



MISC 2009102610



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
9/21/2009 10:07:24.64



2009102610

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

Return To: NEBT3

(33)

Check Number

982082

17672428

WHEN RECORDED RETURN TO:
Black Hills Corporation
350 Indiana Street, Suite 400
Golden, Colorado 80401
Attn: Carolyn Sheffield

ASSIGNMENT OF EASEMENTS

This Assignment of Easements ("Assignment"), is made as of July 14, 2008, by and between Aquila, Inc., a Delaware corporation ("Assignor"), and Black Hills/Nebraska Gas Utility Company, LLC, a Delaware limited liability company ("Assignee"). Unless otherwise indicated, capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Asset Purchase Agreement (as defined below).

WHEREAS, Assignor, Black Hills Corporation, a South Dakota corporation ("BHC"), and certain other entities have signed that certain "Asset Purchase Agreement" dated as of February 6, 2007 (the "Agreement"), which Agreement contemplates the conveyance of certain assets to BHC, including, without limitation, the easements lying, being, and situate in the County of Douglas and State of Nebraska legally described on Exhibit A attached hereto (the "Easements"); and

WHEREAS, BHC has formed Assignee and has designated Assignee to be the title holder of the Easements, and Assignor is willing to recognize such designation subject to Assignee's acceptance of the warranty limitations below.

NOW, THEREFORE, pursuant and subject to the terms of the Asset Purchase Agreement and in consideration of the mutual covenants set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee agree as follows:

1. Assignor hereby assigns and transfers all of the Easements to Assignee, and Assignee hereby accepts such assignment.

2. Assignor and Assignee agree, on behalf of themselves and their respective successors and assigns, to do, execute, acknowledge, and deliver, or to cause to be done, executed acknowledged, and delivered, all such further acts, documents, and instruments that may reasonably be required to give full effect to the intent of this Assignment.

3. This Assignment is being delivered pursuant to the Asset Purchase Agreement and will be construed consistently therewith. This Assignment is not intended to, and does not, in any manner, enhance, diminish, or otherwise modify the rights and obligations of the parties under the Asset Purchase Agreement. To the extent that any provision of this Assignment

conflicts or is inconsistent with the terms of the Asset Purchase Agreement, the terms of the Asset Purchase Agreement will govern.

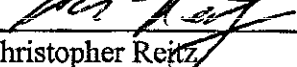
4. This Assignment may be executed in multiple counterparts (each of which will be deemed an original, but all of which together will constitute one and the same instrument), and may be delivered by facsimile transmission, with originals to follow by overnight courier or certified mail (return receipt requested).

5. This Assignment and all of the provisions hereof will be binding upon and inure to the benefit of the Assignor and Assignee and their respective successors and permitted assigns.


(Signature Page Follows)

IN WITNESS WHEREOF, Assignee and Assignor have caused this Assignment to be signed by their respective and duly authorized officers as of the date first above written.

AQUILA, INC., a Delaware corporation

By: 
Name: Christopher Reitz
Title: Senior Vice President, General Counsel and
Corporate Secretary

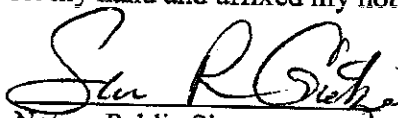
BLACK HILLS/NEBRASKA GAS UTILITY
COMPANY, LLC, a Delaware limited liability
company

By: 
Name: Steven J. Helmers
Title: Senior Vice President and General Counsel

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this 10 day of July, 2008, by Christopher Reitz as Senior Vice President, General Counsel and Corporate Secretary of Aquila, Inc., a Delaware corporation, on behalf of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.


Notary Public Signature

My Commission Expires:

082711

[SEAL]

SARA R. GIETZEN
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: March 27, 2011
Commission # 07394146

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this 10 day of July, 2008, by Steven J. Helmers as Senior Vice President and General Counsel of Black Hills/Nebraska Gas Utility Company, LLC, a Delaware limited liability company, on behalf of the limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.


