

47-323

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 22<sup>nd</sup> day of May, 1974, by and between NORTHERN NATURAL GAS COMPANY, a Delaware Corporation, (hereinafter referred to as "Northern") and MEADOW GREEN CO. (hereinafter referred to as "Owners").

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement Grant covering the following described premises in Sarpy County, Nebraska:

Part of Northwest Quarter (NW-1/4) Section Twenty-Seven (27) Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M. described as follows: Commencing on the West Section line at a point 9.37 chains South of the Northwest (NW) corner of said Section Twenty-seven (27), and running thence South on said line 30.63 chains to the quarter (1/4) Section line; thence East on the said line 40 chains to the center of said Section Twenty-seven (27); thence North on Quarter (1/4) Section line 30.09 chains to the old claim line; thence West on said line to place of beginning, known as Tax Lot 4 of said Section, containing 121.44 acres,

which Easement Grant has been recorded in Book 8 of Miscellaneous at Page 263 in the Office of the Register of Deeds for Sarpy County, Nebraska; and

WHEREAS, pursuant to the authority contained in said Easement Grant, Northern has constructed and currently operates and maintains a 16-inch pipeline through and across the premises above-described; and

WHEREAS, of the premises described in said Easement Grant, Owners are present owners of the following described premises:

FILED FOR RECORD 6-6-74 AT 9:15<sup>PM</sup> IN BOOK 47 OF Miss. Records  
PAGE 323 Carl L. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB. 9.25

All the property described above.

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 and agreements hereinafter set forth, it is agreed by and between the parties hereto as follows:

1. That Northern shall, and by these presents does, hereby limit its right-of-way under the aforescribed Easement Grant, to a strip of land fifty feet in width across the property of the Owners as last described above, the centerline of which strip shall be the present location of Northern's 16-inch pipeline. A plat showing the location of said strip of land is attached hereto as Exhibit "A" and is, by this reference, made a part hereof.

2. That Northern shall, and by these presents does, hereby release from

*Rev. 10/7/74*

its said Easement Grant all of the above-described property of the owners except the strip of land described in Paragraph 1 above, upon which strip said Easement Grant is retained as herein modified.

3. That Grantor shall not build, create, construct, nor allow to be built, created or constructed, any hard surface road, (except perpendicular) building, or other structure, nor alter the grade or permit such alteration anywhere on the land upon which Grantee has reserved its Easement rights without the written consent of the Grantee.

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 have executed this instrument the day and year first above written.

"NORTHERN"

"OWNERS"

By *D. Dierth*  
Vice President

MEADOW GREEN CO. (A Partnership)

By *D. Dierth*  
Secretary

*Eric Dehbeck, Jr.*  
Eric Dehbeck, Jr.

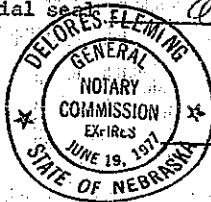
*Raymond L. Lemke*  
Raymond L. Lemke

*Kenneth L. Stahl*  
Kenneth L. Stahl

STATE OF NEBRASKA )  
                                  ) SS.  
COUNTY OF DOUGLAS )

On this 28<sup>th</sup> day of May, A.D., 1974, before me a Notary Public duly commissioned and qualified in and for said county and state, personally name *D. Dierth*, Vice President, and *J. M. Sewell*, Secretary of NORTHERN NATURAL GAS COMPANY who are personally known to me to be the identical persons whose names are affixed to the above instrument as Vice President and Secretary of said corporation, and they acknowledged the said instrument to be their free and voluntary act and deed and voluntary act and deed of said corporation.

WITNESS my hand and official seal *Omaha*, in said county and state, the date aforesaid.



STATE OF NEBRASKA :  
COUNTY OF Sarpy : SS.

