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2009 APR 15 A 9: 12 B

VERIFY

EASEMENT FOR GAS LINES AND APPURTENANCES

THIS EASEMENT, made and entered into this 14th day of the day, 2009, by and between Duane J. Dowd, and Grand Prix, Inc, a Nebraska Corporation, collectively referred to herein as "GRANTOR", and Black Hills/Nebraska Gas Utility Company, LLC, a Delaware limited liability company, d/b/a Black Hills Energy "GRANTEE".

After recording mail to: Black Hills Energy

1815 Capitol Avenue Omaha, NE 68102 Attn: Sandy Hough

KNOW ALL MEN BY THESE PRESENTS: That the "GRANTOR", in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee, its lessees, licensees, successors and assigns, the right, privilege and perpetual easement to enter upon the lands of Grantor to survey, construct, operate, patrol, inspect, maintain, alter, add pipes, repair, rebuild and remove, under said lands and in and upon all streets, roadways or highways abutting said lands, now or at any future time, lines for the transmission and distribution of gas and all appurtenances and appliances necessary in connection therewith, together with the right of ingress and egress to and from the said lines of Grantee on the lands of Grantor so that Grantee may go to and from said lines from the public roads adjacent to Grantor's lands, which said lands of Grantor, situate in the County of Sarpy, in the State of Nebraska further described on Exhibit A attached hereto and incorporated herein by this reference.

Grantee may erect and use gates in all fences which cross or which shall hereinafter cross the route of said lines. Grantee is given the right to trim, cut and clear away any trees, limbs and brush on or adjacent to the above described easement whenever, in its judgment, such will interfere with or endanger the construction, operation or maintenance of said lines. In exercising its rights of ingress and egress Grantee shall, whenever practicable, use existing roads or lanes and shall repair any damage caused thereby.

It is the intention of the parties hereto that Grantor is hereby conveying the uses herein specified without divesting himself, his heirs or assigns, of the right to cultivate, use and enjoy the above described premises: PROVIDED, however, such use shall not, in the judgment of said Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no building shall be constructed on the easement without written

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permission from Grantee. In addition, the granting of any subsequent easements to third parties that either cross Grantee's gas lines or are situated within five feet of Grantee's gas lines shall require written permission from Grantee.

In the event that Grantee's lines for the transmission and distribution of gas located on the property at Station Nos. 42.00 to 44.00, or any appurtenances thereto, are located less than five (5) feet from the existing surface grade, or the future surface grade as shown on attached Exhibit "C", and it becomes necessary or required to move all or a portion of any such lines or appurtenances to a lower depth (to maintain a minimum legal distance between the top of the line or appurtenance and the existing surface grade or the future surface grade, as referenced above), for any reason, then Grantee shall be solely responsible for moving such lines and/or appurtenances and Grantee shall be responsible for any and all costs associated therewith, provided that in the event a "third party" requests such relocation then such third party shall be responsible for all costs and expenses associated with such relocation, provided further that for the purposes of this provision neither Grantor nor Grantor's successors in interest shall be deemed to be a "third party".

Title to said lines shall be and remain in said Grantee.

TO HAVE AND TO HOLD said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances, and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensees, successors or assigns forever. This easement shall run with the land and shall be binding upon Grantor and Grantor's heirs, personal representatives, successors and assigns. Grantor hereby covenants that Grantor is the owner(s) of the above-described land, subject to existing liens and right-of-way easement of record.

IN WITNESS WHEREOF, the said GRANTOR has executed this easement the day and year first above written.

