



MISC 2015066867



AUG 11 2015 10:52 P 8

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35-16-10
BKP *26-16-10* C/O *MA* COMP *MA*
2 DEL *MA* SCAN *MA* FV *MA*
(A)

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/11/2015 10:52:45.30



2015066867

AMENDED EASEMENT AGREEMENT

Grantor: Mount Michael Foundation f/k/a Mount Michael Foundation, Inc.
Grantee: David L. Sokol and Peggy A. Sokol

PANSI

After recording, please return to:
Patrick M. Flood
Pansing Hogan Ernst & Bachman LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114

AMENDED EASEMENT AGREEMENT

31st THIS AMENDED EASEMENT AGREEMENT (the "Agreement"), made effective as of July 2015, by and between MOUNT MICHAEL FOUNDATION f/k/a MOUNT MICHAEL FOUNDATION, INC. (the "Grantor") and DAVID L. SOKOL and PEGGY A. SOKOL (collectively, the "Grantee");

RECITALS:

WHEREAS, Grantor owns all that lot or parcel of land lying and being situated in Douglas County and the State of Nebraska, being more particularly described on Exhibit "A" attached hereto (the "Property"); and

WHEREAS, Grantor previously consented to the easement of a 10 foot by 10 foot area located on the Property as a grave site for the interment of the remains of DJ Sokol ("DJ Sokol Burial Site"); and

WHEREAS, Grantor previously granted an Access Easement to the DJ Sokol Burial Site, located on a portion of the Property, for the benefit of the Grantee and Grantee's family, heirs, friends, successors, assigns and all other interested persons; and

WHEREAS, the DJ Sokol Burial Site and Access Easement were previously conveyed in the Easement Agreement recorded at Book 1329, Page 432 of the Real Estate Records of Douglas County, Nebraska.

WHEREAS, Grantor now desires to provide Grantee an additional Burial Site Easement for the interment of the remains of David L. Sokol, Peggy A. Sokol, and Kelly Sokol.

AGREEMENT:

NOW, THEREFORE, for and in consideration the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby agrees, for the benefit of Grantee and Kelly Sokol as follows:

1. The DJ Sokol Burial Site and Access Easement, both previously recorded at Book 1329, Page 432 of the Real Estate Records of Douglas County, Nebraska remain in full force and effect.

2. Grantor hereby reserves sufficient space adjacent to the DJ Sokol Burial Site for the future burial sites of David L. Sokol, Peggy A. Sokol, and Kelly Sokol.

3. Grantor does hereby grant, bargain, sell and convey to Grantee, Grantee's family (including Kelly Sokol), their heirs, friends, successors, assigns and all other persons interested in

accessing the Burial Site, a nonexclusive easements for the placement, location, general care, maintenance, management, improvement, beautification and visitation of three (3) additional burial sites as set forth in Exhibits "B", "C", and "D". These three (3) additional grave sites are expressly for the internment of the remains of David L. Sokol, Peggy A. Sokol, and Kelly Sokol.

4. The Easement and other rights herein granted are not exclusive, and Grantor hereby reserves unto itself and the other present and future owners of the Property the right to utilize the Property for such purposes as do not unreasonably endanger or interfere with the Easements described herein and other rights granted herein. Grantor shall have the right to grant such other easements, rights or privileges to such persons and for such purposes as Grantor in its discretion may select, so long as such purposes do not unreasonably interfere with the Easements and other rights granted herein.

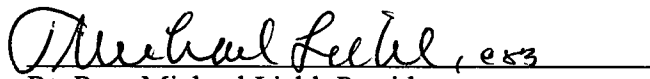
5. The Easements granted herein shall run appurtenant with the land and shall apply to, be binding upon, and inure to the benefit of the parties hereto and their respective successors and assigns and to Grantee's family, heirs, friends and all other interested persons.

6. Wherever possible, each provision of the Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of the Agreement shall be prohibited by or be invalid under such law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of the Agreement.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed, to be effective as of the date first stated above.

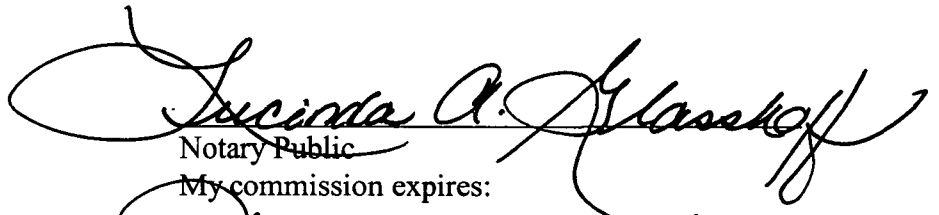
GRANTOR:

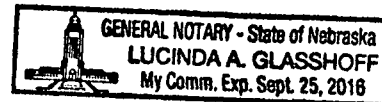
MOUNT MICHAEL FOUNDATION f/k/a
MOUNT MICHAEL FOUNDATION, INC.


