

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

THIS INSTRUMENT, made and entered this 18<sup>th</sup> day of June 1959, by and between NORTHERN NATURAL GAS COMPANY, a Delaware corporation, hereinafter called "Northern" and DECKER ENTERPRISES, INC. a Nebraska corporation, hereinafter called "Owner."

WITNESSETH THAT:

WHEREAS, Northern is the owner of an easement grant covering the following described real estate in Sarpy County, Nebraska, to wit:

The West Half (W/2) of the Northwest Quarter (NW/4), Section 13, Township 14, Range 12,

which easement is dated June 27, 1938, and was recorded July 9, 1938, in the Office of the Register of Deeds of Sarpy County, Nebraska; and

WHEREAS, pursuant to the authority contained in said easement grant Northern has constructed and currently operates and maintains one 4-inch natural gas pipeline through and across the premises above described; and

WHEREAS, Owner has platted and subdivided the above described premises and the same is known as "La Vista" Addition; and

WHEREAS, the parties hereto desire to more clearly define their rights under such easement grant and further desire to modify and amend said easement grant in certain respects,

NOW THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth it is hereby agreed by and between the parties hereto as follows:

1. Northern shall and by these presents does hereby restrict its easement as it pertains to the above described real estate to a strip of land 70 feet in width, which strip shall be the West 70 feet of the said West Half (W/2) Northwest Quarter (NW/4), Section 13, Township 14, Range 12. Such strip affects the West 20 feet of the following numbered lots within La Vista Addition:

- Commercial Lot 1, Lots 10, 11, 12, 13, 14, 15,
- 16, 17, 18, 19, 296, 297, 298, 299, 300, 301,
- 302, 303, 304, 305, 306, 308, 309, 310, 335.

A plat showing the location of said tract of land and said strip is attached hereto, marked Exhibit "A" and is by this reference made a part hereof.

Recorded in the Office of the Register of Deeds of Sarpy County, Nebraska, July 22, 1959, at 11:32 AM. Exhibit "A" Country Code 2 25

2. Northern shall and by these presents does hereby release from the easement grant above described all land described therein EXCEPT the strip of land identified above upon which strip Northern specifically reserves and retains all of its easement rights.

3. Owner shall not build, create or construct any obstruction, building or other structure nor permit the same to be built, constructed, or created anywhere upon said strip of land upon which Northern has reserved its easement rights.

4. The original easement grant above described shall remain in full force and effect except as modified and amended hereby.

This instrument and the covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

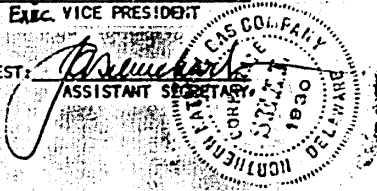
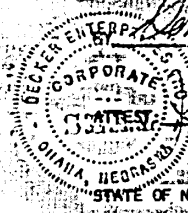
IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first written above.

"Owner"  
DECKER ENTERPRISES, INC.,  
a Nebraska corporation.

"Northern"  
NORTHERN NATURAL GAS COMPANY,  
a Delaware corporation.

*John W. Decker*  
BY *John W. Decker*  
ATTEST: *John W. Decker*

BY *W. B. Struss*  
EXEC. VICE PRESIDENT  
ATTEST: *W. B. Struss*  
ASSISTANT SECRETARY



STATE OF NEBRASKA )  
                          ) SS.  
COUNTY OF DOUGLAS )

BE IT REMEMBERED, that on this 24th day of June A.D., 1969, before me, a Notary Public, in and for said County and State, W. B. Struss, Vice President of Northern Natural Gas Company, a corporation, to me personally known to be the person who executed the foregoing instrument, and duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said corporation.

IN WITNESS WHEREOF, I have herunto subscribed my name and affixed my official seal, the day and year last above written.

