

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2009-02618

2009 FEB -3 P 2:14 8

Shirley J. Lawling
REGISTER OF DEEDS

COUNTER *ah* C.E. *10*
VERIFIED *Chris* D.E. *LM*
PROOF *P*
FEES \$ *137.00*
CHECK # *1119857*
CHG _____ CASH _____
REFUND *9.00* CREDIT _____
SHORT _____ NCR _____

AFTER RECORDING RETURN TO:

Randy J. De George, Land Rights Coordinator
Omaha Public Power District
444 S. 16th Street Mall 5e/Ep2
Omaha, NE 68102

DEPARTMENT OF THE AIR FORCE
AMENDMENT NO. 1 TO
EASEMENT FOR UTILITY RIGHT-OF-WAY
LOCATED ON
MILITARY HOUSING PRIVATIZATION INITIATIVE, OFFUTT AFB
SARPY COUNTY, NEBRASKA

WHEREAS, OMAHA PUBLIC POWER DISTRICT (hereinafter referred to as "Grantee") was granted an easement with THE SECRETARY OF THE AIR FORCE (hereinafter referred to as "Grantor") for utility right-of-way in and through military housing and for the purposes of providing power to said housing. The area in question is located in the Wherry/Coffman Heights Housing and is partly known as Parcel "A".

WHEREAS, said Easement Agreement filed March 1, 2006 as instrument number 2006-06747 in the Sarpy County Register of Deeds Office, and located in said Agreement in Section "C" under "Utility" where it is agreed that after completion of installation of the facilities within a particular portion of the premises, said Grantor and Grantee shall execute an amendment to said Easement Agreement which limits the effect of this Easement Agreement with respect to the portion so completed to the as-built location of the facilities.

NOW THEREFORE, attached are Exhibits "A" & "B" showing the as-built locations of said utility installations and the legal description of the entire housing area under this document along with a survey by E & A Consulting group using GIS locations, and a work order drawing from OPPD. Said easement area would be a ten foot (10') strip of land being five feet (5') each side of the cable as installed and shown on the attached exhibits.

Ruk - Kufalik Rock -

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GOVERNMENT SIGNATURE PAGE TO
OPPD EASEMENT – PARCEL A AMENDMENT

IN WITNESS WHEREOF, the United States of America has executed the foregoing instrument effective as of the Effective Date.

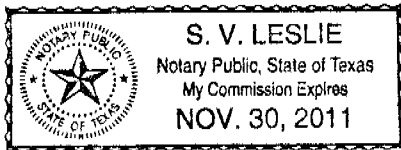
THE UNITED STATES OF AMERICA, acting by
and through the Secretary of the Air Force

By: Kathleen I. Ferguson
Kathleen I. Ferguson, P.E.
Deputy Assistant Secretary of the Air Force
(Installations)

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF BEXAR) SS:

On the 10th day of December, 2008, before me, S. V. Leslie, the undersigned Notary Public, personally appeared Kathleen I. Ferguson, P.E., personally known to me to be the person whose name is subscribed to the foregoing instrument, and personally known to me to be the Deputy Assistant Secretary of the Air Force (Installations), and acknowledged that the same was the act and deed of the Secretary of the Air Force and that she executed the same as the act of the Secretary of the Air Force for the consideration and purposes recited therein.



S. V. Leslie
S. V. Leslie
Notary Public, State of Texas
My commission expires November 30, 2011

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THIS AMENDMENT to said EASEMENT AGREEMENT is hereby executed by the Grantee this 18th day of December, 2008.

OMAHA PUBLIC POWER DISTRICT

By: *A. Minks*
Adrian J. Minks
Vice President Essential Services

Printed Name and Title

STATE OF NEBRASKA)
)
COUNTY OF Douglas) ss.

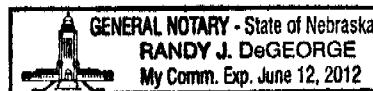
On this 18th day of December, 2008, before me the undersigned, a Notary Public in and for said County, personally came Adrian J. Minks, Vice President Essential Services of the Omaha Public Power District personally to me known to be the identical person(s) who signed the foregoing instrument as Grantee and who acknowledged the execution thereof to be a voluntary act and deed for the purpose therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Randy J. DeGeorge
Notary Public

My commission expires:

6/12/2012



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Exhibit A

WHERRY/COFFMAN HEIGHTS HOUSING - PARCEL "A"

