

38-407

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 5<sup>th</sup> day of June, 1967, by and between NORTHERN NATURAL GAS COMPANY, a Delaware corporation, (hereinafter referred to as "Northern") and MIKE HOGAN DEVELOPMENT COMPANY, a Nebraska corporation, Michael J. Hogan, President, Jane F. Hogan, Secretary (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:

Southwest Quarter (SW $\frac{1}{4}$ ) of Section Twenty-three (23), Township Fourteen North (14N), Range Twelve East (12E)

which Easement Grant has been recorded in Book 9 of Miscellaneous Deeds at page 660 in the office of Register of Deeds, Sarpy County, Nebraska; and

WHEREAS, pursuant to the authority contained in said Easement Grant, Northern has constructed and currently operates and maintains a 3-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":

Tara Heights, Lots 239 through 322 inclusive, being a surveyed and recorded platting of part of the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section Twenty-three (23), Township Fourteen North (14N), Range Twelve East (12E) of the 6th P.M. in the City of Papillion, Sarpy County, Nebraska; a drawing of which platting is attached hereto as Exhibit "A" and made a part hereof; and

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 abovescribed Easement Grant, across the owned premises only, to a strip of land, to be known as Strip "A"; across the property of the Owners as last described above. A plat showing the location of said Strip "A" is attached hereto as Exhibit "A" and is, by this reference, made a part hereof.

FILED FOR RECORD IN SARPY COUNTY NEB June 21 1967 AT 9 O'CLOCK A.M.  
AND RECORDED IN BOOK 38 OF Misc. Deeds PAGE 407

*Alouse Dinkler Jones*  
5384V REGISTER OF DEEDS 475

38-408

2. That Northern shall, and by these presents does, hereby release from its said Easement Grant all of the owned premises EXCEPT Strip "A" described in Paragraph 1 above, upon which Strip "A" 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 Legrechaup Lane as platted and shown on Exhibit "A", building, or other structure, nor alter the grade or permit such alteration anywhere on Strip "A" 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"

NORTHERN NATURAL GAS COMPANY

MIKE HOGAN DEVELOPMENT COMPANY

*[Signature]*  
Vice President

By *[Signature]*  
President

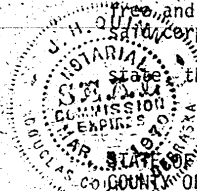
*[Signature]*  
Ass't. Secretary

Attest *[Signature]*  
Secretary

STATE OF NEBRASKA : SS.  
COUNTY OF DOUGLAS :

On this 5th day of June, A.D., 1967, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came A. L. Vaughan, Vice President, and S. M. Sawtell, Assistant 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 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.

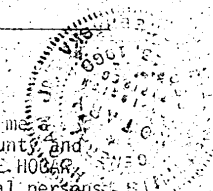
WITNESS my hand and official seal at Omaha, in said county and state, the date aforesaid.



STATE OF NEBRASKA : SS.  
COUNTY OF Sarpy :

On this 15 day of May, A.D., 1967, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came Michael J. Hogan and Jane F. Hogan of MIKE HOGAN DEVELOPMENT COMPANY who are personally known to me to be identical persons whose names are affixed to the above instrument as President and 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.

