

FILED SARPY CO. NE.
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Glenn J. Ludwig
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Document Prepared by and to be Returned to:
Northern Natural Gas Company
ATTN: Right-of-Way Department
P.O. Box 3330
Omaha, NE 68103-0330

NEB 48701-44

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 17th day of August, 1998, by and between NORTHERN NATURAL GAS COMPANY, a Delaware corporation with principal offices at 1111 South 103rd Street, Omaha, Nebraska 68124 (hereinafter referred to as "Northern"), and SOUTHWIND LAND CORP., a Nebraska corporation (hereinafter referred to as "Owner").

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement granted by Elizabeth Fricke, a single woman on the 21st day of February, 1951, covering the following described premises in Sarpy County, Nebraska:

THE SOUTHWEST QUARTER (SW ¼) OF SECTION 15, TOWNSHIP FOURTEEN (14) NORTH, RANGE TWELVE (12) EAST.

which Easement was recorded the 23rd day of August, 1951, in Book 15 of Miscellaneous Records at Page 44; all in the Office of the Register of Deeds of Sarpy County, Nebraska (hereinafter referred to as "Easement"); and

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

WHEREAS, of the premises described in said Easement, Owner is present owner of the following described property (hereinafter referred to as "Owned Premises"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

WHEREAS, the parties hereto desire to more clearly define their rights under the Easement and further desire to modify and amend the Easement 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 Easement across the Owned Premises only to a strip of land 86 feet in width, and shall be established as being 33 feet on the west side of the centerline of Northern's 16-inch pipeline and 53 feet on the east side of the centerline of said pipeline (hereinafter referred to as "Pipeline Right-of-Way").

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2. That Northern shall, and by these presents does, hereby release from its said Easement all of the Owned Premises EXCEPT the Pipeline Right-of-Way described in Paragraph 1 above, within which Pipeline Right-of-Way said Easement is retained in full force and effect, with all rights (including, without limitation, multiple line rights) originally granted to Northern in the Easement; and EXCEPT Northern retains its right of ingress to and egress from the Pipeline Right-of-Way, to which right the Owned Premises shall remain subject.

3. The Owner shall not build, create, construct, nor allow to be built, created, or constructed, any hard, gravel, or similar surface road, any improvements or structures of any nature, nor alter the grade or permit such alteration, anywhere within the Pipeline Right-of-Way without the written consent of Northern. Northern shall have the right to clear and keep cleared from within the Pipeline Right-of Way all trees, brush, undergrowth, buildings, structures, improvements or other obstructions, and, Northern shall not be liable for loss, cost, or damage caused on the Pipeline Right-of-Way by keeping the Pipeline Right-of-Way clear of such trees, brush, undergrowth, buildings, structure, improvements, and other obstructions in the exercise of its rights hereunder.

4. The Owner shall allow Northern to establish aboveground marking along the centerline of the location of Northern's pipeline(s).

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"

"OWNER"

NORTHERN NATURAL GAS COMPANY

SOUTHWINDLAND CORP.

By: Dennis D. Werkmeister
Dennis D. Werkmeister

By: X [Signature]
Print Name: John C. Allen

Title: Agent and Attorney in Fact

Title: Chairman

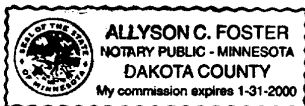
STATE OF MINNESOTA)
)SS
COUNTY OF HENNEPIN)

On this 28th day of August, 1998, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came Dennis D. Werkmeister, the Agent and Attorney-in-Fact of Northern Natural Gas Company, who is personally known to me to be the identical person whose name is affixed to the above instrument in the capacity stated, and he acknowledged the said instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said corporation.

WITNESS my hand and official seal at Minneapolis, in said county and state, the date aforesaid.

