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*Carol Hivens*  
DODGE COUNTY  
REGISTER OF DEEDS  
COMPARE INDEX FEE \$ 31-

RECORDING REQUESTED BY,  
AND WHEN RECORDED RETURN TO:

Stinson Morrison Hecker LLP  
1201 Walnut, Suite 2600  
Kansas City, Missouri 64106  
Attention: Cathy Huntley  
Site Name: OMAC Memorial Park

(Space above this line for Recorder's use.)

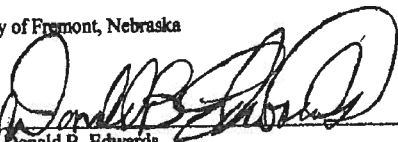
**MEMORANDUM OF FIRST AMENDMENT TO EASEMENT AGREEMENT**

THIS MEMORANDUM OF FIRST AMENDMENT TO EASEMENT AGREEMENT evidences that a First Amendment to Easement Agreement was entered into as of 3/16/09, 2008 (the "Amendment"), by and between The City of Fremont, Nebraska ("Grantor"), with a principal address located at 400 E. Military Avenue, Fremont, Nebraska 68025, and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless ("Grantee"), with offices located at 180 Washington Valley Road, Bedminster, New Jersey 07921, Attention: Network Real Estate. Grantor and Grantee originally entered into an Easement Agreement dated August 9, 2001, recorded December 19, 2002 in Book 2002, at Page 10039, within the property of Grantor which is described in Exhibit "A" attached hereto ("Grantor's Property"), together with a right of access and to install and maintain utilities. The "Easement Tract" conveyed pursuant to the Easement Agreement is expanded pursuant to the Amendment as described in Exhibit "B" attached hereto.

IN WITNESS WHEREOF, Grantor and Grantee have duly executed this Memorandum of First Amendment to Easement Agreement as of the day and year first above written.

Grantor:

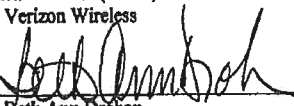
City of Fremont, Nebraska

By:   
Donald B. Edwards  
Mayor

Date: 12-11-08

Grantee:

Verizon Wireless (VAW) LLC  
d/b/a Verizon Wireless

By:   
Beth Ann Drohan  
Area Vice President Network

Date: 3/16/09

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Dodge )

On Dec. 11, 2008, before me, Sheila Pettit, notary public, personally appeared Donald B. Edwards, the Mayor of the City of Fremont, Nebraska, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Sheila M. Pettit (Seal)

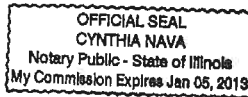


STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

On 3/16, 2009, before me, Cynthia Nava, notary public, personally appeared Beth Ann Drohan, Area Vice President - Network, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Cynthia Nava (Seal)



**EXHIBIT "A"**

**Legal Description of Grantor's Property**

A tract of land consisting of part of the NE ¼ NW ¼ of Section 24-17-8C of the 6<sup>th</sup> P.M., lying North of Military Avenue, East of the East margin of Lincoln Avenue and West of the West margin of Clarmar Avenue together with the South 20 feet of the East 160 feet of the West 358 feet of the SE ¼ SW ¼ in Section 13-17-8E of the 6<sup>th</sup> P.M., all in Fremont, Dodge County, Nebraska. EXCEPTING the following described parcel: Commencing at the intersection of the North margin of said Section 24 and the centerline of Lincoln Avenue thence N90°00'00"E (bearing assumed and all other bearings are relative thereto) a distance of 33 feet along the North line of said Section 24 to the point of beginning;

Thence S00°00'00"W a distance of 389 feet along the East line of Lincoln Avenue;  
Thence S90°00'00"E a distance of 203.19 feet;  
Thence S00°10'16"E a distance of 144.41 feet;  
Thence N89°49'44"E a distance of 106.00 feet;  
Thence S00°10'16"E a distance of 94.10 feet;  
Thence N89°49'44"E a distance of 172.00 feet;  
Thence N00°10'16"W a distance of 134.67 feet;  
Thence S90°00'00"E a distance of 84.23 feet;  
Thence N08°29'40"E a distance of 196.48 feet;  
Thence S81°08'34"E a distance of 27.74 feet;  
Thence N08°27'39"E a distance of 111.28 feet;  
Thence S90°00'00"W a distance of 105.54 feet;  
Thence N00°00'00"W a distance of 156.88 feet;  
Thence S90°00'00"W a distance of 208.00 feet;  
Thence N00°00'00"W a distance of 45.0 feet;  
Thence S90°00'00"W a distance of 160.0 feet;  
Thence S00°00'00"W a distance of 20.0 feet;  
Thence S90°00'00"W a distance of 165.0 feet to the point of beginning.

NOTE: State Assessor for Dodge County refers to said tract as Tax Lot 134 in said Section.