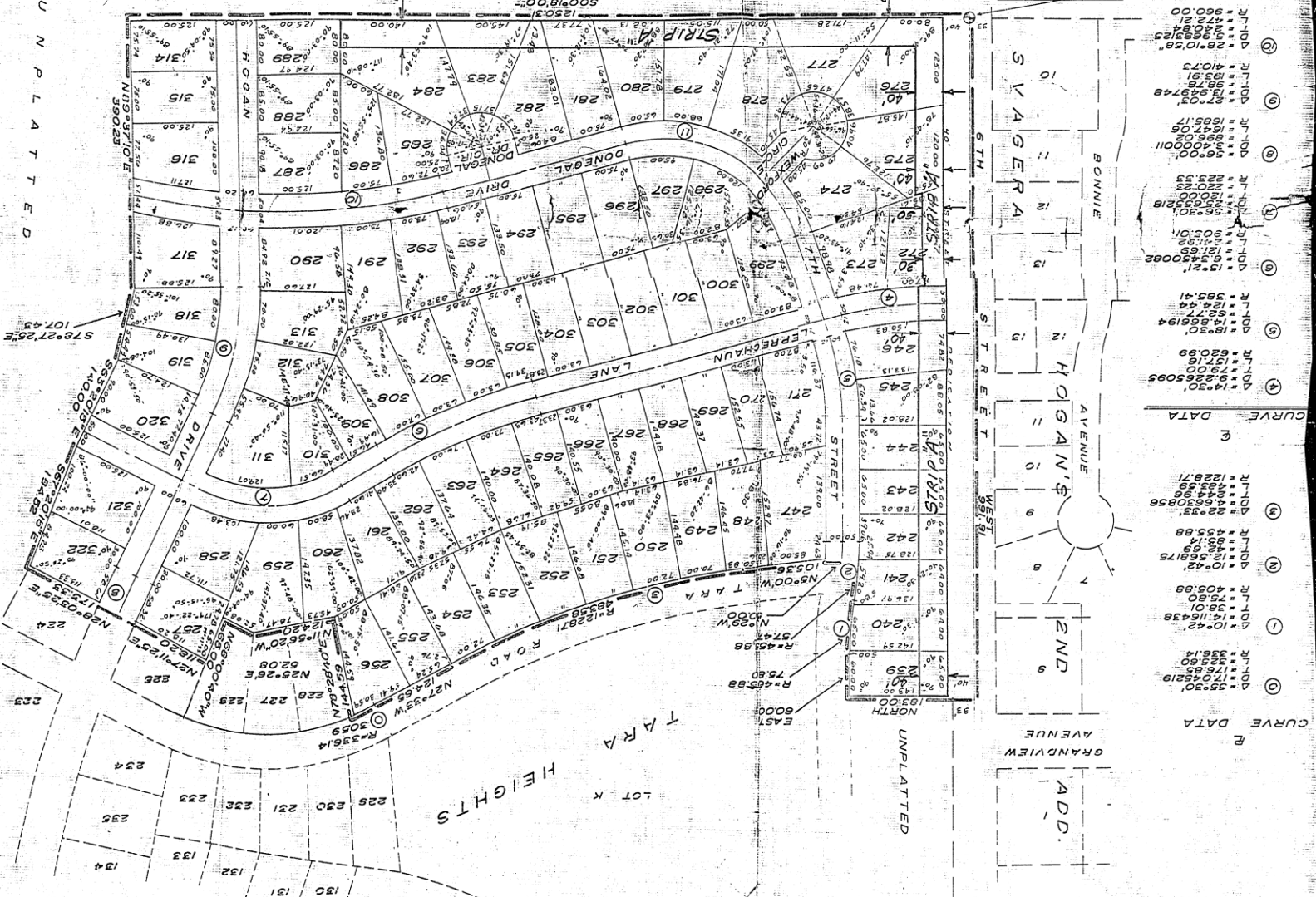
WITNESS my hand and official seal at Papillon, in said county and state, the date aforesaid.



# TARA HEIGHTS

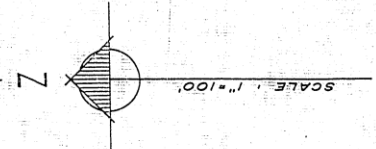
LOTS 239 THRU 322, INCLUSIVE

BEING A PLATTING OF PART OF THE E/2 OF THE SW/4 OF SECTION 23 T14N R12E OF THE 6TH P.M., SAPPY COUNTY, NEBRASKA.



**CURVE DATA**

Curve No.	R	L	D
1	10.42	116.438	10.42
2	17.80	170.4219	17.80
3	38.01	358.14	38.01
4	45.88	455.88	45.88
5	55.50	555.00	55.50
6	62.99	629.99	62.99
7	75.00	750.00	75.00
8	85.91	859.14	85.91
9	100.00	1000.00	100.00
10	120.75	1207.50	120.75
11	142.57	1425.71	142.57
12	168.00	1680.00	168.00
13	198.25	1982.50	198.25
14	232.50	2325.00	232.50
15	270.00	2700.00	270.00
16	310.00	3100.00	310.00
17	352.50	3525.00	352.50
18	400.00	4000.00	400.00
19	450.00	4500.00	450.00
20	500.00	5000.00	500.00
21	550.00	5500.00	550.00
22	600.00	6000.00	600.00
23	650.00	6500.00	650.00
24	700.00	7000.00	700.00
25	750.00	7500.00	750.00
26	800.00	8000.00	800.00
27	850.00	8500.00	850.00
28	900.00	9000.00	900.00
29	950.00	9500.00	950.00
30	1000.00	10000.00	1000.00



DISTANCES SHOWN ON CURVES ARE ARC DISTANCES NOT CHORD DISTANCES

EXHIBIT A

UNPLATTED

SE CORNER OF SECTION 23 T14N R12E OF THE SW/4 OF THE 6TH P.M., SAPPY COUNTY, NEBRASKA

POINT OF BEGINNING

500'±1800.00'