



MISC 2003161465

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBRASKA



AUG 26 2003 12:25 P 3

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 SKP 32.16110 C/O \_\_\_\_\_ COMP \_\_\_\_\_  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

T- 16 N | LEGAL - Easements ( )  
 R- 10 E | Douglas County  
 S - 32 | Nebraska State

**PARTIAL RELEASE**

THIS PARTIAL RELEASE, made and entered into this 18<sup>th</sup> day of Aug. 2003, by and between Aquila, Inc., a Delaware corporation, "GRANTOR", and Bernard V. Behrendt Trust of 2000 and Eleanor M. Behrendt Trust of 2000, "GRANTEE", and/or their successors and assigns.

After recording mail to: Bruce P. Reed 700-2  
 Aquila, Inc.  
 P.O. BOX 11739  
 Kansas City, MO. 64138

**PARTIAL RELEASE**

WHEREAS, heretofore, Aquila, Inc., formerly Peoples Natural Gas Company, a corporation ("Aquila"), was granted certain easement rights along, over and across certain parcels of land in Douglas County, Nebraska by an Agreement dated March 23, 1946; Recorded in Book 212 at page 67, at the office of the Register of Deeds for Douglas County, Nebraska.

WHEREAS, Grantor no longer requires all of the land covered by said Easement Conveyance for its poles, wires and other facilities, but requires only a portion of such land.

NOW, THEREFORE, In consideration of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged on August 5, 2003, Aquila, Inc. hereby RELEASES AND DISCLAIMS all its rights heretofore granted under and by virtue of this Easements aforesaid ONLY insofar as they affect:

That part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 32, Township 16 N Range 10 E, Douglas County, Nebraska lying Northeasterly of U.S. Highway No. 275 as now established.

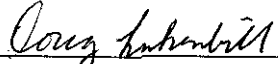
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Excepting therefrom Aquila expressly reserves and retains an easement over a 20.00 foot wide strip of land located in the West half of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter, all in Section 32, Township 16 North, Range 10 East of the sixth P.M., Douglas County, Nebraska, being described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 32; Thence N 90° 00'00" E (assumed bearing) on the South line of said Southeast Quarter, a distance of 156.89 feet to a point on the East Right-of-Way line of U.S. highway No. 275, this being the True Point of Beginning; thence Northwesterly on said East Right-of-Way as follows, N 35° 48' 22" W 267.52 feet, N 33° 44' 50" W 822.73 feet, N 25°13' 50" W 250.33 feet, N 08° 02' 12" 198.03 feet to the Southwest corner of Legacy Valley, a subdivision platted in the Northeast Quarter of the Southwest Quarter of said Section 32; Thence S 89° 59' 43" E of the South line of Legacy Valley, a distance of 20.20 feet to a point being 20.00 feet Easterly of said East Right-of-Way line as measured at right angles; thence Southeasterly 20.00 feet from and parallel with said East Right-of-Way line as follows, S 08°02' 12" E 192.18 feet, S 25°13' 50" E 245.82 feet, S 33° 44'50" E 820.88 feet, S 35°48, 22" E 281.59 feet to appoint on the South line of said Southeast Quarter; thence N 90° 00' 00" W on said South line, a distance of 24.66 feet to the True Point of Beginning.

And with respect to all other lands covered by said Easement Conveyance, Missouri Public Service hereby expressly RESERVES AND RETAINS all its said easement rights heretofore granted under and by virtue of the Easement Conveyance aforesaid.

This Disclaimer shall be null and void if not recorded in the above designated office within sixty (60) days of the date of the acknowledgment of this instrument.

**Aquila, Inc.**

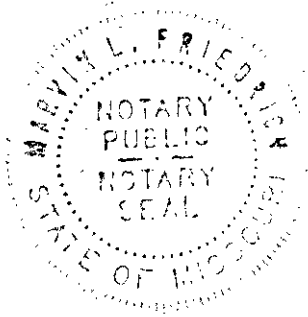
By   
**Douglas A. Lukenbill**  
Supervisor, Engineering – Missouri Electric

**ACKNOWLEDGMENT - CORPORATION**

STATE OF MISSOURI     )  
  ) SS  
COUNTY OF JACKSON    )

On this 18<sup>th</sup> day of August, 2003 before me appeared **Douglas A. Lukenbill**, to me personally known, who, being by me duly sworn, did say that he is the Supervisor, Engineering – Missouri Electric of Aquila, Inc. a Delaware Corporation and that he was authorized to execute said instrument in behalf of said corporation and the said **Douglas A. Lukenbill** acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.



*Marvin L. Friedrich*

\_\_\_\_\_  
Marvin L. Friedrich  
Notary Public in and for said County and State

My Commission Expires; March 10, 2007