AND

A tract of land consisting of that part of the Southeast Quarter Southwest Quarter of Section 13, Township 17 North, Range 8, East of the 6<sup>th</sup> P.M., in Dodge County, Nebraska, lying East of the East right of way of Lincoln Avenue, South of the South line of Block 4, Parkview Addition and West of a line 30 feet West of and parallel to the West right of way of Clarmar Avenue, EXCEPT the following described tracts: (1) Beginning at a point 170 feet North and 33 feet East of the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 13;

Thence North a distance of 375 feet;  
Thence East a distance of 375 feet;  
Thence South a distance of 375 feet;  
Thence West a distance of 375 feet to the point of beginning (aka Tax Lot 33) and (2) Commencing at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 13;  
Thence N90°00'00"E (assumed bearing) 198.00 feet to the point of beginning;  
Thence N00°00'00"E, 20 feet;  
Thence N90°00'00"E, 160 feet;  
Thence S00°00'00"W, 20 feet;  
Thence S90°00'00"W, 60 feet to the point of beginning (aka Tax Lot 73).

NOTE: State Assessor for Dodge County refers to said tract as Tax Lot 74 in Said Section.

Memorandum of First Amendment – OMAC Memorial Park

Exhibit "A"  
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**Exhibit "B"**

**Expanded Easement Tract**

**Easement Tract Description:**

A fifteen foot (15') by thirty one foot (31') lease over that part of Tax Lot 134 of the Northeast Quarter of the Northwest Quarter of Section 24, Township 17 North, Range 8 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, described as follows:

Commencing at a 5/8" rebar at the southwest corner of Tax Lot 106 of said Section 24;

Thence North 02'21'01" West (assumed bearing) for 311.55 feet along the east right of way of North Lincoln Street;

Thence North 87'38'59" East for 657.68 feet to the TRUE POINT OF BEGINNING;

Thence North 06'19'43" East for 15.00 feet;

Thence South 83'40'17" East for 31.00 feet;

Thence South 06'19'43" West for 15.00 feet;

Thence North 83'40'17" West for 31.00 feet to the Point of Beginning.

Contains 465 square feet

Note: All lease corners are monumented with a 5/8" rebar with 1 1/4" yellow plastic cap stamped LS 620.

**Access Route**

A permanent 12.00' wide easement for ingress and egress and utilities over that part of Tax Lot 134 of the Northeast Quarter of the Northwest Quarter, Section 24, and that part of Tax Lot 74 of the Southeast Quarter of the Southwest Quarter, Section 13, all in Township 17 North, Range 8 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, the centerline of which is described as follows:

Commencing at the northwest corner of the above described Land Space;

Thence South 83'40'17" East (assumed bearing) for 16.00 feet along the north line of said Land Space to the TRUE POINT OF BEGINNING;

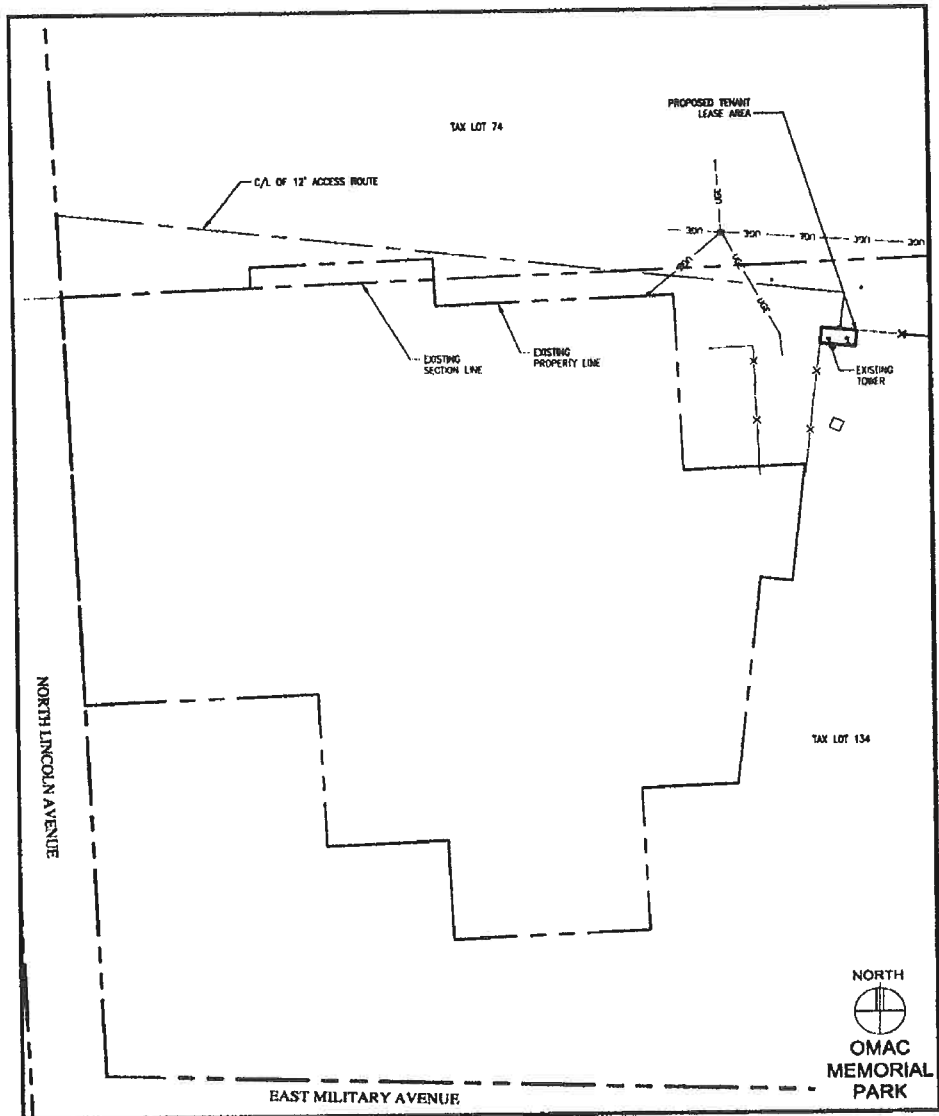
Thence North 06'55'54" East for 34.44 feet;