Notary Public Signature

My Commission Expires:

5/31/09

[SEAL]

LINDA TABOLSKY
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
Commission #05511240
My Commission Expires: May 31, 2009

EXHIBIT A

Legal Descriptions

State of Nebraska - Douglas County

Property Owner	Date Recorded	S	T	R	Boul.	Page	Legal Description
Clarence E. & Lois H. Clover	2001-11-13	27	15N	10E	1408	109	S 30 ft. of N 63 ft. of NE 1/4 NW 1/4 & S 30 ft. of N 63 ft. of NW 1/4 NE 1/4 of Sec. 27, T15N, R10E, containing 79,200 sq. ft. or 1.82 acres, more or less, Omaha.
Marsha W. Feinhandler	2002-01-03	27	15N	10E	1416	596	30 ft. wide strip beg. on E line of NE 1/4 NE 1/4 of Sec. 27, T15N, R10E at a pt. 94 ft. S of NE corner; th. W parallel with the N line of said quarter quarter Sec. a distance of 33 ft. to W r-o-w line of a county road as now established and the pt. of beg.; th. continuing 285 ft., th. deflection 45°00'00"rt. from last course a distance of 65.054 ft. to a pt. 48 ft. S of N line of said 1/4 1/4 Sec.; th W. parallel w/ said N line 956 ft. to W line of NE 1/4 NE 1/4 of Sec. 27 containing 39,180 sq. ft. or .876 acres, Omaha.
Harrier, Emily A.	1934-04-18	31	16	10	105	563	Tax Lot 2 in SW 1/4 of SW 1/4 Sec. 31, T16N, R10E, Valley
Valley State Bank	1932-03-16				97	323	SW 46 ft. of Lot 1, Gardner & Backus Addition, pipeline runs NE & SW, 62 ft. NW of SE boundary of Lot 1, Valley 25/293
Harris, Dr. G. A. & Grace Coy	1939-12-04				141	122	SW 46 ft. of Lot 1, Gardner & Backus Addition, Valley 25/293
Johnson, Mons	1939-12-04				141	123	NE 24 ft. of SW 70 ft. of Lot 1, Gardner & Backus Addition, Valley
Jacobson, Bengt	1939-12-04				141	121	E 40 ft. of Lot 2, Gardner & Backus Addition, Valley
Akerlund, A. Doris	1946-05-24	32	16	10	212	71	SE 1/4 NW 1/4 of Sec. 32, T16N, R10E, Valley
Fallon, Burt W. & Helen M.	1946-05-24	32	16	10	212	65	SW 1/4 SW 1/4 of Sec. 32, T16N, R10E, Valley - per modification easement limited to a 30 ft. strip, the c/l being the present 2 in. pipeline
Andersen, Ruby	1946-05-24	32	16	10	212	69	N 1/2 SW 1/4 of Sec. 32, T16N, R10E, Valley - portion released by 2 Partial Releases of Easements: 1. Releases that part of SW 1/4 of Sec. 32 descr. as: Beg. at NW corner of SW 1/4; th. S69°51'45"E for 602.75 ft. along N line of SW 1/4 to SWly r-o-w of Hwy. 275; th. S30°50'50"E for 620.61 ft.

NENW
NWNE
27-15-10

NE NE
27-15-10

SWSW
31-16-10

V1-13320

V1-13320

32-16-10

SE NW

SWSW

32-16-10

NE SW
NW SW

Property Owner	Date Recorded	S	T	R	Book	Page	Legal Description
							<p>along said r-o-w; th. S14°31'06"E for 336.06 ft. along r-o-w; th. N89°52'50"W for 1007.12 ft. to W line of SW¼ & E r-o-w of 264th Street; th. N10°48'23"E for 249.54 ft. along said r-o-w of 264th St.; th. N01°56'33"E for 303.02 ft. along said r-o-w of 264th St.; th. N89°29'16"W for 55.84 ft. along N r-o-w of 264th St. to W line of SW¼; th. N00°07'39"E for 308.99 ft. to pt. of beg., contains 16.03 acres including .30 acres of county roadway easement (Partial Release of Easement recorded 2/25/2004 as Instrument No. 2004024353); 2. Releases that part of SW¼ of Sec. 32 descr. as: Beg. at NW corner of SW¼; th. S89°51'45"E for 898.16 ft. along N line of SW¼ to Nely r-o-w of Hwy. 275 & pt. of beg.; th. S89°15'45"E for 1745.02 ft. to NE corner of said SW¼; th. S00°04'24"W for 209.33 ft. along E line of SW¼ to Nly r-o-w of Hwy. 275; th. along said r-o-w for remaining courses; th. S57°56'59"W for 515.58 ft.; th. S57°01'54"W for 344.88 ft.; th. N72°01'15"W for 559.38 ft.; th. N49°37'23"W for 422.54 ft.; th. N35°41'41"W for 281.43 ft. to pt. of beg., contains 17.61 acres (Partial Release of Easement recorded 8/4/2005 as Instrument No. 2005094748)</p>
Behrendt, Bernard & Eleanor	1946-05-24	32	16	10	212	67	<p>SE¼SW¼ of Sec. 32, T16N, R10E of 6th P.M., Valley, <u>except</u>, as per Partial Release recorded 10/21/2004 as Instrument No. 2004138036, that part of SE¼SW¼ of Sec. 32 lying Nely of old Hwy. 275 & SWly of new Hwy. 275 as now established, but expressly reserving an easement over two 20 ft. wide strips of land located in SE¼SW¼ of 6th P.M.; descr. as: Beg. at SW corner of SE¼SW¼; th. N along W line of said SE¼ for 48.83 ft. to a pt. on Nely r-o-w line of old Hwy. 275, this being the true pt. of beg. of a tract 20 ft. in width, lying Nely, Nly & NWly of following line; th. S58°02'57"E for 28.91 ft. to N line of a 33 ft. public road r-o-w an addition to Fort Street; th. N89°50'48"E for 911 ft. more or less to NWly r-o-w line of new</p>

