

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2005-05401

2005 FEB 22 P 4:11 P

Glenn J. Lowery
REGISTER OF DEEDS

COUNTER D C.E. D
VERIFY ja D.E. W
PROOF 1
FEES \$ 10.00
CHECK# 5646
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

Stamp copy

**TERMINATION OF
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS OF
PHASE II EAGLE VIEW TOWNHOMES**

This Termination of Declaration of Covenants, Conditions, Restrictions and Easements of Phase II Eagle View Townhomes is made this 18th day of February, 2005, by Rogers Development, Inc., a Nebraska corporation (herein the "Declarant").

Preliminary Statement

The Declarant is the owner and developer of certain real property located in Sarpy County, Nebraska, and legally described as follows (the "Property"):

Lots 65A, 65B, 66A, 66B, 67A, 67B, 68A, 68B, 69A, and 69B in Eagle View,
a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

The Declarant previously recorded a Declaration of Covenants, Conditions, Restrictions and Easements of Phase II Eagle View Townhomes dated September 23, 2003, and recorded with the Sarpy County Register of Deeds on September 26, 2003, as Instrument No. 2003-55255 (the "Declaration"), pertaining to the Property. Declarant desires to terminate the Declaration and has executed and is recording this Termination of Declaration of Covenants, Conditions, Restrictions and Easements of Phase II Eagle View Townhomes for such purpose.

NOW, THEREFORE, the Declarant hereby declares that the Declaration is hereby terminated in its entirety, shall be of no further force and effect, and the Property is released from the Declaration.

IN WITNESS WHEREOF, this Termination of Declaration of Covenants, Conditions, Restrictions and Easements of Phase II Eagle View Townhomes is made and executed to be effective as of the date and year first above written.

ROGERS DEVELOPMENT, INC., a Nebraska corporation

By: *Michael F. Rogers*

Michael F. Rogers, President

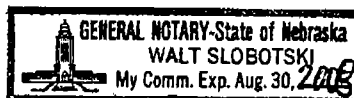
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 18 day of February, 2005, by Michael F. Rogers, President of Rogers Development, Inc., a Nebraska corporation, on behalf of the corporation.

Walt Slobotski
Notary Public

219848

JDB R+K
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114-3728



FILED SARPY CO. NE.
INSTRUMENT NUMBER
2005-27330

2005 AUG -2 P 4:00 PM

Glen R. Hass
REGISTER OF DEEDS

COUNTER 5 C.E. P
VERIFY 2 D.E. P
PROOF 2
FEES \$ 29.50
CHECK# 14793
CHG. _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

Document Prepared by/Return to: Josh Kritenbrink 402-398-7618
Northern Natural Gas Company, 1111 South 103rd Street, Omaha, NE 68124-1000

48401-9

PARTIAL RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That NORTHERN NATURAL GAS COMPANY, a Delaware corporation, with principal offices at 1111 South 103rd Street, Omaha, Nebraska 68124-1000 (hereinafter referred to as "Northern"), is the owner of a certain Easement granted by Mary M. Fricke, et al., on the 24th day of June, 1938, and recorded on the 15th day of July, 1938, as Document Number 6572, in Book 9 of Miscellaneous Records at Page 672, in and for Sarpy County, Nebraska (hereinafter referred to as "Easement"); and

WHEREAS, Northern desires to release and discharge only the lands described below from the operation and effect of said Easement without prejudice to its rights in and to any other lands therein described.

NOW THEREFORE, NORTHERN does hereby quitclaim and release unto the current owners of record any and all rights or interest it may have pursuant to the above said Easement in and to the following described lands only, said lands being situated in Sarpy County, State of Nebraska, to-wit:

That portion of the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 24, Township 14 North, Range 12 East, TOGETHER WITH that part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) also known as Government Lot 3 located in Section 19, Township 14 North, Range 13 East, now platted as Lots 147, 148, 197 through 217 inclusive, 220 through 241 inclusive, 255 and 263 through 265 inclusive, Eagle View a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, AND any roads dedicated to the public in the plat of Eagle View.

All other rights of Northern under said Easement retained.

IN WITNESS WHEREOF, this instrument has been executed as of this 2nd day of August, 2005.

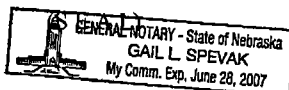
NORTHERN NATURAL GAS COMPANY

By *Glen R. Hass*
Glen R. Hass

Agent and Attorney-in-Fact

STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of August, 2005, by Glen R. Hass, Agent and Attorney-in-Fact, for Northern Natural Gas Company, a Delaware corporation, on behalf of the corporation.



Gail L. Spevak

Notary Public

My Commission Expires 6-28-07

29.50