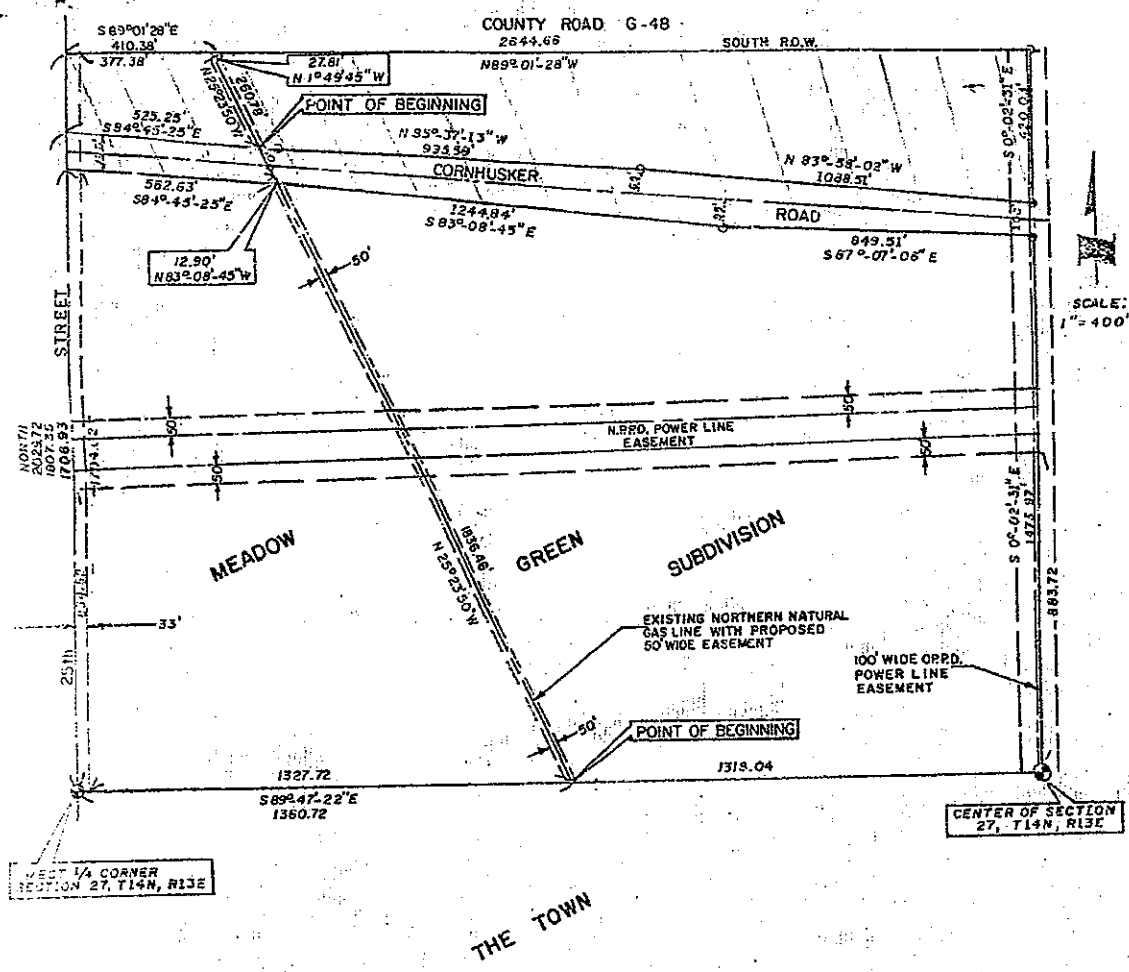
*Delores Fleming*

On this 24<sup>th</sup> day of April, A.D., 1974, before me, a Notary Public in and for said County in said State, personally appeared *Eric Dehbeck, Jr., Raymond Lemke & Kenneth L. Stahl* to me known to be the identical person <sup>s</sup> named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



*Marie E. Porter*

47-323B



**GAS LINE EASEMENTS**

A 50 foot wide permanent Northern Natural Gas Line Easement in part of the NW 1/4 of Section 27, T 14 N, R 13 E, of the 6th P.M., Sarpy County, Nebraska, the center line of which is more particularly described as follows: Beginning at a point on the South line of said 1/4 Section line which is S 89° 47' 22" E, a distance of 1360.72 feet from the W 1/4 corner of said Section 27; thence N 25° 23' 50" W, 1836.46 feet to the South R.O.W. line of Cornhusker Road, which is North 1706.93 feet S 84° 45' 25" E, 562.63 feet and S 83° 08' 45" E, 12.90 feet from the W 1/4 corner of said Section 27. (The West line of said NW 1/4 of Section 27 assumed North-South in direction.)

ALSO:

A 50 foot wide permanent Northern Natural Gas Line Easement in part of the NW 1/4 of said Section 27, the center line of which is more particularly described as follows: Beginning at a point on the North R.O.W. line of Cornhusker Road which is North 1807.35 feet and S 84° 45' 25" E, 525.25 feet from the W 1/4 corner of said Section 27; thence N 25° 23' 50" W, 260.78 feet; thence N 01° 49' 45" W, 27.81 feet to the South R.O.W. line of County Road G-48, which is North 2029.72 feet and S 89° 01' 23" E, 410.38 feet from the West 1/4 corner of said Section 27. (The West line of the said NW 1/4 of Section 27 assumed North-South in direction.)

February 4, 1974

Job Number \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_

**LAMP RYNEARSON & TILLY, INC.**  
 engineers      surveyors  
 FORTY-SIX TEN DODGE STREET  
 OMAHA, NEBRASKA 68132  
 TELEPHONE: 402-335-8052