SESW
32-16-10

							Hwy. 275; th. N51°27'20"E for 179.84 ft. to pt. of termination of first tract & pt. of beg. of a second tract of land 20 ft. in width, lying SWly of following line; th. N35°55'21"W for 492.13 ft.; th. N41°03'55"W for 169.49 ft.; th. N66°03'53"W for 483.50 ft. to pt. of termination
Flor, John C. & Mary M.	1953-05-14				278	111	Lots 9 thru 16, Blk. 1 of Flors Addition, Valley
Flynn, Marie V. & Francis E.	1953-12-17	31	16	10	284	4	Tax Lot 22 in SW¼SW¼ of Sec. 31, T16N, R10E of 6th P.M., Valley - 3 Partial Releases reduced easement size: 1. Restricts easement to the S 20 ft. of N 135 ft. of W 100 ft. of Lot 22, Sec. 31, T16, R10E, Valley 2. Releases the E 100 ft. of N 100 ft. of Tax Lot 22 in SW¼SW¼ of Sec. 31 3. Releases the S 58 ft. of N 158 ft. of E 100 ft. of Tax Lot 22 in SW¼SW¼ of Sec. 31, T16N, R10E of 6th P.M.
Flor, Ruie B.	1961-06-21				367	142	S 10 ft. of Lots 2, 3 & 6, Blk. 2, Flor's Addition, Valley Width of both Lot 2 & 3 is 55.28 ft. each by 134.94 ft. long Lot 6 is 57 ft. wide by 134.94 ft. long
Davis, Homer W. & Munice	1961-06-21				367	152	S 10 ft. of Lots 4 & 5, Blk. 2, Flor's Addition, Valley - Lots are 56 ft. by 134.94 ft.
Archibald, William G.	1973-06-26	1	15	9	523	579	A tract being located within the NE¼NE¼ of Sec. 1, T15N, R9E of 6th P.M. descr. as: Beg. at a pt. 33 ft. W & 33 Ft. S of NE corner of Sec. 1; th. S 638.5 ft.; th. W 240 ft.; th. N 638.5 ft.; th. E 240 ft. to pt. of beg.
Smith & Johnson Land Co.	1980-09-15	35	16	9	638	740	Parcel of land in SE¼SE¼ of Sec. 35, T16N, R9E descr. as: From the survey marker at SE corner of Sec. 35, 50 ft. W to pt. of beg.; th. 1000 ft. W; th. 250 ft. N; th. 50 ft. E; th. 200 ft. S; th. 950 ft. E; th. 50 ft. S to pt. of beg., Valley
Ginger Limited Partnership, Donald G. Lamp	1984-07-27	34	16	9	715	63	From NE corner of Sec. 34, T16N, R9E of 6th P.M., S for 532 ft.; th. W for 86 ft. to pt. of beg.; th. W 14 ft.; th. S 30 ft.; th. E 14 ft.; th. N 30 ft. to pt. of beg., Valley
Nelson, Gus H.	1938-08-08				132	97	S 54 ft. of Lot 10, Blk. 58, Lots 1 & 2, Blk. 57, Terminal Ground between Blocks 59 - 61 & Lot 11, Blk. 59, Ralston
Slunicko, Julius & Gertrude	1954-09-08				291	273	Lots 1, 2, 3, 4, 5 & 6, Blk. 29 & Lot 9 Blk. 30 & part of 77th Street vacated lying between Blks. 29 & 30 in the