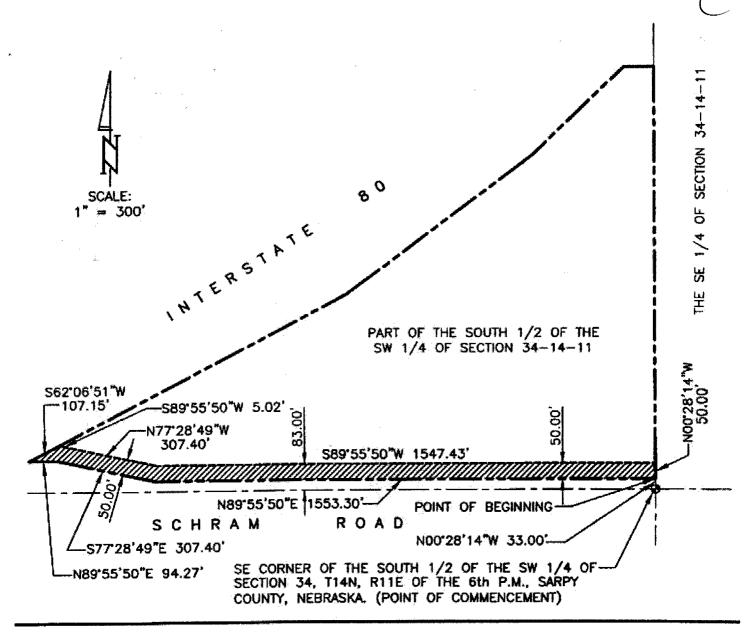
Duane J. Dewd

Grand Prix Inc.

Its.

STATE OF NEBRASKA)	
COUNTY OF DOUGLAS) ss:	
On this 14 day of APRIL, DURNOE J. DOWN, to me personal satisfactory evidence to be the person whose n and acknowledged to me that he executed the satisfactory	ame is subscribed to the foregoing instrument
IN TESTIMONY WHEREOF I have hereunto office in said county and state the day and year	
	lephon Do Tunden
	Print Name ()
GENERAL NOTADY-Class Control Marchael JEFFREY B F ARLAH GRUM My Comm. C. J. J. 23, 2011	Notary Public in and for said County and State
My commission expires 7/3///	
STATE OF NEBRASKA)	
COUNTY OF DUGGES) ss:	
On this 4th day of April, 2009,	before me personally appeared
DUPLES Dow D, to me personally know	1 7 11
did say that he is the PRISITORN corporation, and that said instrument was signed	of Grand Prix, Inc., a Nebraska
IN TESTIMONY WHEREOF I have hereunto office in said county and state the day and year	•
onice in such country and state are any and year	
	CLA R.
GENERAL NOTARY-State of Nebraska JEFFREY B. FARNHAM My Comm. Exp. July 23, 2011	Print Name Notary Public in and for said County and State
My commission expires $7/3/1$	
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This easement is not valid without attached Exhibit C (5 sheets), the proposed location and depth of the gas line and the grant of the easement is dependent upon boring and burying the gas line to the proposed minimum depth or greater.



LEGAL DESCRIPTION

THAT PART OF THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 34, T14N, R11E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE NOO'28'14"W (ASSUMED BEARING) 33.00 FEET ON THE EAST LINE OF SAID SOUTH 1/2 TO THE NORTH LINE OF SCHRAM ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING NOO'28'14"W 50.00 FEET ON THE EAST LINE OF SAID SOUTH 1/2; THENCE S89'55'50"W 1547.43 FEET ON A LINE 83.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH 1/2; THENCE N77'28'49"W 307.40 FEET ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH AN EAST LINE OF INTERSTATE 80; THENCE S89'55'50"W 5.02 FEET ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH AN EAST LINE OF INTERSTATE 80 TO AN EAST LINE OF INTERSTATE 80; THENCE S62'06'51"W 107.15 FEET ON AN EAST LINE OF INTERSTATE 80; THENCE S77'28'49"E 307.40 FEET ON AN EAST LINE OF INTERSTATE 80 TO THE NORTH LINE OF SCHRAM ROAD; THENCE N89'55'50"E 1553.30 FEET ON THE NORTH LINE OF SCHRAM ROAD AND ON A LINE 33.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH 1/2 TO THE POINT OF BEGINNING.

CONTAINING 2.19 ACRES MORE OR LESS.