(SEAL)

Allyson C. Foster
Notary Public
My Commission Expires 1-31-2000



STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)

On this 17th day of August, 1998, before me a Notary Public duly commissioned and qualified in and for said county and state, personally appeared John C. Allen

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

(SEAL)



[Signature]
Notary Public
My Commission Expires _____

EXHIBIT "A"

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 15; THENCE NORTH 89°55'43" EAST FOR 60.00 FEET ALONG THE NORTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 15 TO THE EAST RIGHT OF WAY LINE OF 96TH STREET AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°55'43" EAST FOR 2556.97 FEET ALONG SAID NORTH LINE OF THE SOUTHWEST QUARTER TO THE NORTHEAST CORNER THEREOF, SAID LINE ALSO BEING THE SOUTH LINE OF S & S's HARVEST HILL, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA AND SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF LOT 1, S & S's HARVEST HILL AND THE NORTHWEST CORNER OF LOT 46, PARKVIEW HEIGHTS IV, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA; THENCE SOUTH 00°00'56" EAST FOR 1384.06 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER AND THE WEST LINE OF PARKVIEW HEIGHTS IV TO THE NORTHEAST CORNER OF LOT 2, METRO LA VISTA ADDITION, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA; THENCE NORTH 89°51'41" WEST FOR 740.91 FEET TO THE NORTHWEST CORNER OF LOT 2, METRO LA VISTA ADDITION; THENCE SOUTH 00°00'56" EAST FOR 761.79 FEET ALONG THE WEST LINE OF LOTS 1 AND 2, METRO LA VISTA ADDITION; THENCE SOUTH 04°35'23" EAST FOR 250.80 FEET ALONG THE WEST LINE OF LOT 1, METRO LA VISTA ADDITION; THENCE SOUTH 00°00'56" EAST FOR 179.54 FEET TO THE SOUTHWEST CORNER OF LOT 1, METRO LA VISTA ADDITION AND THE NORTH RIGHT OF WAY LINE OF GILES ROAD; THENCE WEST ALONG THE NORTH RIGHT OF WAY LINE OF GILES ROAD FOR THE NEXT ELEVEN COURSES: 1) THENCE NORTH 88°05'39" WEST FOR 99.68 FEET; 2) THENCE NORTH 73°18'15" WEST FOR 52.20 FEET; 3) THENCE SOUTH 87°08'03" WEST FOR 100.13 FEET; 4) THENCE SOUTH 80°20'55" WEST FOR 202.87 FEET; 5) THENCE NORTH 83°09'38" WEST FOR 201.44 FEET; 6) THENCE SOUTH 78°41'12" WEST FOR 50.99 FEET; 7) THENCE NORTH 87°08'28" WEST FOR 100.13 FEET; 8) THENCE NORTH 73°18'15" WEST FOR 52.20 FEET; 9) THENCE SOUTH 79°30'19" WEST FOR 137.30 FEET; 10) THENCE NORTH 77°00'31" WEST FOR 66.71 FEET; 11) THENCE NORTH 84°17'34" WEST FOR 10.26 FEET; THENCE NORTH 00°01'21" EAST FOR 180.00 FEET; THENCE NORTH 09°37'14" EAST FOR 120.00 FEET; THENCE NORTH 00°02'19" EAST FOR 67.80 FEET; THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 225.00 FEET AND A LONG CHORD BEARING NORTH 14°28'56" EAST FOR 112.24 FEET) FOR AN ARC LENGTH OF 113.44 FEET; THENCE NORTH 61°04'27" WEST FOR 149.34 FEET; THENCE NORTH 09°42'51" WEST FOR 154.08 FEET; THENCE NORTH 04°56'58" EAST FOR 241.21 FEET; THENCE NORTH 15°18'09" EAST FOR 120.00 FEET; THENCE NORTH 00°23'07" EAST FOR 268.00 FEET; THENCE NORTH 24°01'04" WEST FOR 85.00 FEET; THENCE SOUTH 65°36'35" WEST FOR 172.18 FEET; THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 1051.04 FEET, AND A LONG CHORD BEARING SOUTH 77°53'25" WEST FOR 447.11 FEET) FOR AN ARC LENGTH OF 450.55 FEET; THENCE NORTH 89°49'45" WEST FOR 96.52 FEET TO THE EAST RIGHT OF WAY LINE OF 96TH STREET; THENCE NORTH 02°18'35" WEST FOR 37.11 FEET ALONG SAID EAST RIGHT OR WAY LINE; THENCE NORTH 04°56'15" EAST FOR 300.86 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 04°35'24" WEST FOR 301.22 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 00°10'15" EAST FOR 693.09 FEET TO THE POINT OF BEGINNING.