VI-12520

SWSW
31-16-10

VI-12520

VI-12520

1-15-9
NE NE

SESE 1/4
35-16-09

NENE
34-16-9

D2-31980

D2-31980

Grantor	Record	1	2	3	4	5	6	Description
Louise								Townsite of Ralston, and Lot 1, Ralston Replat 3 and Lots 1 & 2 Ralston Addition Replat. This easement to cover only that part of 77th Street vacated lying between said Blks. 29 & 30 in the Townsite of Ralston
Wiebe, John A. & Harriet K.	1955-12-14					305	189	10 ft. wide strip along Southern boundary of vacated alley adjacent to Lots 1 - 8; th. SWly along W boundary of that portion of Lots 29 - 32, Blk. 38 & continuing SWly to W side of vacated Mechanic Street; th. W along W side of vacated Mechanic Street to W property line, Ralston
Cornhusker Homes Co.	1964-09-04	3 4	14	12	416	625		E 5 ft. of Lot 1, Blk. 1 Mockingbird Hills Addition, nka Lot 169, Mockingbird Hills Replat 2; and Lot 1, Blk. 2, Mockingbird Hills Addition nka Lot 108 Mockingbird Hills Replat 2 located in SW¼ of Sec. 3, T14N, R12E & E 50 ft. of SE¼ of Sec. 4, T14N, R12E of 6th P.M., Ralston
The Grainery, a NE Partnership	1983-10-21	11	14	12	698	569		Tract of land known as E 15 ft. of Lots 1 thru 7, Blk. 59 in NE¼ of Sec. 11, T14N, R12E, Ralston
Wish, Anthony	1987-11-06				831	188		E 10 ft. of Lot 513, Ponderosa, Ralston
InterNorth, Inc.	1986-02-12	12	15	10	765	56		TBS Site - Partial Assignment of Easement from NNG - Strip of land 50 ft. in width in SW¼SE¼ of Sec. 12, T15N, R10E & tract in SW¼SW¼ of Sec. 25, T16N, R9E, Douglas County, further described as follows: Commcg. at the SE corner of Section 12, thence W along the S line of said Section 1473.7' to the beginning of centerline to be described. Thence N 1°25' East 25'. Thence N 88°35' W 464.5' to point of term. On the E property line of the Town Corner Station lot, which point is 25' N and 464.5' W of beginning AND commcg. at the SE corner of said Section 12; thence W along the S line of said Section 12, 1938.2' to the pt. of beginning. Thence cont. W along said S line 117.5' to the E R-O-W line of County road. Thence Northeasterly along said County road R-O-W line 77'. Thence Easterly along a line 75' from and parallel to the S line of said Section 12,

D 2-31980
DA-31981

DA-31980
62-25880

D 2-31980
DA-30880

12-15-10
SWSE

25-16-9
SWSW

General Description						
						100'; thence Southerly 75' to the pt. of beginning. AND a tract of land in the SW ¼ SW ¼ of Section 25, Township 16 North, Range 9 East.
InterNorth, Inc.	1986-02-12	12	15	10	765	51 Tract of land in NE¼ of Sec. 12, T15, R10 descr. as: Beg. at a pt. 2169 ft. W of SE corner of NE¼ of Sec. 12; th. W 79 ft.; th. N 49 ft.; th. SE in a straight line 94 ft. to pt. of beg. AND a tract of land in Tax Lot 9 of Section 11, Township 14 North, Range 12 East, more particularly descr. as follows: Beg. at a pt. 2298 feet N and 33 ft. E of the the SW corner of the SE ¼ of said Section 11, thence E 75', thence S 90'; thence W 75'; thence N 90' to the pt. of beginning. AND a tract of land 50 ft. by 30 ft. in the NE ¼ of the NW ¼ of S 31-16-10, more particularly descr. as follows: Beg. at a pt. 444 ft. S and 25 ft. W of the NE corner of the NW ¼ of Section 31, Township 16, Range 10, Douglas County, NE, which pt. is the NE corner of the tract hereinafter described, thence running W 30 ft. thence running S at right angles 50 ft. parallel with the half Section line, thence running East at right angles thirty (30) feet to the W line of public road, thence running N at rt. angles 50 ft. parallel with public road to pt. of beg.
Metropolitan Utilities District of Omaha	1973-10-22	11	14	11	528 of Misc	285 S 70 ft. of N 233 ft. of W 25 ft. of E 58 ft. of NE ¼ of Sec. 11, T14N, R11E of 6th P.M., 144th & Q, Millard.
Wildewood Development Co.	1961-10-10				374 of Misc	153 A plot 10 ft. x 10 ft. on the SW cor. of Lot 173, Wildewood, an Add. to the City of Ralston.
Allison, Virgil H. and Gladys	1962-07-23				383 of Misc	725 Lot 9 & 10, Blk. 10, Village of Waterloo, NE.
J. C. Robinson Seed Co.	1992-05-06				1010	464-466 20 ft. wide strip of land across a portion of Outlot 32 lying N of U.P. R.R. in Waterloo, NE
Wildewood Development Co	1963-08-21	11	14	12	401 of Misc	247 5 ft. wide strip on S edge of lot in full east-west 110 ft. length of lot #21 of the Wildewood Subd. located in the W 1/2 of SW 1/4 of Sec. 11, T14N, R12E,