Rt. Rev. Michael Liebl, President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on August 5, 2015, by Rt. Rev. Michael Liebl, President of Mount Michael Foundation, a Nebraska corporation, on behalf of the corporation.


Notary Public
My commission expires:
September 25, 2016



35-16-10
NENW

NW NW

SW NW

E-QUARTER (1/4) AN

26-16-10 NWSW

35-1640 SE NW

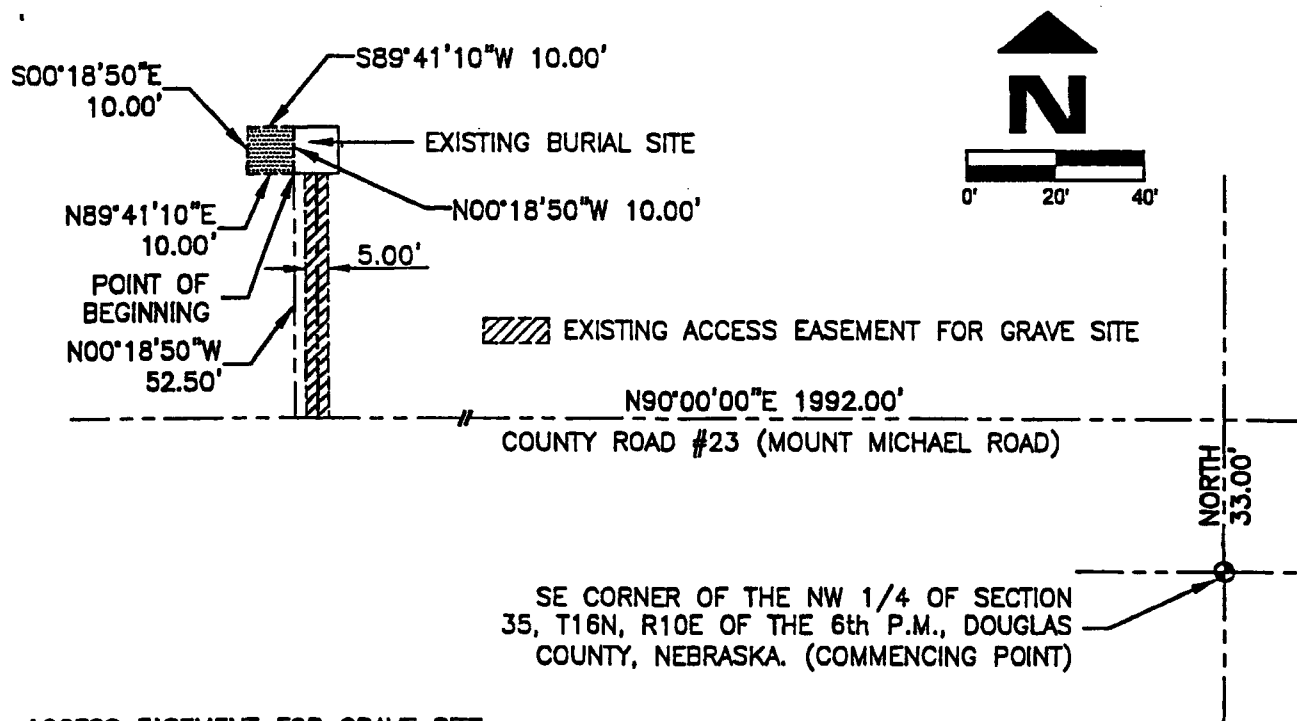
SE SW
NE SW

26-16-10

$\left. \begin{array}{l} 4343 \\ 2201 \end{array} \right\} \begin{array}{l} 22 \\ 22 \end{array}$

NNN

SUBJECT TO PUBLIC ROADS AND/OR HIGHWAYS.



