OR CLAIMS OF ANY OTHER THIRD PARTIES, OCCASIONED BY ANY CAUSE WHATSOEVER, INCLUDING, WITHOUT LIMITATION, BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE OR STRICT LIABILITY.

THIS AMENDMENT shall not subtract from AT&T's enjoyment of any rights or privileges under its original easement, such rights and privileges remaining in full force and effect in all respects, except as specified herein.

Signed, sealed and witnessed this 7th day of July, 2008.

WITNESSED BY:

Mark Bern
Theodore J. Wolff

GRANTOR:

Michael Likel (SEAL)
ABBOT OF (SEAL)
MOUNT MICHAEL ABBEY

WITNESSED BY:

Sedney Anderson

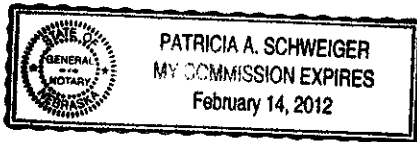
AT&T CORP.

BY: A.S. Richardson
NAME: Alvin S. Richardson
TITLE: Sr. Proj. Mgr. Ntwt Engr & Dev

Corporate Acknowledgment

STATE OF Nebraska
COUNTY OF Douglas SS:

On this 7th day of July, 2008, before me, the subscriber, personally appeared Fr Michael Lieblash to me known, who, being by me duly sworn, did depose and say that he is the Abbot of Mount Michael Abbey, the corporation described in, and which executed the foregoing instrument, and that he signed his name thereto by order of the Board of Directors.



Patricia A. Schweiger
Notary Public

Partnership Acknowledgment

STATE OF _____)
COUNTY OF _____) SS:

On this ____ day of _____, 20__ before me personally came _____, to me known and known to me to be a partner of _____, the partnership described in, and which executed the foregoing instrument, and said _____ acknowledged that he executed the foregoing instrument for and on behalf of said partnership.

Notary Public

Individual(s) Acknowledgment

STATE OF _____)
COUNTY OF _____) SS:

On this ____ day of _____, 20__, before me personally appeared to me _____ who executed the foregoing instrument, and acknowledged that he (or they) executed the same as his (or their) free act and deed.

Notary Public

Acknowledgment

STATE OF GEORGIA)
COUNTY OF COB) SS:

On this 19th day of June, 2008, before me personally appeared STEVE RICHARDSON to me known, who, being by me duly sworn, did depose and say that (s)he is the ROW MANAGER of AT&T CORP, the corporation described in, and which executed the foregoing instrument, and that (s)he signed her/his name thereto by authority of the Board of Directors.