12-15-10
SWNE

11-14-12
NWSE

31-16-10
NENW

11-14-11
NENE

D2-44060

OW-40720

OW-40740

D2-44060

Product Owner	Date Recorded	Sec.	T.	R.	Block	Page	Legal Description
J. C. Robinson Seed Company	1951-10-30	9	14	10	265	277	Ralston. DRS Site - original tract of land being 12 ft. by 12 ft. out of Tax Lot I in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T15, R10E; also Tax Lot 12 & Out Lot 12, Waterloo, being a part of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, T15N, R10E of the 6th P.M. - per Modification DRS site increased to 12 ft. by 15 ft. - now tract descr. as 12 ft. by 15 ft. out of Tax Lot 1 in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T15, R10E, also Tax Lot 12 & Out Lot 12 of Waterloo, being a part of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, T15N, R10E of 6th P.M., excepting therefrom that part only obtained by State of NE under condemnation proceedings for hwy. purposes, said descr. being a part of Dkt. 1, #147 in Office of the County Court, Douglas County, said exception being also descr. in report of appraisers in above proceedings as recorded in Bk. 119, Pg. 156, in Register of Deeds, Douglas County descr. as: Beg. at a pt. 230 ft. S of SW corner of intersection of 7th Street & E & W County road, which point is on W line of 7th Street; th. N along W line of 7th Street; th. N along W line of 7th Street 12 ft.; th. W 12 ft.; th. S 12 ft.; th. E 12 ft. to the pt. of beg., Waterloo
InterNorth, Inc.	1986-02-12	11	14	12	765	51	Ralston TBS #1 site - a tract of land in Tax Lot 9 of Sec. 11, T14N, R12E descr. as Beg. at a pt. 2298 ft. N & 33 ft. E of SW corner of SE $\frac{1}{4}$ of Sec. 11; th. E 75 ft.; th. S 90 ft.; th. W 75 ft.; th. N 90 ft. to pt. of beg., said tract of land containing .13 acres, more or less
InterNorth, Inc.	1986-02-12	31	16	10	765	51	Valley TBS site - tract of land 50 ft. by 30 ft. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31, T16, R10 descr. as: Beg. at a pt. 444 ft. S & 25 ft. W of NE corner of NW $\frac{1}{4}$ of Sec. 31 which pt. is NE corner of tract hereinafter described; th. running W 30 ft.; th. running S at right angles 50 ft. parallel with $\frac{1}{2}$ section line; th. running E at right angles 30 ft. to W line of public road; th. running N at right angles 50 ft. parallel with public road to pt. of beg. & containing 1500 sq. ft., more or less
Platt, Frank W. & Bernadette	1959-02-19	3	13	13	24	389	SW $\frac{1}{4}$ of Sec. 3, T13N, R13E, Bellevue (Capehart Housing) - per quit claim deed dated August 5, 1963, land

9-15-10
NENE
OW-40740
10-15-10
NW NW

11-14-12
NW SE

31-16-10
NENW

S APPY

Owner	Release Date	Section	Range	County	Book	Page	Release Description
E.							deeded back to owner except a 100 ft. strip reserved which runs generally E & W across SW¼ of Sec. 3, 50 ft. either side of presently located 4 in. pipeline
High Point, Inc	1981-09-24	18	15	11	659	749	From the Northwest corner of the Southwest ¼ of Section 18, Township 15 North, Range 11 East of the 6th P.M. of Douglas County, Nebraska, South 143.5 feet thence East 227.5 feet to point of beginning, thence South 20 feet, thence East 20 feet, thence North 20 feet to point of beginning
Boggan, Jack & Pearl	1931-11-12	12	15	10	98	209	The West 150 feet of Lot Four (4) in Section 12, Township 15, Range 10, Elkhorn, Douglas County, Nebraska
Fallen, Margaret	1931-11-27	12	15	10	98	276	The East Fifty (50) feet of the West Two Hundred (200) feet of Lot No. Four (4) in Section Twelve (12), Township Fifteen (15) North, Range Ten (10) East.
Abel, William C. & Charlotte R.	1959-07-28	13	15	10	344	402	The following described lands situated in the County of Douglas, and State of Nebraska, to-wit: (Except Road) the W. 474 and S. 557 Feet of SW ¼ of SE¼ of Section 13, Township 15, Range 10 - 5.99 acres.
Westphal, Edward Jr & Selma F et al	1959-07-28 Partial Release recorded 1977-3-29	13	15	10	344 578 (Partial Release)	394 548 (Partial Release)	The East Forty (40) feet of the Northwest Quarter (NW¼) of Section 13, Township 15, Range 10 Above Description taken from Partial Release Filed March 29, 1977. Original easement contained the following property: The West Half (W½) of the Northwest Quarter (NW¼) of Section 13, Township 15, Range 10 - 80 acres and the North 6 acres of the East Half (E½) of the Northwest Quarter (NW¼) of Section 13, Township 15, Range 10 See Partial Release filed March 29, 1977, Book 578, Page 548 in Douglas County Recorder of Deeds Office
Westphal, Edward Jr & Selma F and Bertha Westphal	1966-03-02	13	15	10	434	511	A strip of land 30 by 660 feet and described as the West 30 feet of the North 660 feet of the SE¼ of Section 13, Township 15 North, Range 10 East. A plat showing the location of said strip of land is attached to the "Modification and Amendment of Easement Grant" filed in Book 434 Page 513 recorded March 2, 1966 Original easement filed in Book 344

