

This Instrument Drafted by  
And To Be Returned To:  
Right-of-Way Department  
Northern Natural Gas Company  
P.O. Box 3330  
Omaha, Nebraska 68103

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2003-68010  
2003 NOV 14 P 3:15 PM  
*Glenn J. Lawling*  
REGISTER OF DEEDS

COUNTER     C.E.      
VERIFY     D.E.      
PROOF      
FEES \$ 2050  
CHECK# 12022  
CHG.     CASH      
REFUND     CREDIT      
SHORT     INC.    

48701-37

**MODIFICATION AND AMENDMENT OF EASEMENT GRANT**

This instrument made and entered into this 27<sup>th</sup> day of October, 2003 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 CELEBRITY HOMES, INC., (hereinafter referred to as "Owner", whether one or more).

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement granted by Henry T. Petersen and Anna L. Petersen, husband and wife, on the 19th day of February, 1951, covering the following described premises in Sarpy County, Nebraska:

The South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 34, Township 14 North, Range 12 East,

which Easement was recorded the 23rd day of August, 1951, as Document No. 1345, in Book 15 of Misc. at Page 38, in and for Sarpy County, Nebraska (hereinafter referred as "Easement"); and

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

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

See Exhibit "A" attached hereto  
and, by this reference 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 across the Owned Premises only to a strip of land 45 feet in width, being the West 45 feet of Owned Premises, which strip encompasses the present location of Northern's 16-inch pipeline (hereinafter referred to as "Pipeline Right-of-Way").

2. That Northern shall, and by these presents does, hereby release from the Easement all of its rights in and to the Owned Premises EXCEPT the Pipeline Right-of-Way described in Paragraph 1 above, upon which Pipeline Right-of-Way the 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.

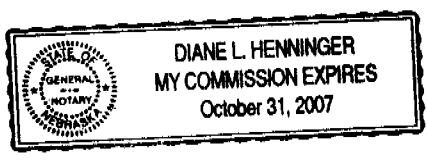


B

STATE OF Nebraska )  
 )SS  
COUNTY OF Douglas )

Gale Larsen, President, Celebrity Homes, Inc., acknowledged the foregoing instrument before me, a Notary Public duly commissioned and qualified in and for said county and state, on this 27<sup>th</sup> day of October, 2003.

(SEAL)



Diane L. Henninger  
Notary Public  
My Commission Expires 10-31-07

2003-68010C

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Exhibit "A"

A tract of land located in part of Tax Lot 13A, and also together with part of Tax Lot 14, Tax Lots located in the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 34, Township 14 North, Range 12 East, Sarpy County, Nebraska, more particularly described as follows: Commencing at the Northeast corner of said S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, said point also being the Northeast corner of said Tax Lot 14; thence South 87°24'13" West (assumed bearing) along the North line of said S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, said line also being the North line of said Tax Lot 14, a distance of 50.00 feet to a point on the West right of way line of 90<sup>th</sup> Street, said point also being the Point of Beginning; thence South 02°39'00" East, along said West right of way line of 90<sup>th</sup> Street, a distance of 480.00 feet to the point of intersection of said West right of way line of 90<sup>th</sup> Street and the North line of Tax Lot 13B, a tax lot located in said S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, said line also being the southerly line of said Tax Lot 14; thence South 87°24'13" West along said North line of Tax Lot 13B, said line also being said southerly line of Tax Lot 14, a distance of 238.00 feet to the Northwest corner of said Tax Lot 13B; thence South 02°39'00" East along the West line of said Tax Lot 13B, said line also being said southerly line of Tax Lot 14, a distance of 160.00 feet to the Southwest corner of said Tax Lot 13B, said point also being on the northerly line of said Tax Lot 13A; thence North 87°24'13" East along the South line of said Tax Lot 13B, said line also being said northerly line of Tax Lot 13A, a distance of 238.00 feet to a point on said West right of way line of 90<sup>th</sup> Street; thence South 02°39'00" East along said West right of way line of 90<sup>th</sup> Street, a distance of 650.09 feet to the point of intersection of said West right of way line of 90<sup>th</sup> Street and the North right of way line of Schram Road; thence North 87°29'26" East along the easterly extension of said North right of way line of Schram Road, a distance of 50.00 feet to the East line of said S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34; thence South 02°39'00" East along said East line of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, a distance of 33.00 feet to the Southeast corner of said SW $\frac{1}{4}$  of said Section 34; thence South 87°29'26" West along said South line of the SW $\frac{1}{4}$  of said Section 34, said line also being said South line of Tax Lot 13A, a distance of 1368.96 feet; thence North 05°38'37" West a distance of 1322.95 feet to a point on the South line of Outlot "A", Walnut Creek Hills Replat Three, a subdivision located in said North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 34; thence North 87°24'13" East along said North line of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, said line also being said North line of Tax Lot 13A, and also said North line of Tax Lot 14, said line also being the South line of said Walnut Creek Hills, said line also being the South line of said Outlot "A", Walnut Creek Hills Replat Three, said line also being the South line of Lot 1, said Walnut Creek Hills Replat Three, said line also being the South line of Lots 25 thru 28, Walnut Creek Hills Replat Two, a subdivision located in said N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34, and also the South right of way line of Fenwick Street, a distance of 1388.04 feet to the point of beginning. Said tract of land contains an area of 1,752,972 square feet or 40.243 acres, more or less.