

PARTIAL RELEASE OF RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS that GREAT LAKES PIPE LINE COMPANY, a Delaware Corporation with its principal place of business in Kansas City, Missouri, party of the first part, hereinafter called Grantor, for and in consideration of \$1.00 in hand paid by CORNHUSKER HOMES COMPANY, a Nebraska Corporation, party of the second part, hereinafter called Grantee, and the covenants hereinafter contained to be kept by Grantee, does hereby release, quitclaim, and convey unto said CORNHUSKER HOMES COMPANY, with the intent to extinguish, all of its right, title and interest (except the right of ingress and egress) acquired by virtue of that certain Right of Way Agreement executed by Joseph F. Krajicek and Marie S. Krajicek, his wife, on December 8, 1945 and filed for record in the office of the Register of Deeds of Douglas County, Nebraska on February 2, 1946 in Book 207 of Miscellaneous, page 693; that certain Receipt For Additional Pipe Line and Amendment of Right of Way executed by Joseph F. Krajicek and Marie S. Krajicek, his wife, dated November 3, 1949 and filed for record in the office of the Register of Deeds, in Douglas County, Nebraska on December 7, 1949 in Book 249 of Miscellaneous, page 9; that certain Gate Valve Permit executed by Joseph F. Krajicek and Marie S. Krajicek, his wife, on April 6, 1950 and filed for record in the office of the Register of Deeds in Douglas County, Nebraska on May 9, 1950 in Book 252, Miscellaneous, page 286; that certain Right of Way Agreement executed by Edward R. Janecek and Marguerite Janecek, his wife, on the 12th day of November, 1945, and filed for record in the office of the Register of Deeds in Douglas County, Nebraska on the 30th day of November, 1945 in Book 205 of Miscellaneous, page 613, in and to the following, and no other, described land in the county of Douglas and the state of Nebraska:

All of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 3, Township 14 North, Range 12 East, except highway and road rights of way and except a tract 3.102 acres in the southeast corner thereof conveyed to Beautiful Savior Lutheran Congregation by Deed filed April 15, 1963 in Book 1181 at page 345 in the records of the Register of Deeds of said Douglas County,

excepting and reserving unto Grantor, its successors and assigns all right, title and interest acquired by virtue of the aforementioned Right of Way Agreements, Receipt For Additional Pipe Line and Amendment of Right of Way, and Gate Valve Permit, and Grantee does hereby grant and confirm to Grantor the rights in such instruments set forth in and to, on, over and across the following described tract of land:

A certain strip or parcel of land situated in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 3, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska:

Beginning at the southeast corner of said Southwest Quarter (SW $\frac{1}{4}$ ) of Section 3; thence north 89° 27' 19" west along the south line of said Southwest Quarter (SW $\frac{1}{4}$ ), a distance of 83.01 feet; thence north 0° 24' 16" west; a distance of 680.96 feet; thence north 32° 46' 44" west, a distance of 140.60 feet; thence north 51° 18' 39" west, a distance of 401.74 feet; thence north 41° 19' 14" west, a distance of 637.13 feet; thence north 52° 25' 14" west, a distance of 1143.90 feet; thence north 48° 42' 05" west, a distance of 201.58 feet; thence north 47° 49' 16" west, a distance of 136.08 feet to a point on the southerly right of way line of "L" Street, said point being 611.53 feet easterly, measured along said southerly street right of way line, from the centerline of 96th Street; thence south 89° 20' 12" east, on said southerly street right of way line, a distance of 150.88 feet; thence south 47° 49' 16" east, a distance of 22.35 feet; thence south 48° 42' 05" east a distance of 197.56 feet; thence south 52° 25' 14" east, a distance of 1150.37 feet; thence south 41° 19' 14" east, a distance of 558.38 feet; thence south 10° 18' 18" west, a distance of 31.89 feet; thence south 41° 19' 14" east, a distance of 62.11 feet; thence south 51° 18' 39" east, a distance of 407.42 feet; thence south 32° 46' 44" east, a distance of 189.56 feet to a point on the east line of said Southwest Quarter (SW $\frac{1}{4}$ ); thence South 0° 24' 16" east, along said east line of the Southwest Quarter (SW $\frac{1}{4}$ ), a distance of 691.48 feet to the point of beginning, except the south 300 feet thereof and except right of way for 90th Street.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

It is strictly understood that nothing herein contained shall in anywise diminish Grantor's right, title, and interest, in and to the tract of land above excepted unto Grantor.