18-15-11
NW SW

12-15-10
NE SE

NE SW

13-15-10
SW SE

13-15-10
NENW
SE NW

13-15-10
NW SE

Grantor	Date	S	T	R	Book	Page	Legal Description
Dwyer, George F.	1959-7-28	13	15	10	344	404	<p>Page 408 on July 28, 1959</p> <p>The South 74 acres of E. 1/2 of N.W. 1/4 of Section 13, Township 15, Range 10 EXCEPT that part of Lot 19, Summer Glen (Lots 1 thru 225 inclusive and outlots "A" thru "H" inclusive); and also part of Outlot "H", said Summer Glen (Lots 1 thru 225 inclusive and Outlots "A" thru "H" inclusive), a subdivision located in the NE 1/4 of Section 13, and also the SE 1/4 of said Section 13, and also the NW 1/4 of said Section 13, all located in Township 15 N, Range 10 E of the 6th p.m. Douglas County, NE, more particularly described as follows: Beg. at the SE corner of the NW 1/4 of said Section 13, said point also being on the S line of said Outlot "H", Summer Glen; thence S87°52'43"W (assumed bearing) along the S line of said NW 1/4 of Section 13, said line also being the S line of said Outlot "H", Summer Glen, a dist. of 40.00 ft.; thence N02°38'42"W, a distance of 95.22 ft. to a point on the Wly line of said Lot 19, Summer Glen, said point also being on the Easterly R-O-W line of Skyline Drive; thence N28°55'52"E along said Wstly line of Lot 19, Summer Glen, said line also being said Estly R-O-W line of Skyline Drive, a dist. of 76.39 ft. to a point on the ES line of said NW 1/4 of Section 13; thence S02°38'40"E along said E line of the NW 1/4 of Section 13, a distance of 160.66 ft. to the point of beginning.</p> <p>Partial Release of Easement recorded March 29, 1977, in Book 578, Page 549, released all of the described property except the E 40 ft. of the NW 1/4 of Section 13, Township 15, Range 10.</p>
Benke, Lucille M.	1959-07-28	13	15	10	344	405	<p>Except SL 3 TL 6 and Co. road and irregular 185 ft. and irregular 0.10 acre in NE corner S. of RR - TL 6 - 16.95 acres S. of Ry. NE 1/4 of SW 1/4 of Section 12, Township 15, Range 10 - 30.58 acres.</p> <p>Lot 3, 2 acres of NW 1/4 Section 13, Township 15, Range 10</p>
Kelly, James	1959-7-28	23	15	10	344	403	A 30 foot permanent utilities easement