EXHIBIT A

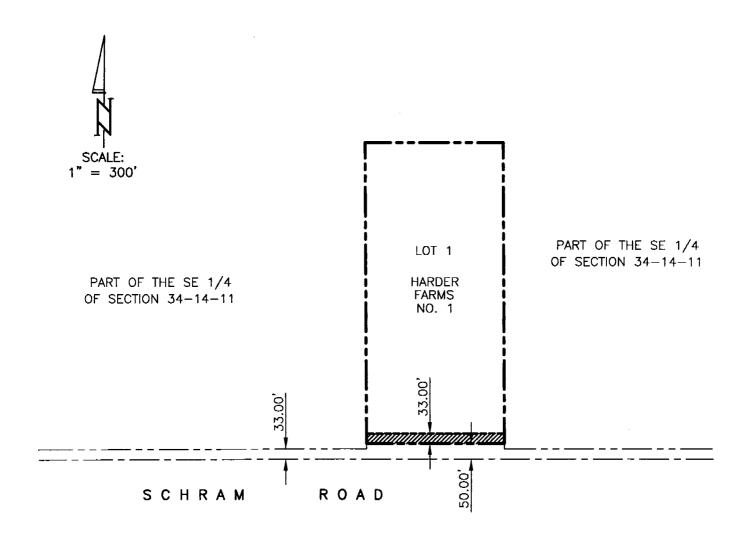
AQUILA

TD2 FILE NO.: 1434-133-1 (EX1)

DATE: JULY 10, 2008 REVISED: 07/24/2008

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860





LEGAL DESCRIPTION

THE SOUTH 33.00 FEET OF LOT 1, HARDER FARMS NO. 1, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.

CONTAINING 0.34 ACRES MORE OR LESS.

EXHIBIT A

AQUILA

TD2 FILE NO.: 1434-133-1 (EX3)

DATE: JULY 10, 2008

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

BLACK HILLS ENERGY COVER SHEET SCHRAM ROAD GAS MAIN

BLACK HILLS ENERGY SCHRAM ROAD GAS MAIN

VICINITY MAP



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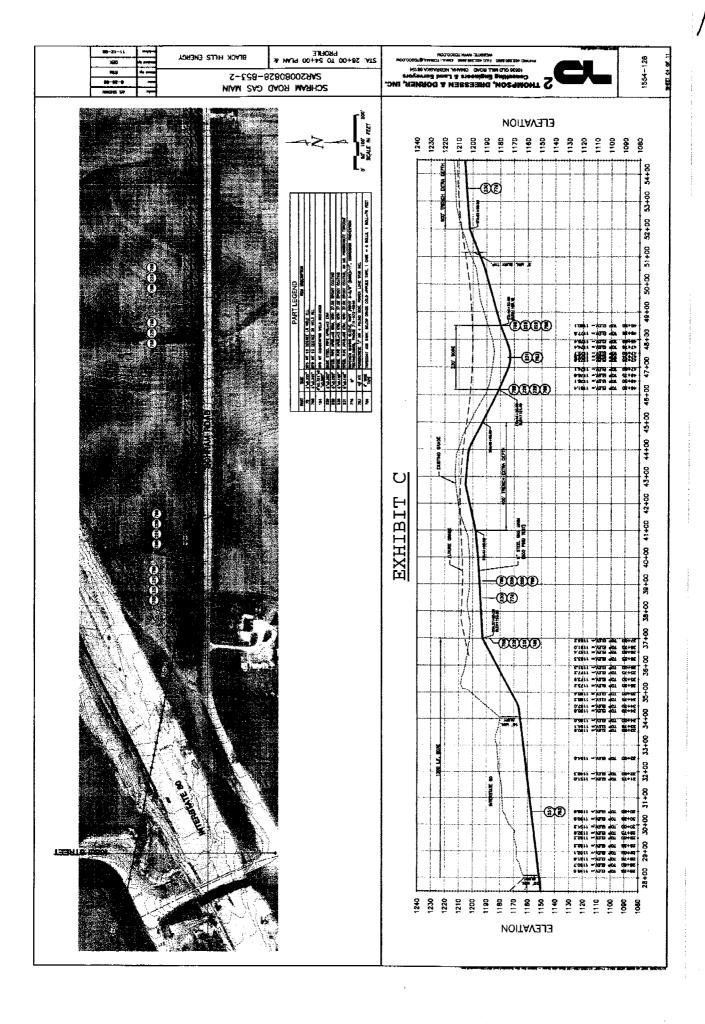
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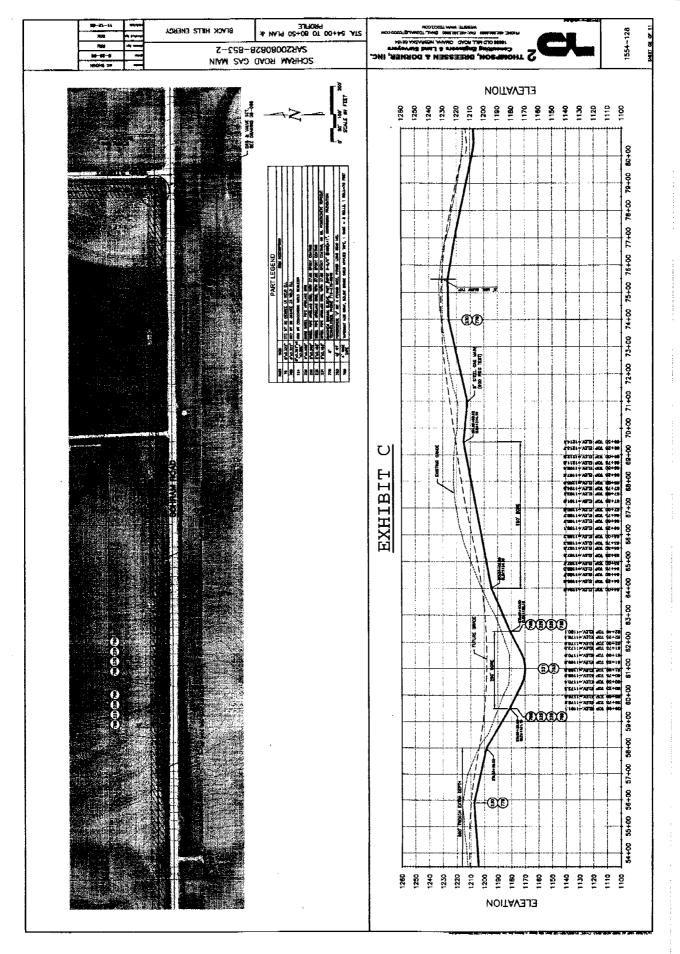