Notary Public

PATRICIA A. BRYANT
NOTARY PUBLIC
COBB COUNTY
STATE OF GEORGIA
MY COMM. EXPIRES OCT. 14, 2010

**NOTARIAL SEAL
REGISTER OF DEEDS**

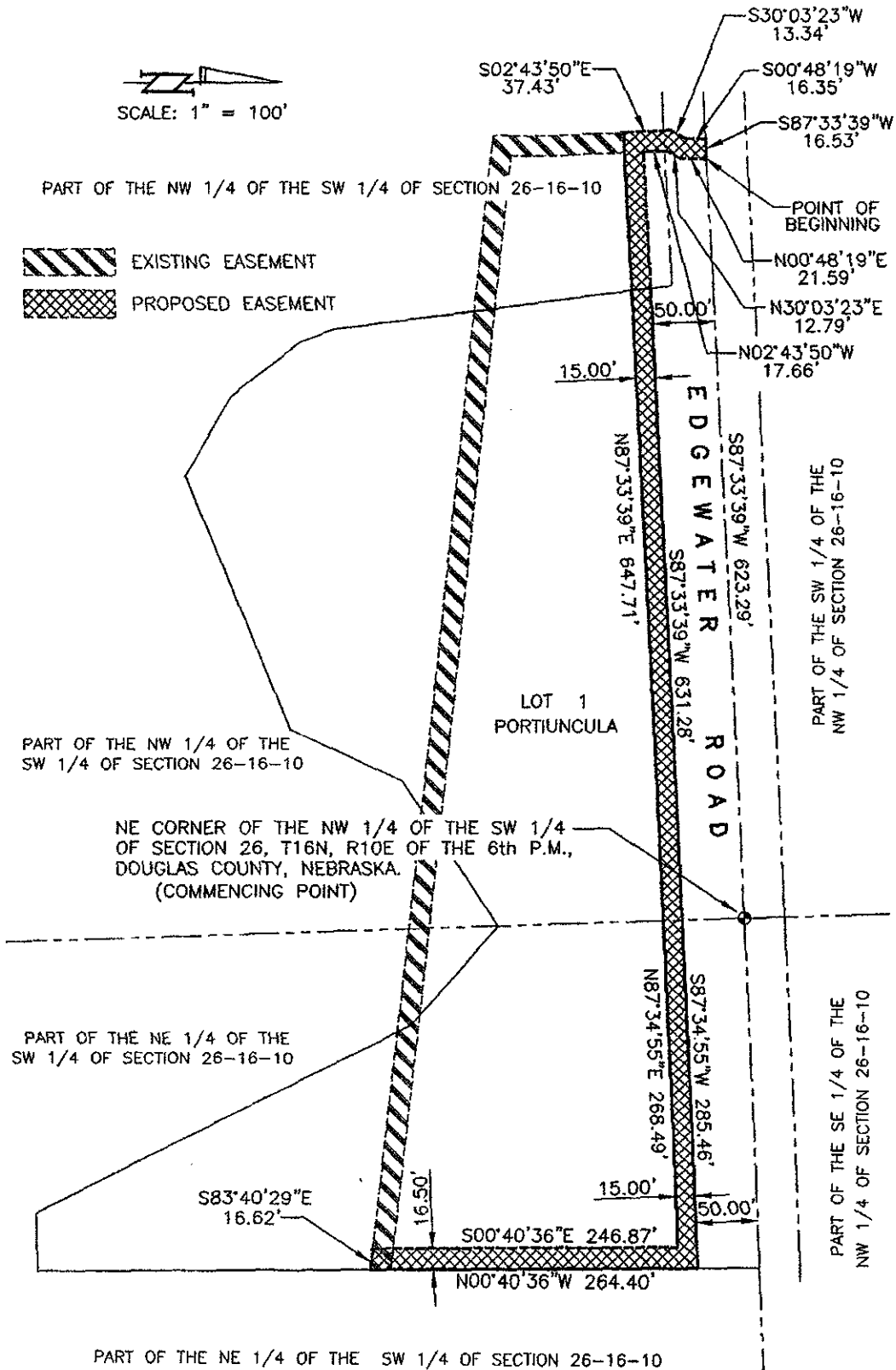
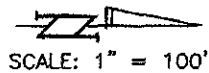


EXHIBIT "A"

SHEET 1 OF 2

DATE: SEPT. 14, 2007
 BOXWOOD--POOR CLARE MONASTERY TD2 FILE NO.: 1497-108-ESMT2 REVISED 05/30/2008
 THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

LEGAL DESCRIPTION

A **15** FOOT WIDE STRIP OF LAND LYING WITHIN PART OF THE NW1/4 OF THE SW1/4 AND PART OF THE NE1/4 OF THE SW1/4 OF SECTION 26, T16N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE NE CORNER OF THE NW1/4 OF SAID SW1/4;

THENCE S87°33'39"W (ASSUMED BEARING) 623.29 FEET ON THE NORTH LINE OF NW1/4 OF SAID SW1/4 TO THE POINT OF BEGINNING;

THENCE CONTINUING S87°33'39"W 16.53 FEET ON THE NORTH LINE OF THE NW1/4 OF SAID SW1/4;

THENCE S00°48'19"W 16.35 FEET;

THENCE S30°03'23"W 13.34 FEET;

THENCE S02°43'50"E 37.43 FEET;

THENCE N87°33'39"E 647.71 FEET ON A LINE 65.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NW1/4 OF SAID SW1/4 TO THE EAST LINE THEREOF;

THENCE N87°34'55"E 268.49 FEET ON A LINE 65.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NE1/4 OF SAID SW1/4;

THENCE S00°40'36"E 246.87 FEET;

THENCE S83°40'29"E 16.62 FEET;

THENCE N00°40'36"W 264.40 FEET;

THENCE S87°34'55"W 285.46 FEET ON A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NE1/4 OF SAID SW1/4 TO THE WEST LINE THEREOF;

THENCE S87°33'39"W 631.28 FEET ON A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NW1/4 OF SAID SW1/4;

THENCE N02°43'50"W 17.66 FEET;

THENCE N30°03'23"E 12.79 FEET;

THENCE N00°48'19"E 21.59 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

SHEET 2 OF 2