13-15-10
NENW
SE NW
06-37325

12-15-10
NE SW

13-15-10
NE NW

Grantor	Record	S	T	R	Acres	Plat	Description
F., Sr. and Henriette W.							located in the North One Half of Section 24 and the Northeast One Quarter of Section 23, both being in Township 15 North, Range 10 East of the 6th P.M. Douglas County, Nebraska, and in the platted and recorded Subdivision of Skyline Ranches of the above said County, being more particularly described as follows: Beginning at a point which is the intersection of the Northerly boundary line of Skyline Ranches Addition and the North- South center section line of Section 24 of the above mentioned Township and Range and 15 feet on either side of said center section line commencing at the point of beginning; thence South 00° 00' 47" East a distance of 2179.71 feet; thence North 89° 47' 54" West a distance of 2758.49 feet; thence South 65° 31' 06" West a distance of 263.00 feet; thence South 65° 31' 09" West a distance of 1.33 feet to the East right-of-way line of Skyline Drive. All bearings are assumed bearings. Description taken from Plat attached to Modification and Amendment of Easement Grant The above description is taken from Modification and Amendment of Easement Grant dated November 23, 1971; No recording information on Modification
Doose, John, Glenn & Darlene J.	1959-07-28	13	15	10	344	401	Except county road and state highway - S½ of N.W. ¼ of S.E. ¼ and S.E. ¼ of S.E. ¼ of Section 13, Township 15, Range 10 - 50.04 acres. S. ½ of N.W. ¼ of S.W. ¼ of Section 13, Township 15, Range 10 - 20 acres. South 18 acres of Lot 2 of Section 13, Township 15, Range 10
Gottsch, Robert G. & Lois A.	1959-07-28	12	15	10	344	407	South ½ of SW ¼ of Section 12, Township 15, Range 10, 80 Acres. Lot 9 - 7.40 acres of Section 12, Township 15, Range 10. Lot 10 - 30 acres of Section 12, Township 15, Range 10.
Doose, Raymond & Helen L.	1959-07-28	13	15	10	344	406	Except co. road and state highway - S. ½ of NW ¼ of SE¼ and SE ¼ of SE¼ of Section 13, Township 15, Range 10 - 50.04 acres. S.½ of NW ¼ of SW¼ of Section 13,

23-15-10
SENE
24-15-10
NENW
SE NW
SW NW

B-15-10
NWSE
SESE
NWSW

12-15-10
SW SW
SE SW

13-15-10
NWSE
SESE
NWSW

Property Owner	Date	S	T	R	Acres	Page	Description
							Township 15, Range 10 - 20 acres South 18 acres of Lot 2 of Section 13, Township 15, Range 10.
Healy, Emmet T. & Ann	1959-12-30	13	15	10	345	735	Upon and along the Westerly edge only of the tract of land referred to as Southwest Quarter (SW $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 15 North, Range 10 East of the 6th P.M. (except road, and west 474 feet and South 557 feet).
Crest Petroleum Corporation	1959-09-11	13	15	10	345	734	Upon and along the Westerly edge only of the tract of land referred to as Southwest Quarter (SW $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 15 North, Range 10 East of the 6th P.M. (except road, and West 474 feet and South 557 feet)
Frontier Motel, Incorporated	1959-09-11	24	15	10	345	723	Four (4) acres in NW corner of NE $\frac{1}{4}$ of Section Twenty-four (24), Township 15, Range 10.
Irwin, Evelyn H. & Wilbur R.	1959-09-11	26	15	10	345	736	SE One-Quarter ($\frac{1}{4}$) NE One-Quarter ($\frac{1}{4}$) Section 26, Township 15, Range 10 - 40 acres Except triangular tract N & W of Highway, SW One-Quarter ($\frac{1}{4}$) of NE One-Quarter ($\frac{1}{4}$) of Section 26, Township 15, Range 10, 33 acres. (Except State Highway) W. one-half of SE One-Quarter ($\frac{1}{4}$) of Section 26, Township 15, Range 10 - 79.29 acres
Chavet, Bert E. & Elsie R.	1961-03-01	3	15	10	363	467	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, Township 15, Range 10 - 39.07 acres and Tax Lot 2 - 9.66 acres of Section 3, Range 10, Township 15.
City of Elkhorn	1979-12-17	7	15	11	625	604	A tract of land in Northwest Quarter of Section 7, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at a point on South line of Hopper Street in City of Elkhorn, Nebraska, 520 feet West of Northeast corner of Lot 1, in Winterburn Heights Second Addition to the City of Elkhorn, Nebraska, thence continuing East on said South line of Hopper Street a distance of 50 feet; thence South parallel with East line of Mary Street a distance of 75 feet; thence West parallel with South line of Hopper Street a distance of 50 feet; thence North parallel with East line of Mary Street a distance of 75 feet to point of beginning.

