

BOOK 434 PAGE 10

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 15<sup>th</sup> day of ~~March~~ 1966, by and between NORTHERN NATURAL GAS COMPANY, operating as Peoples Natural Gas Division, a Delaware corporation, (hereinafter referred to as "Peoples") and EDWARD WESTPHAL, JR. and SELMA F. WESTPHAL, husband and wife, and BERTHA WESTPHAL, widow, (hereinafter referred to as "Owners").

WITNESSETH THAT:

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

Northeast Quarter (NE/4) of Southeast Quarter (SE/4)  
and North Half (N/2) of Northwest Quarter (NW/4) of  
Southeast Quarter (SE/4) of Section 13, Township 15,  
Range 10

and

North Half (N/2) of Northwest Quarter (NW/4) of  
Southwest Quarter (SW/4) of Section 13, Township  
15, Range 10

which Easement Grant has been recorded in Book 344 of Miscellaneous Records at Page 408 in the Office of the Register of Deeds for Douglas County, Nebraska; and

WHEREAS, pursuant to the authority contained in said Easement Grant, Peoples has constructed and currently operates and maintains a 4-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, hereinafter referred to as the "Owned Premises":

All of 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 Peoples shall, and by these presents does, hereby limit its right-of-way under the aforesaid Easement Grant, to a strip of land 30 by 660 feet and described as the West 30 feet of the North 660 feet of the SE/4 of Section 13, Township 15 North, Range 10 East. 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 Peoples shall, and by these presents does, hereby release from its said Easement Grant all of the Owned Premises except the strip of land described in Paragraph 1 above, upon which strip said Easement Grant is retained as herein modified.

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

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.

"Peoples" "Owners"

NORTHERN NATURAL GAS COMPANY  
operating as Peoples Natural Gas  
Division

By Gordon Jensen  
Vice President

William Westphal  
Bertina Westphal

Assistant Secretary

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) SS.

On this 25th day of January, A.D., 1966, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came Gordon Jensen, Vice President, and William Westphal Assistant Secretary of NORTHERN NATURAL GAS COMPANY, operating as Peoples Natural Gas Division, who are personally known to me to be the identical persons whose names are affixed to the above instrument as Vice President and Assistant Secretary of said corporation, and they acknowledged the said instrument to be their free and voluntary act and deed and the free and voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Edwin Jensen  
Notary Public  
My Commission expires January 21, 1967

(SEAL)

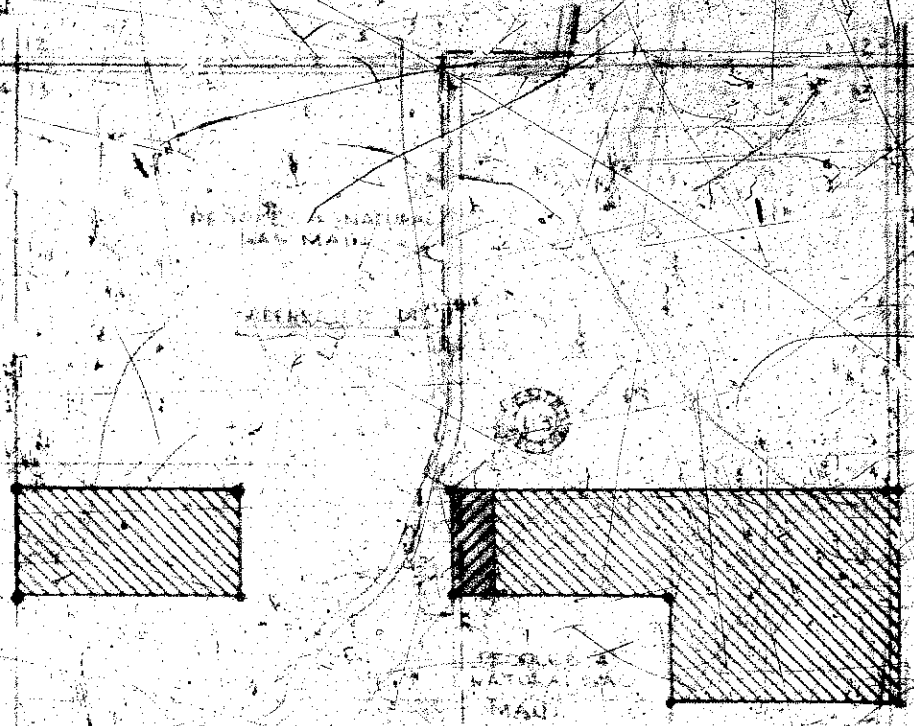
STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) SS.




On this 1st day of March, A.D., 1966, before me a Notary Public in and for said County in said State, personally appeared Edward Westphal Jr. Bertina Westphal and Selma Westphal to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

Albert  
Notary Public  
My Commission expires November 15, 1970

(SEAL)



-  PRESENT EASEMENT
-  THAT PART OF PRESENT EASEMENT WHICH IS TO BE REMOVED BY PEOPLE'S NATURAL GAS COMPANY
-  THAT PART OF PRESENT EASEMENT WHICH IS TO BE REPAIRED BY PEOPLE'S NATURAL GAS COMPANY

|            |                 |
|------------|-----------------|
|            | W O             |
|            | 19 64 CONSTR    |
|            | SCALE 1" = 100' |
|            | DATE 2-17-66    |
|            | DRAWN BY SHARON |
| REVISED BY | APD             |
|            | OK'D            |

PARTIAL TELEPHONE EASEMENT  
 IN  
 SECTION 16  
 TOWNSHIP 12 N  
 RANGE 13 W  
 DEWELAS COUNTY  
 NEBRASKA

**N** Peoples Natural Gas  
 Natural Gas Division of  
 Northern Natural Gas Company  
 Omaha, Nebraska

DWG NO EXHIBIT "A"

STANDARD BLUE PRINT BRAMA 1072

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W. B. ...