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GEORGE J. ...
REGISTERED DEEDS
DOUGLAS COUNTY, NE

AMENDMENT TO EASEMENT AGREEMENT

THIS AMENDMENT TO EASEMENT AGREEMENT ("Amendment") is made this 5 day of June, 1995, by POLING PLACE II, L.L.C., a Nebraska limited liability company ("Poling") and ANTHONY, INC., a Nebraska corporation ("Anthony").

PRELIMINARY STATEMENT

1. Poling is the owner of certain real estate legally described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

2. Certain predecessors in title of Poling granted a certain ingress and egress easement to Anthony with respect to a portion of the Property by virtue of that certain Easement Agreement dated May 3, 1994, filed June 8, 1994 in Book 711, Page 681 of the records of Douglas County, Nebraska (the "Easement Agreement"). Poling and Anthony wish to amend the Easement Agreement upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing Preliminary Statement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Poling and Anthony hereby agree as follows:

1. A new sentence shall be added to the end of paragraph 5 of the Easement Agreement as follows:

"However, should Poling damage the Easement Area so that the Easement Area is not passable for automobile traffic, Poling agrees to make such repairs, at its expense, to the Easement Area with crushed rock/gravel so that automobiles may use the Easement Area".

2. Except as herein amended, the Easement Agreement shall remain in full force and effect and shall be binding upon the parties hereto and their respective successors and assigns.

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LEGAL DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 90° 00' W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION, 467.50 FEET; THENCE N 0° 19' 00" W, 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 90° 00' 00" W ON A LINE 33.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 316.41 FEET; THENCE N 0° 14' 45" W ON A LINE 540.00 FEET, EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 529.30 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 89° 52' 29" E, 315.38 FEET; THENCE S 0° 19' 00" E, 530.06 FEET TO THE POINT OF BEGINNING.

SSS

AND

A TRACT OF LAND IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE N 90° 00' 00" W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTHEAST 1/4, 467.50 FEET; THENCE N 0° 19' 00" W, 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 0° 19' 00" W, 530.06 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 89° 52' 29" E ON THE SOUTH RIGHT OF WAY LINE OF SAID UNION PACIFIC RAILROAD, 42.45 FEET; THENCE S 00° 19' 19" E ON A LINE 425.00 FEET WEST FROM AND PARALLEL TO THE EAST LINE OF SAID SOUTHEAST 1/4, 530.15 FEET; THENCE N 90° 00' 00" W ON A LINE 33.00 FEET NORTH FROM AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 42.50 FEET TO THE POINT OF BEGINNING.