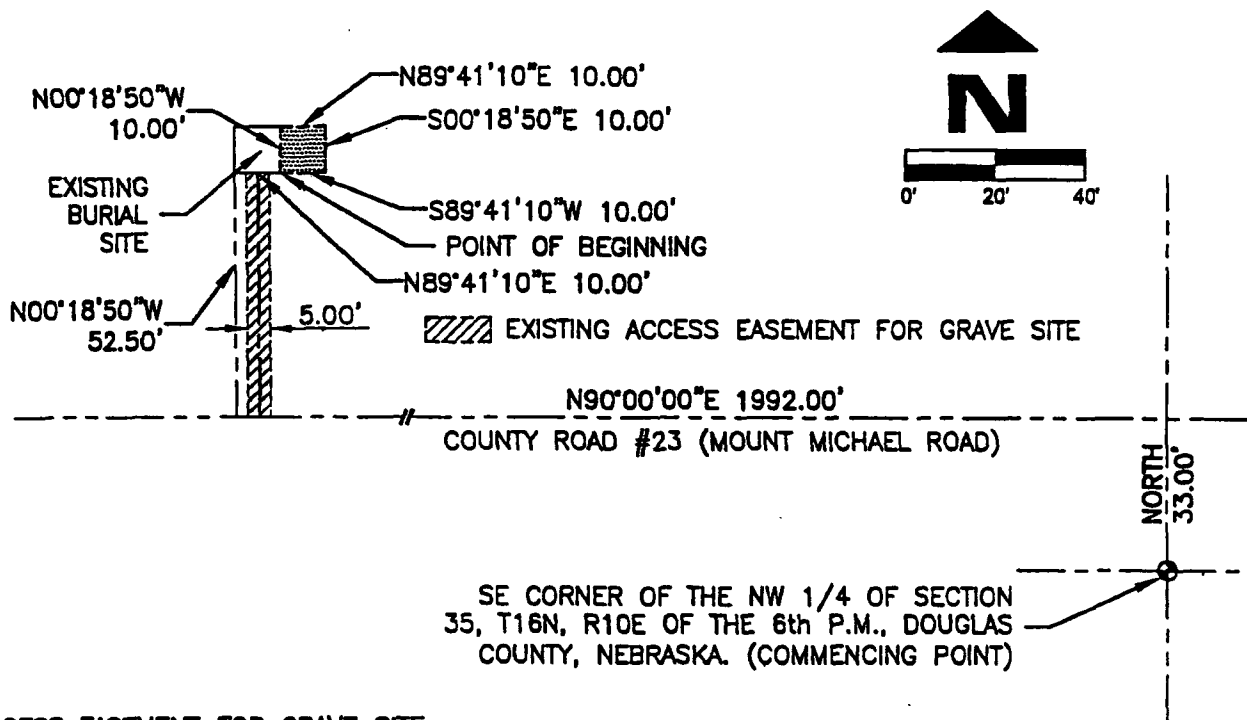
ACCESS EASEMENT FOR GRAVE SITE

A STRIP OF LAND 5 FEET IN WIDTH, SITUATE IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 10 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, SAID STRIP BEING 2.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND SAID CENTERLINE PROLONGED:

COMMENCING AT A POINT 33.0 FEET NORTH OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 23 (A.K.A. MOUNT MICHAEL ROAD); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING), 1987.0 FEET TO THE POINT OF BEGINNING OF SAID STRIP; THENCE NORTH 00 DEGREES 18 MINUTES 50 SECONDS WEST, 52.5 FEET TO POINT ON THE SOUTHERLY LINE OF AN GRAVE SITE EASEMENT AND THE TERMINUS OF SAID STRIP.

LEGAL DESCRIPTION — BURIAL SITE EASEMENT

THAT PART OF THE NW 1/4 OF SECTION 35, T16N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS, COMMENCING AT A POINT 33.00 FEET NORTH OF THE SE CORNER OF SAID NW 1/4;
 THENCE WEST (ASSUMED BEARING) 1992.00 FEET ON A LINE 33.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW 1/4 AND ON THE NORTH LINE OF MOUNT MICHAEL ROAD;
 THENCE N00°18'50"W 52.50 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SW CORNER OF AN EXISTING "BURIAL SITE EASEMENT" RECORDED IN MISC. BOOK 1329 AT PAGE 432 OF THE DOUGLAS COUNTY RECORDS;
 THENCE CONTINUING N00°18'50"W 10.00 FEET ON THE WEST LINE OF SAID "BURIAL SITE EASEMENT";
 THENCE S89°41'10"W 10.00 FEET; THENCE S00°18'50"E 10.00 FEET;
 THENCE N89°41'10"E 10.00 FEET TO THE POINT OF BEGINNING.



