

TRACT INDEX ✓ 16
COMPUTER _____
COMPARED _____
PAGED _____

State of Nebraska Gage County ss. Entered
Numerical Index and filed for record the
16 day of Feb, 2016
at 02:44 o'clock PM, and recorded as
INSTRUMENT NO. **2016-00545**

11-6-5
10-5-5
21-6-5
3-5-5
8-5-6
11-5-5

Oliver S. Munday

Register of Deeds

Pages 12 By JN
Recording Fees \$76.00
Totals Fees \$76.00

After Recording Return To:
Volkswind USA Inc.
205 SE Spokane Street, Suite 300
Portland, OR 97202
(503) 236 4900

FIRST AMENDMENT EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO EASEMENT AGREEMENT ("Amendment") dated January 13, 2016 is made and entered into by and among BEVERLY J. HOLSING, Trustee of the Melvin H. Holsing Trust ~~under agreement dated the 24th of June, 1985~~ ^{RESIDUARY TRUST B (SAD)} and BEVERLY J. HOLSING, Trustee of the Beverly J. Holsing Trust dated the 24th of June, 1985 (collectively "Grantor"), and VOLKSWIND NEBRASKA LAND HOLDINGS LLC, a Nebraska limited liability company ("Grantee").

RECITALS:

- A. Grantor and Grantee are parties to that certain Easement Agreement dated May 13, 2013 (the "Agreement"), as recorded May 28, 2013 as Instrument No. 2013-1840 in the office of the Gage County, Nebraska Register of Deeds, concerning the real property, consisting of approximately 149.90 acres legally described in Exhibit "A" attached hereto and incorporated by reference herein (the "Original Property").
- B. The parties desire to amend the Agreement as set forth herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing Recitals, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the parties agree as follows:

1. Additional Property. From and after January 13, 2016 (the "Effective Date"), the Property shall be deemed to include all of the real estate consisting of 149.9 acres, as to Parcel 1, 162 acres, as to Parcel 2, 39 acres, as to Parcel 3, 68 acres, as to Parcel 4, and 161 acres, as to Parcel 5, 121 acres as to Parcel 6, 40 acres as to Parcel 7, 81 acres as to Parcel 8, 81 acres as to Parcel 9, 239 acres as to Parcel 10, as legally described in Exhibit "B" attached hereto and incorporated by reference herein.

2. Amendment of Site Plan. From and after the Effective Date, the Site Plan attached as Exhibit "B" to the Agreement is hereby deleted in its entirety, and the Site Plan attached hereto as Exhibit "C" is hereby substituted in its place.

3. Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original document, and all of which together shall constitute a single instrument.

4. Ratification/Interpretation/Defined Terms. Except as amended by this Amendment, the Agreement is hereby ratified and affirmed by the parties. In the event of any conflict between the terms and conditions of the Agreement and this Amendment, the terms of this Amendment shall control. The parties hereto acknowledge and agree that the intent and purpose of this Amendment shall be considered and given full effect in any interpretation of the Agreement, and to this end, the Agreement is hereby modified accordingly. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first written above.

GRANTOR:

Beverly J. Holsing Trustee
Beverly J. Holsing, Trustee of the Melvin
H. Holsing Trust dated June 24, 1985 (JAW)
RESIDUARY TRUST B

Beverly J. Holsing Trustee
Beverly J. Holsing, Trustee, Beverly J.
Holsing Trust dated June 24, 1985

GRANTEE:

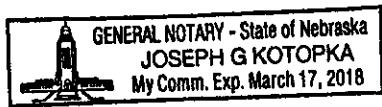
VOLKSWIND NEBRASKA LAND
HOLDINGS LLC, a Nebraska limited
liability company

By: Volkswind USA Inc., a Delaware
corporation, Managing Member

By: Jeffrey Wagner
Jeffrey Wagner, President

STATE OF NEBRASKA)
COUNTY OF Lincoln) ss.

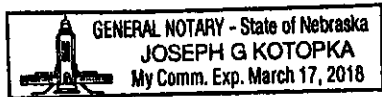
The foregoing instrument was acknowledged before me on this 9 day of December, 2015 by Beverly J. Holsing, Trustee of the Melvin H. Holsing ~~Trust under~~ agreement dated the 24th of June, 1985, on behalf of the trust. RESIDUARY TRUST B (JAW)



Joseph G. Kotopka
NOTARY PUBLIC

STATE OF NEBRASKA)
COUNTY OF Lincoln) ss.