Thence North 83'12'55" West for 690.07 feet to the east right of way of North Lincoln Avenue and the Point of Terminus;

Said Point of Terminus lies North 02'21'01" West for 467.51 feet from a 5/8" rebar at the southwest corner of Tax Lot 106.

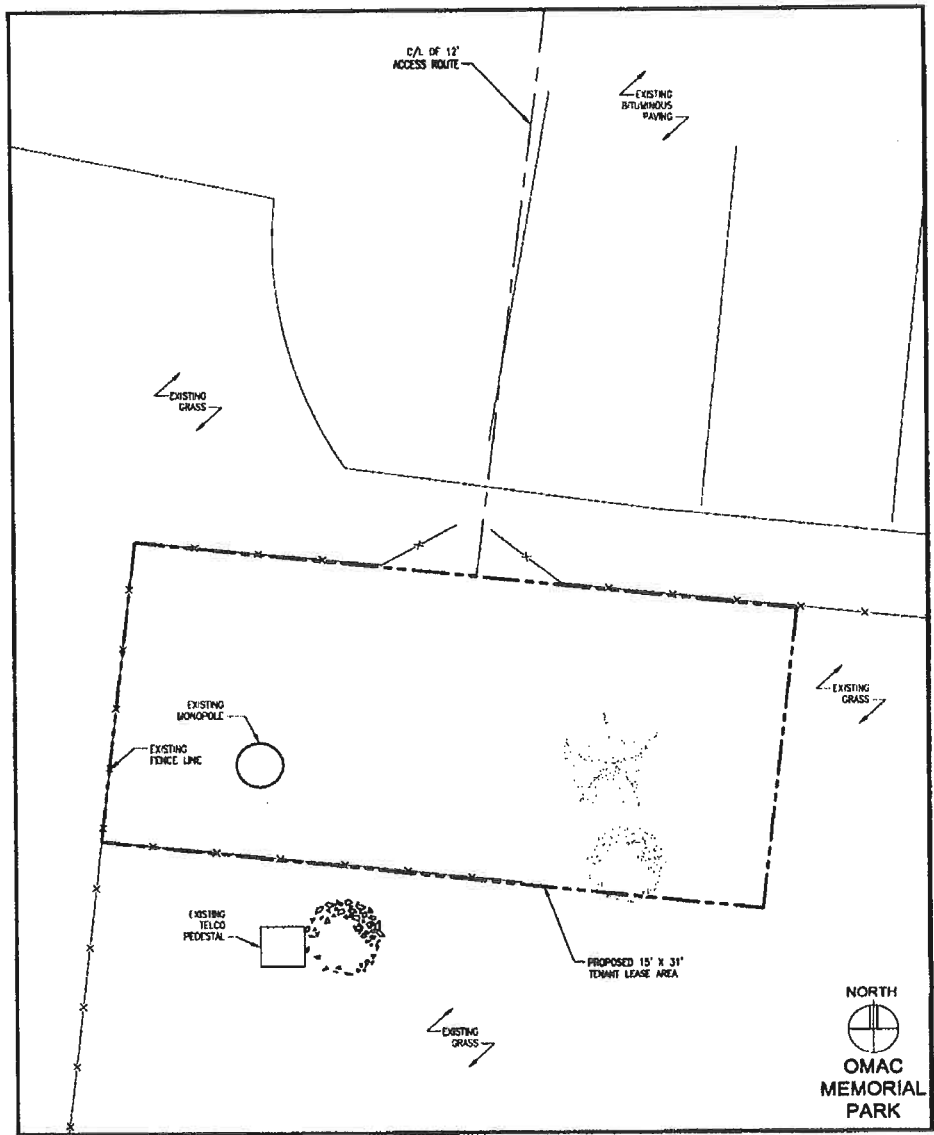
Contains 8694 sq. ft.

**Site Plan: See Attached**



Memorandum of First Amendment – OMAC Memorial Park

Exhibit "B"  
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Memorandum of First Amendment – OMAC Memorial Park

Exhibit "B"  
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