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 THENCE N89°41'10"E 10.00 FEET ON THE SOUTH LINE OF SAID "BURIAL SITE EASEMENT" TO THE SE CORNER THEREOF AND THE POINT OF BEGINNING;
 THENCE N00°18'50"W 10.00 FEET ON THE EAST LINE OF SAID "BURIAL SITE EASEMENT" TO THE NE CORNER THEREOF;
 THENCE N89°41'10"E 10.00 FEET; THENCE S00°18'50"E 10.00 FEET;
 THENCE S89°41'10"W 10.00 FEET TO THE POINT OF BEGINNING.



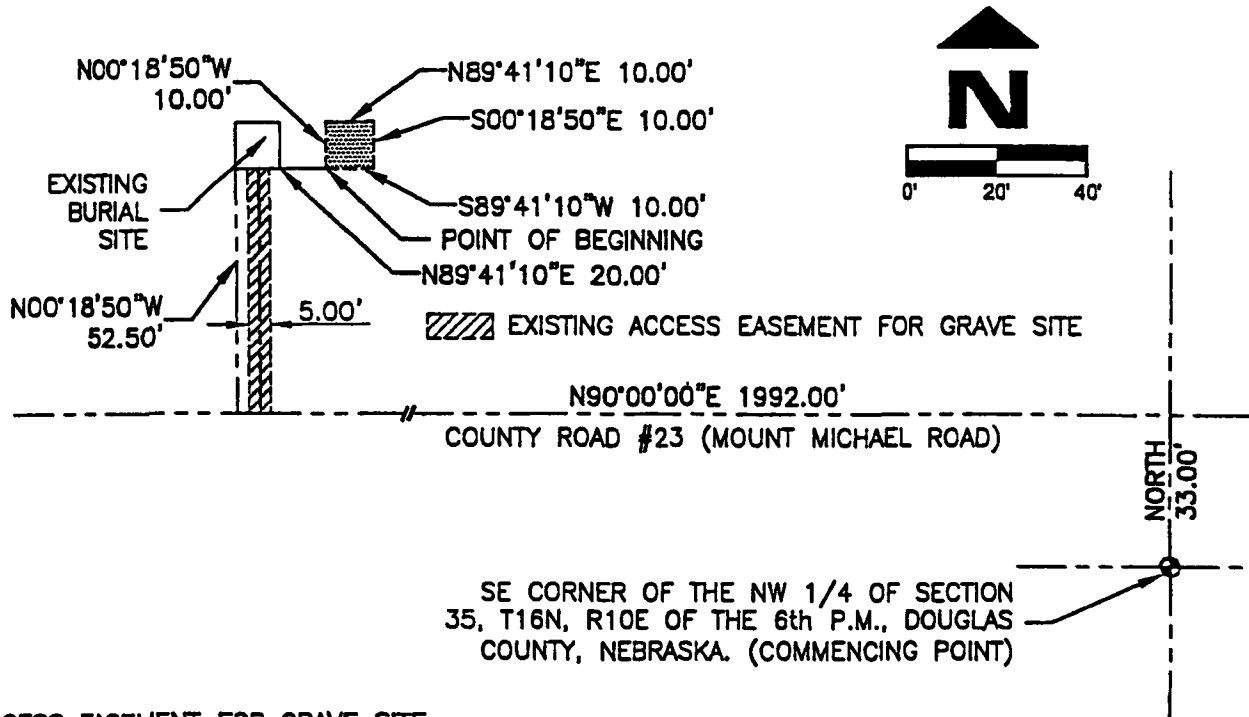
Job Number: 200-15-83(EX2)
 thompson, dressen & dornier, inc.
 10836 Old Mill Rd
 Omaha, NE 68154
 p.402.330.8860 f.402.330.5866
 td2co.com

Date: JUNE 22, 2015
 Drawn By: RJR
 Reviewed By: JDW
 Revision Date:

EXHIBIT " C "

MOUNT MICHAEL BENEDICTINE

Book
 Page



ACCESS EASEMENT FOR GRAVE SITE

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 THENCE N89°41'10"E 20.00 FEET ON THE SOUTH LINE OF SAID EXISTING "BURIAL SITE EASEMENT" AND ITS EASTERLY EXTENSION TO THE POINT OF BEGINNING;
 THENCE N00°18'50"W 10.00 FEET ON A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID EXISTING "BURIAL SITE EASEMENT";
 THENCE N89°41'10"E 10.00 FEET; THENCE S00°18'50"E 10.00 FEET;
 THENCE S89°41'10"W 10.00 FEET TO THE POINT OF BEGINNING.



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MOUNT MICHAEL BENEDICTINE Book Page