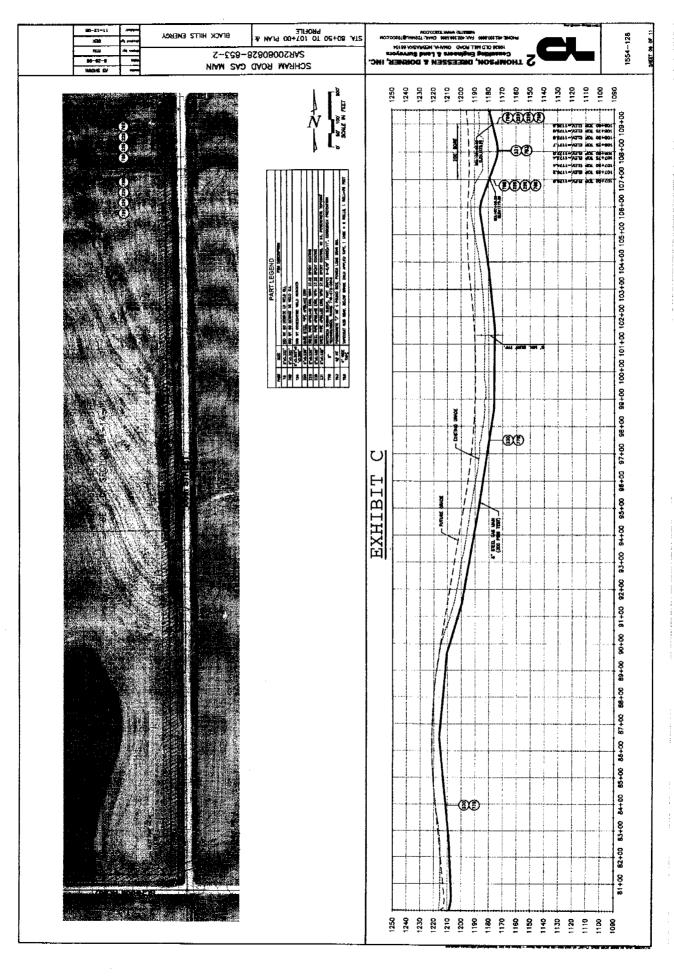
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EXHIBIT

CALL REFORE YOU DIG







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