A tract of land located in part of the SE 1/4 of Section 35, Township 14 North, Range 13 East, of the 6th P.M., and also together with part of the SW1/4 of section 36, Township 14 North, Range 13 East of the 6th P.M., and also together with part of the NW1/4 of Section 1, Township 13 North, Range 13 East of the 6th P.M., and also together with part of the NE1/4 of Section 2, Township 13 North, Range 13 East of the 6th P.M., all located in Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of Lot 18, Bellaire Addition "B", a subdivision in the SE1/4 of Section 35, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, said point also being the Northwest corner of Tax Lot 12C of Section 35, Township 14 North, Range 13 East, now owned by Offutt Air Force Base; thence N87°00'53"E (assumed bearing) along the South line of Lots 18 through 24, inclusive, Bellaire Addition 'B', a distance of 658.88 feet to a point on the South line of Lot 24, Bellaire Addition 'B' said point also being the Point of Beginning; thence continuing N87°00'53"E along the South line of Lots 24 through 28, inclusive, Bellaire Addition 'B' and Lots 29 through 36, inclusive, Bellaire Addition 'A', a subdivision in the SE1/4 of Section 35, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, and the Easterly extension thereof, a distance of 951.84 feet to a point on the South line of property owned by the City of Bellevue for Bellaire School, said point also being the Northwest corner of a tract of land reserved by Offutt Air Force Base for the RAPCON facility; thence S03°33'43"E along the Westerly line of said RAPCON facility, a distance of 142.74 feet; thence S32°27'03"E along the Westerly line of said RAPCON facility, a distance of 212.79 feet; thence S02°52'21"E along the Westerly line of said RAPCON facility, a distance of 309.32 feet; thence N87°03'41"E along the Southerly line of said RAPCON facility, a distance of 271.57 feet; thence N02°40'38"W along the Easterly line of said RAPCON facility, a distance of 429.45 feet; thence S86°47'28"W along the Easterly line of said RAPCON facility, a distance of 134.36 feet; thence N03°51'22"W along the Easterly line of said RAPCON facility, a distance of 208.64 feet to a point on said South line of property owned by the City of Bellevue for Bellaire School, said point also being the Northeast corner of said RAPCON facility; thence N87°00'53"E along said South line of property owned by the City of Bellevue for Bellaire School a distance of 346.35 feet to a point on the East line of said Section 35, Township 14 North, Range 13 East, said point also being the Northwest corner of Tax Lot 6A1 of Section 36, Township 14 North, Range 13 East, now owned by Offutt Air Force Base; thence N87°00'15"E along said South line of property owned by the City of Bellevue for Bellaire School and along the South line of Lot 34, Svoboda Addition, a distance of 160.33 feet to the Northwest corner of Tax Lot 6A2 of Section 36, Township 14 North, Range 13 East; thence S02°23'16"E along the west line of said Tax Lot 6A2 and Tax Lot 6B of Section 36, Township 14 North, Range 13 East, a distance of 424.19 feet to the Southwest corner of said Tax Lot 6B; thence N87°46'09"E along the South line of said Tax Lot 6b, said line also being the North line of Tax Lot 6C of Section 36, Township 14 North, Range 13 East, a distance of 258.03 feet to a point on the West right-of-way line of Fort Crook Boulevard; thence S03°14'03"W along said West right-of-way line of Fort Crook Boulevard, a distance of 77.77 feet; thence S02°28'34"E along said West right-of-way line of Fort Crook Boulevard, a distance of 490.81 feet to a point on said West right-of-way line of Fort Crook Boulevard at the intersection of the extended centerline of vacated 25th Avenue;