13-15-10
SWSE

24-15-10
NWNE

SE NE
26-15-10

NESE
3-15-10

7-15-11
NWNW

Property Owner	Record Date	ES	LS	10	661	262	Section Description
Bull, William	1981-10-20	12	15	10	661	262	Lot #3, Section 12, Township 15 North, Range 10 East of the 6th P.M. The Easement shall be a strip of land 10 feet wide, parallel to and abutting the east property line, and extending from the north property line to the south property line of the above described property.
Sanitation and Improvement District No. 303	1983-10-24	26	15	10	698	667	A Twenty foot (20') wide easement located Ten feet (10') on both sides of and parallel to, the following described center line: Commencing at the South ¼ Corner of the SE ¼ of Section 26, T15N, R10E of the 6th P.M., Douglas County Nebraska, thence N00°29'25"E (assumed bearing) along the West line of the SE ¼ of Section 26, 871.22 feet, thence S83°11'13"E 33.20 feet to the point of beginning. Thence continuing S83°11'13"E 1060.57 feet, thence S76°35'05"E 231.35 feet, thence N54°20'15"E 341.31 feet, thence N78°15'09"E 310.66 feet, thence S68°39'33"E 294.37 feet, thence S89°41'37"E 200.00 feet to the West R.O.W. line of 217th Street and point of termination.
Quail Ridge Association, Inc	1987-10-15				829	137	Front 10' of Lots 18 through 20 and 22 through 34, inclusive, Quail Ridge on Skyline Drive; Lot 2, Quail Ridge on Skyline Drive Replat 3; Lot 1, Quail Ridge on Skyline Drive Replat 4, all subdivisions as surveyed, platted and recorded in Douglas County, Nebraska.
Spath, Frank C. & Melba E.	1988-10-21				865	650	The East 135.00 feet of Lot 1, Winterburn 3rd Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska
Gilinsky, Gerald & Margaret Anna	1988-10-21				865	651	The East 135.00 feet of Lot 1, Winterburn 3rd Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska
Peace Presbyterian Church	1988-12-09	19	15	11	871	93	A tract of land located in the Southwest Quarter of the Northwest Quarter of Section 19, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, containing 5.35 acres, more or less and being more particularly described as follows: Commencing at the SW Corner of said SW¼ NW¼ and going thence East along the South margin of said SW¼ NW¼ for a distance of 70.00 feet to

12-15-10
NESE

26-15-10
SWSE

78-3610
-8-3466

76-44570

"

19-15-11
SWNW

Section 19, Township 15, Range 11						
						the point of beginning; thence continuing East along said South margin SW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 685.00 feet; thence North parallel to the West margin of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 340.00 feet; thence West parallel to the South margin of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 685.00 feet to a point on the Easterly margin of Highway No. 31 right-of-way, 70.00 feet East of the West margin of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence South along said right-of-way parallel to the West margin of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 340.00 feet to the point of beginning.
Stiles Donald & Sheila J.	1988-12-09	19	15	11	871	92 Section 19, Township 15, Range 11 N590.04 S 990.04 E 496.4 W 581.7 FT. SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.69 AC 60' in from East of road, SE of quarter
Hawks, Dennis E.	1992-05-18				1012	364 Lot 75, Winterburn Third Addition, except the East 210 feet and except the South 202 feet and except the North 557.37 feet of the East 123.47 feet of the West 373.47 feet of Lot 75 in Douglas County, Nebraska
Christianson, Samuel J. III	1993-02-17				1058	463 Block 1, Lot 10 Suburban Homes Addition
Winterburn, Wm & Fred; Allen, Charity; et al	1952-07-09				271	117 The Western part of Lots 4, 5, and 6 and the western part of the southerly 42-2/9 feet of Lot 3 all in Block 5 of Crawford's Addition to the Village of Elkhorn, Douglas County, Nebraska, described as follows: Beginning at the southwest corner of Lot 6 of said Block 5; thence easterly on the southerly one of said Block 5 a distance of 67 feet; thence northerly 44.1 feet to a point on the northerly line of Lot 6 of said Block 5, said point being 63.4 feet easterly from the northwest corner of said Lot 6; thence continuing northerly 66.2 feet to a point on the northerly line of Lot 5 of said Block 5, said point being 58 feet easterly from the northwest corner of said Block 5; thence continuing northerly 66 feet to a point on the northerly line of Lot 4 of said Block 5, said point being 58 feet easterly from the northwest corner of said Lot 4; thence northwesterly 48.4

19-15-11
SWNW

76-44570

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77-11600

Owner	Date	S	T	R	Block	Page	Legal Description
							feet to a point on the northerly line of the southerly 42-2/9 feet of Lot 3 of said Block 5: said point being 34.3 feet easterly from the northwest corner of said southerly 42-2/9 feet of said Lot 3; thence westerly 34.3 feet to the northwest corner of said southerly 42-2/9 feet of said lot 3; thence southerly on the westerly line of said Block 5 a distance of 218-2/9 feet to the point of beginning, containing 0.28 acre, more or less.
Krejci, Frank R. & Barbara L.	1961-11-16	13	93	10	372	539	10 ft. X 10 ft. plot of ground located on Southeast corner of Lot 36 in Greenbrier addition located in NW¼, Section 13, T15N, R10E, Douglas County, Nebraska.

77-14720