It is further understood that the said Grantee will not erect, construct or create any building, improvement, structure or obstruction of any kind on, above, or below the surface of the ground on the strip or tract of land above excepted unto Grantor, or change the grade thereof, or cause or permit these things to be done by others without the express written permission of Grantor. The Grantee shall assume, indemnify and save harmless the Grantor, its successors and assigns, from all cost, loss, damage, expense or claim of any nature arising from any acts of the Grantee so permitted by the Grantor or from the existence of any construction so permitted. The covenants in this paragraph contained shall constitute covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

It is further understood and agreed that Grantor is hereby released from the covenants contained in the aforesaid Right of Way Agreements, Receipt For Additional Pipe Line and Amendment of Right of Way, and Gate Valve Permit as to the lands herein released from the burdens thereof.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year below our signatures indicated.

GRANTOR:

GREAT LAKES PIPE LINE COMPANY

By Grey Linsley Vice President

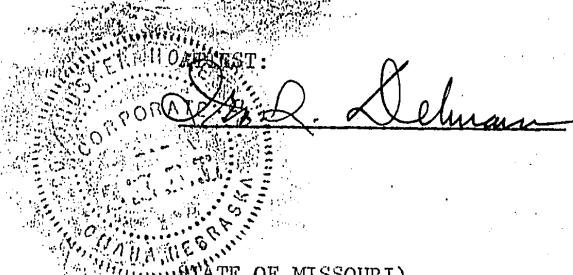
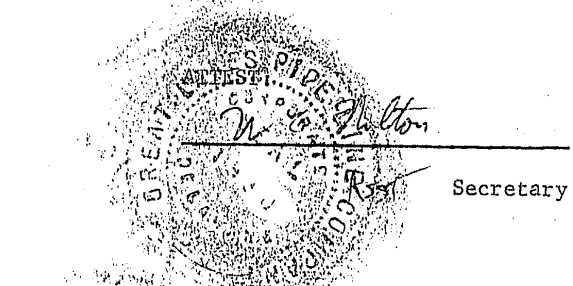
Date April 23, 1964

GRANTEE:

CORNHUSKER HOMES COMPANY

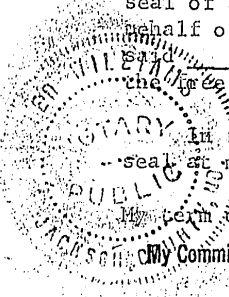
By Don Decker President

Date March 13<sup>th</sup>, 1964



STATE OF MISSOURI )  
 ) ss  
COUNTY OF JACKSON)

On this 23rd day of April, 1964, before me appeared Grey Linsley, to me personally known, who being by me duly sworn, did say that he is the Vice President of Great Lakes Pipe Line Company; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and Grey Linsley acknowledged said instrument to be the free act and deed of said corporation.



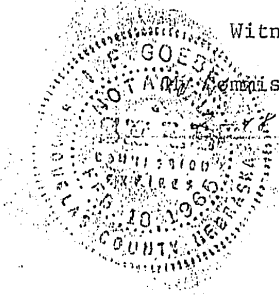
In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

My term expires:  
My Commission Expires Sept. 11, 1964

Ned Williams  
Notary Public

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF Douglas )

Before me, the undersigned, a Notary Public in and for the County aforesaid on this 13<sup>th</sup> day of March, 1964, personally appeared Don Decker, President of the CORNHUSKER HOMES COMPANY, a corporation, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as President of the CORNHUSKER HOMES COMPANY, a corporation, for the uses and purposes set forth.



Witness my hand and official seal.