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thence continuing S02°28'34"E a distance of 77.09 feet to a point on a line running approximately 5 feet behind the Westerly back of curb of Nelson Drive; thence S45°49'16"W along a line running approximately 5 feet behind said Westerly back of curb of Nelson Drive, a distance of 62.54 feet; thence continuing approximately 5 feet behind said Westerly back of curb of Nelson Drive on a curve to the left with a radius of 182.19 feet, a distance of 40.94 feet, said curve having a long chord which bears S39°23'01"W a distance of 40.85 feet; thence continuing approximately 5 feet behind said Westerly back of curb of Nelson Drive thence on a curve to the right with a radius of 422.75 feet, a distance of 94.89 feet, said curve having a long chord which bears S39°22'35"W a distance of 94.69 feet; thence S45°19'00"W along a line running approximately 5 feet behind said Westerly back of curb of Nelson Drive, a distance of 306.20 feet; thence continuing approximately 5 feet behind said Westerly back of curb of Nelson Drive thence on a curve to the left with a radius of 487.78 feet, a distance of 48.89 feet, said curve having a long chord which bears S42°26'44"W a distance of 48.87 feet; thence N49°00'10"W a distance of 36.42 feet to a point on a line that is approximately 10 feet distant from the fence surrounding Ft. Crook Cemetery; thence N03°11'05"W along a line running approximately 10 feet outside said fence surrounding Ft. Crook Cemetery, a distance of 248.20 feet to a point on a line that is 10 feet distant from the fence surrounding Ft. Crook Cemetery; thence S86°56'31"W along a line running approximately 10 feet outside said fence surrounding Ft. Crook Cemetery, a distance of 243.30 to a point on a line that is 10 feet distant from the fence surrounding Ft. Crook Cemetery; thence S03°09'57"E along a line running approximately 10 feet outside said fence surrounding Ft. Crook Cemetery, a distance of 249.31 feet to a point on a line that is 10 feet distant from the fence surrounding Ft. Crook Cemetery; thence N86°44'32"E along a line running approximately 10 feet outside said fence surrounding Ft. Crook Cemetery, a distance of 62.35 feet; thence S56°52'24"E a distance of 140.07 feet to a point on a line running approximately 12 feet behind said Westerly back of curb of Nelson Drive; thence S35°25'50"W along a line running approximately 12 feet behind said Westerly back of curb of Nelson Drive, a distance of 1049.71 feet; thence on a curve to the right with a radius of 35.00 feet, a distance of 54.97 feet, said curve having a long chord which bears S80°25'35"W a distance of 49.49 feet to a point on a line that is approximately 12 feet behind the Northerly back of curb of Bergquist Drive; thence N54°34'16"W along a line running approximately 12 feet behind said Northerly back of curb of Bergquist Drive, a distance of 533.85 feet; thence continuing approximately 12 feet behind said Northerly back of curb of Bergquist Drive on a curve to the left with a radius of 118.00 feet, a distance of 185.55 feet, said curve having a long chord which bears S80°22'55"W a distance of 167.01 feet; thence S35°20'06"W along a line running approximately 12 feet behind said Northerly back of curb of Bergquist Drive, a distance of 179.94 feet; thence on a curve to the right with a radius of 25.00 feet, a distance of 39.72 feet, said curve having a long chord which bears S80°51'22"W, a distance of 35.68 feet to a point on a line that is approximately 12 feet behind the Northerly back of curb of Nelson Drive; thence N53°37'21"W, a distance of 475.94 feet; thence N36°35'18"E, a distance of 92.23 feet; thence N53°28'37"W, a distance of 169.70 feet; thence N01°16'20"W, a distance of 269.71 feet; thence N88°43'40"E, a distance of 122.85 feet; to a point on the line of a fence surrounding a water-tank farm; thence along the line of said fence surrounding a water tank farm for the following courses: S43°57'35"E, a distance of 168.98 feet; thence N87°04'07"E, a distance of 146.61 feet; thence N02°22'50"W, a distance of 47.27 feet; thence N87°02'02"E, a distance of 79.90 feet; thence N03°12'28"W, a distance of 236.53 feet; thence N45°04'58"W, a distance of 155.15 feet; thence N87°02'42"W, a distance of 59.46 feet; thence S05°08'22"E, a distance of 56.76 feet; thence S84°43'59"W, a distance of

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36.70 feet; thence S04°55'56"E, a distance of 14.07 feet; thence S85°07'05"W, a distance of 62.61 feet; thence N03°56'52"W, a distance of 54.56 feet; thence S56°07'51"W, a distance of 46.99 feet; thence N03°05'52"W, on a line 13.5 feet distant Easterly from the East back of curb of Airman Drive, a distance of 601.29 feet to a point on a line running approximately 13.5 feet behind the Southerly edge of a gravel access road to Building 405; thence N71°09'59"E, along a line approximately 13.5 feet behind said Southerly edge of a gravel access road to Building 405, a distance of 29.69 feet; thence continuing approximately 13.5 feet behind said Southerly edge of a gravel access road to Building 405 on a curve to the left with a radius of 113.51 feet, a distance of 147.61 feet, said curve having a long chord which bears N33°54'45"E, a distance of 137.43 feet to a point on a line that is approximately 13.5 feet behind the East edge of said gravel access road to Building 405, thence N03°20'30"W, along a line running approximately 13.5 feet behind said East edge of a gravel access road to Building 405, a distance of 285.31 feet to a point on the line of a fence surrounding Building 405; thence S70°37'37"E along said line of a fence surrounding Building 405, a distance of 69.53 feet; thence N19°43'48"E along said line of a fence surrounding Building 405 and the extension thereof, a distance of 230.65 feet to the Point of Beginning.

Said tract of land contains an area of 3,667,479 square feet or 84.194 acres, more or less.

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6/7/01

E&A Consulting Group, Inc.

12001 "Q" Street

Omaha, NE 68137

2009-02618 F

Exhibit B

AS-BUILT DRAWING - PARCEL "A"