*Wilbur Bernier*  
Notary Public

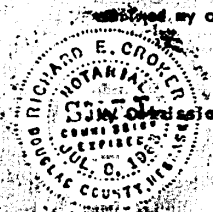


STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF Douglas )

BE IT REMEMBERED, that on this 18<sup>th</sup> day of June  
A.D., 1959, before me, a Notary Public, in and for said County and State,  
came Don Decker, — President of Decker  
Enterprises, Inc., a corporation, to me personally known  
to be the person who executed the foregoing instrument, and duly acknowledged  
the execution of the same, for and on behalf, and as the act and deed  
of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and

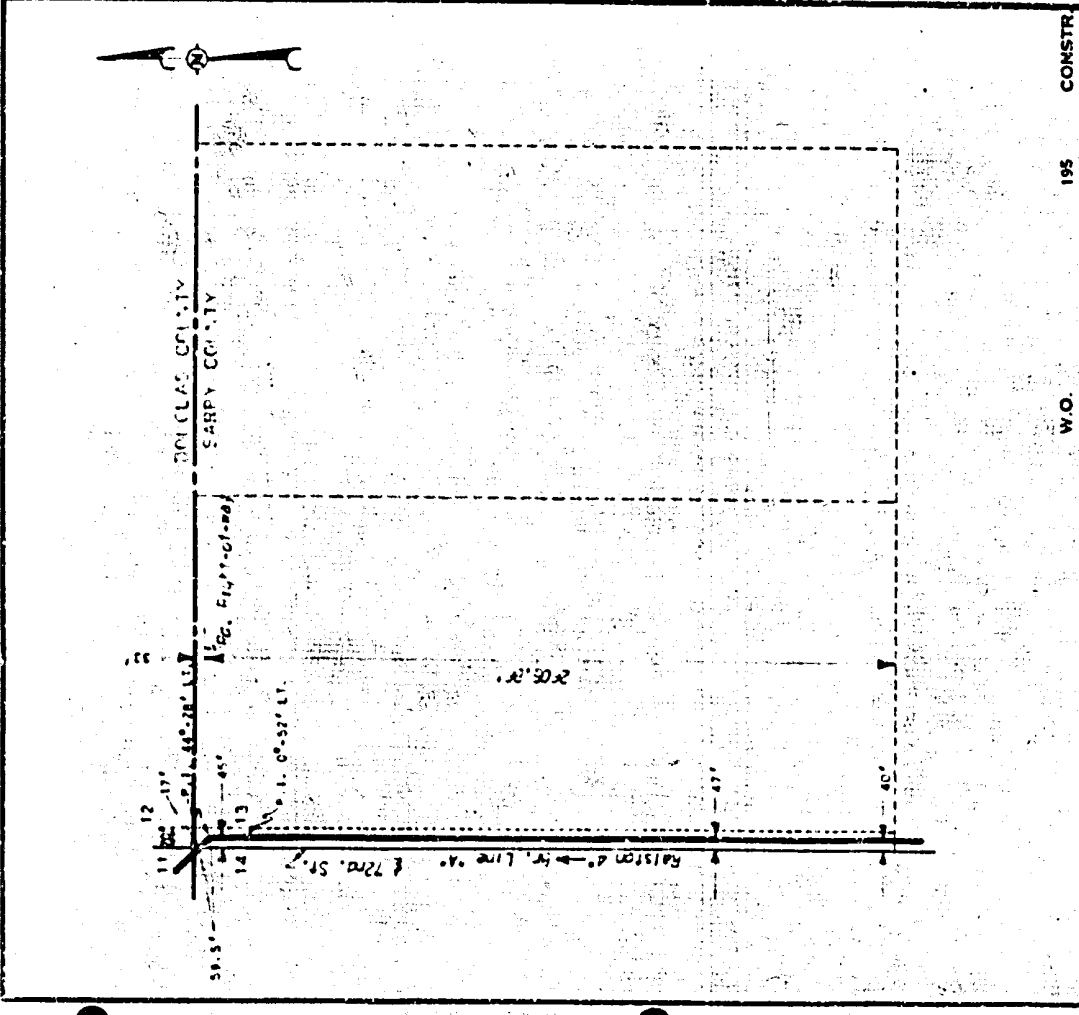
affixed my official seal, the day and year last above written.



Richard E. Crowder  
Notary Public

Commission Expires: July 8, 1963

Exhibit 'A'  
25-189



W.O.		195	CONSTR.
NORTHERN NATURAL GAS CO. OMAHA NEBRASKA			REVISED
FOR MODIFICATION OF EASEMENT IN THE W1/2 NW1/4 SEC. 13-T14N-R12E SARY COUNTY, NEBRASKA			
SCALE 1" = 50'	DATE 4-28-59		
DR. BY	CHECKED	APPROVED	
R.P.M.	C.P.	[Signature]	

STANDARD BLUE PRINT, OMAHA 18885

DWG. NO.