My Commission expires:

J. F. Roebel  
Notary Public

SUBORDINATION OF MORTGAGE

Major Appliance Company, a Nebraska Corporation, the owner of a certain Mortgage executed by Cornhusker Homes Company, a Nebraska Corporation, on the 4th day of May, 1962 and filed for record on the 1st day of June, 1962 in the office of the Register of Deeds, Douglas County, Nebraska in Book 1440, page 419, does hereby subordinate its mortgage rights to the rights of Great Lakes Pipe Line Company herein set forth.

MORTGAGEE:

MAJOR APPLIANCE COMPANY

By M. S. Livingston  
President

Date April 14, 1964

ATTEST: Dana E. Sebn  
Secretary



SUBORDINATION OF MORTGAGE

Krajicek, Inc., a Nebraska Corporation, the owner of a certain Mortgage executed by Cornhusker Homes Company, a Nebraska Corporation, on the 1st day of June, 1962 and filed for record on the 5th day of June, 1962, in the office of the Register of Deeds of Douglas County, Nebraska in Book 1441, page 255, does hereby subordinate its mortgage rights to the rights of Great Lakes Pipe Line Company herein set forth.

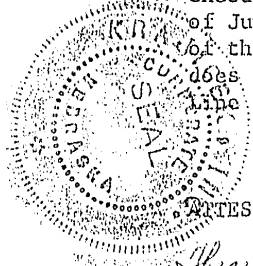
MORTGAGEE:

KRAJICEK, INC.

By Marie S. Krajicek  
President

Date April 3 - 1964

ATTEST: Theresa Krajicek Mlynarska  
Secretary



SUBORDINATION OF MORTGAGE

We, the owners of a certain Mortgage executed by Cornhusker Homes Company, a Nebraska Corporation, on the 2nd day of October, 1961, and filed for record on the 4th day of October, 1961 in the office of the Register of Deeds, Douglas County, Nebraska, in Book 1404, page 25, do hereby subordinate our mortgage rights to the rights of Great Lakes Pipe Line Company herein above set forth.

MORTGAGEE:

Edward R. Janecek  
Edward R. Janecek

Marguerite Janecek  
Marguerite Janecek

Date 3-20-64

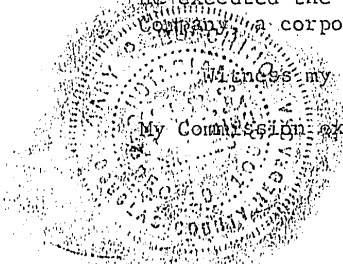
Date 3-20-64

STATE OF NEBRASKA )  
COUNTY OF Douglas ) ss

Before me, the undersigned, a Notary Public in and for the County aforesaid on this 14 day of April, 1964, personally appeared M. S. Livingston, President of the Major Appliance Company, a corporation, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as President for the Major Appliance Company, a corporation, for the uses and purposes set forth.

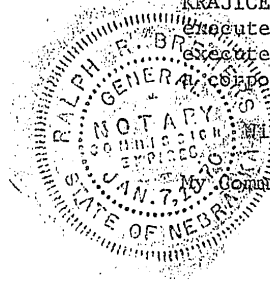
Witness my hand and official seal.  
My Commission expires:

Gary P. Busch  
Notary Public



STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS

Before me, the undersigned, a Notary Public in and for the County aforesaid on this 3 day of APRIL, 1964, personally appeared MARIE S. KRAJICEK, PRESIDENT of KRAJICEK, INC., a corporation, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as PRESIDENT for KRAJICEK, INC., a corporation, for the uses and purposes set forth.



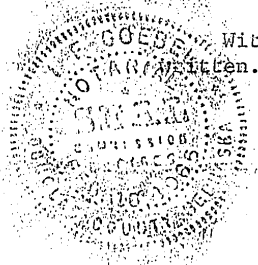
Witness my hand and official seal.

My Commission expires:

Ralph R. Bremer  
Notary Public

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF Douglas

On this 30th day of March, 1964, before me, J. F. Goebel a Notary Public duly Commissioned and qualified for and residing in said County, personally came Edward R. Janecek and Marguerite Janecek to me personally known to be the identical persons described in and who executed the foregoing conveyance as mortgages and acknowledged the said instrument to be their voluntary act and deed.



Witness my hand and official seal the day and year last above written.

J. F. Goebel

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