The foregoing instrument was acknowledged before me on this 9 day of December, 2015 by Beverly J. Holsing, Trustee of the Beverly J. Holsing Trust under agreement dated the 24th of June, 1985, on behalf of the trust.



Joseph G. Kotopka
NOTARY PUBLIC

STATE OF OREGON, MULTNOMAH COUNTY, ss.

²⁰¹⁶ This instrument was acknowledged before me on this 13 day of January, 2015, by Jeffrey Wagner, as the President of Volkswind USA Inc., a Delaware corporation, as the Managing Member of Volkswind Nebraska Land Holdings LLC, a Nebraska limited liability company, and was signed on behalf of said company by authority of its managers and Jeffrey Wagner acknowledged the execution of this instrument to be the voluntary act and deed of the company by it voluntarily executed.



Dina Margaret Reed
NOTARY PUBLIC

STATE OF OREGON, MULTNOMAH COUNTY, ss.

~~2015~~ ²⁰¹⁶ This instrument was acknowledged before me on this 13 day of January, by Jeffrey Wagner, as the President of Volkswind USA Inc., a Delaware corporation, as the Managing Member of Volkswind Nebraska Land Holdings LLC, a Nebraska limited liability company, and was signed on behalf of said company by authority of its managers and Jeffrey Wagner acknowledged the execution of this instrument to be the voluntary act and deed of the company by it voluntarily executed.



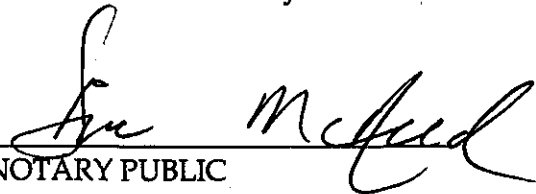

NOTARY PUBLIC

EXHIBIT "A"

Legal Description Original Property

Parcel 1

The Southeast Quarter of Section 11, Township 6 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

EXCEPT a tract of land described as follows:

Corner

Commencing at the Southeast ~~Corner~~ of said Southeast Quarter;

Thence North 90 degrees 00 minutes 00 seconds West (Assumed Bearing) on the South line of said Southeast Quarter, a distance of 900.0 feet to the point of beginning;

Thence continuing North 90 degrees 00 ' 00 seconds West on said South line, a distance of 800.0 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 550.0 feet;

Thence South 90 degrees 00 minutes 00 seconds East parallel with the South line of said Southeast Quarter, a distance of 800.0 feet;

Thence South 00 degrees 00 minutes 00 seconds West, a distance of 550.0 feet to the point of beginning.

EXHIBIT "B"

Legal Description Property

Parcel 1:

The Southeast Quarter of Section 11, Township 6 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

EXCEPT a tract of land described as follows:

Commencing at the Southeast ^{Corner}~~Corner~~ of said Southeast Quarter;

Thence North 90 degrees 00 minutes 00 seconds West (Assumed Bearing) on the South line of said Southeast Quarter, a distance of 900.0 feet to the point of beginning;

Thence continuing North 90 degrees 00 ' 00 seconds West on said South line, a distance of 800.0 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 550.0 feet;

Thence South 90 degrees 00 minutes 00 seconds East parallel with the South line of said Southeast Quarter, a distance of 800.0 feet;

Thence South 00 degrees 00 minutes 00 seconds West, a distance of 550.0 feet to the point of beginning.

Parcel 2:

The Northeast Quarter of Section 10, Township 5 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 3:

The Northwest Quarter of the Southeast Quarter of Section 10, Township 5 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 4:

That part of the East Half of the Northwest Quarter lying South and East of the Right of Way of the Chicago-Rock Island and Pacific Railroad Company, all in Section 27, Township 6 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska. EXCEPT the Southeast Quarter of said Northwest Quarter.

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Parcel 5:

The Southeast Quarter of Section 27, Township 6 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 6:

The West Half of the Southeast Quarter AND the Northeast Quarter of the Southwest Quarter of Section 3, Township 5 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 7:

The Northwest Quarter of the Southwest Quarter of Section 3, Township 5 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 8:

The East Half of the Northwest Quarter of Section 8, Township 5 North, Range 6 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 9:

The West Half of the Northwest Quarter of Section 8, Township 5 North, Range 6 East of the 6th Principal Meridian, Gage County, Nebraska.

Parcel 10:

The Northeast Quarter AND the East Half of the Northwest Quarter of Section 11, Township 5 North, Range 5 East of the 6th Principal Meridian, Gage County, Nebraska.

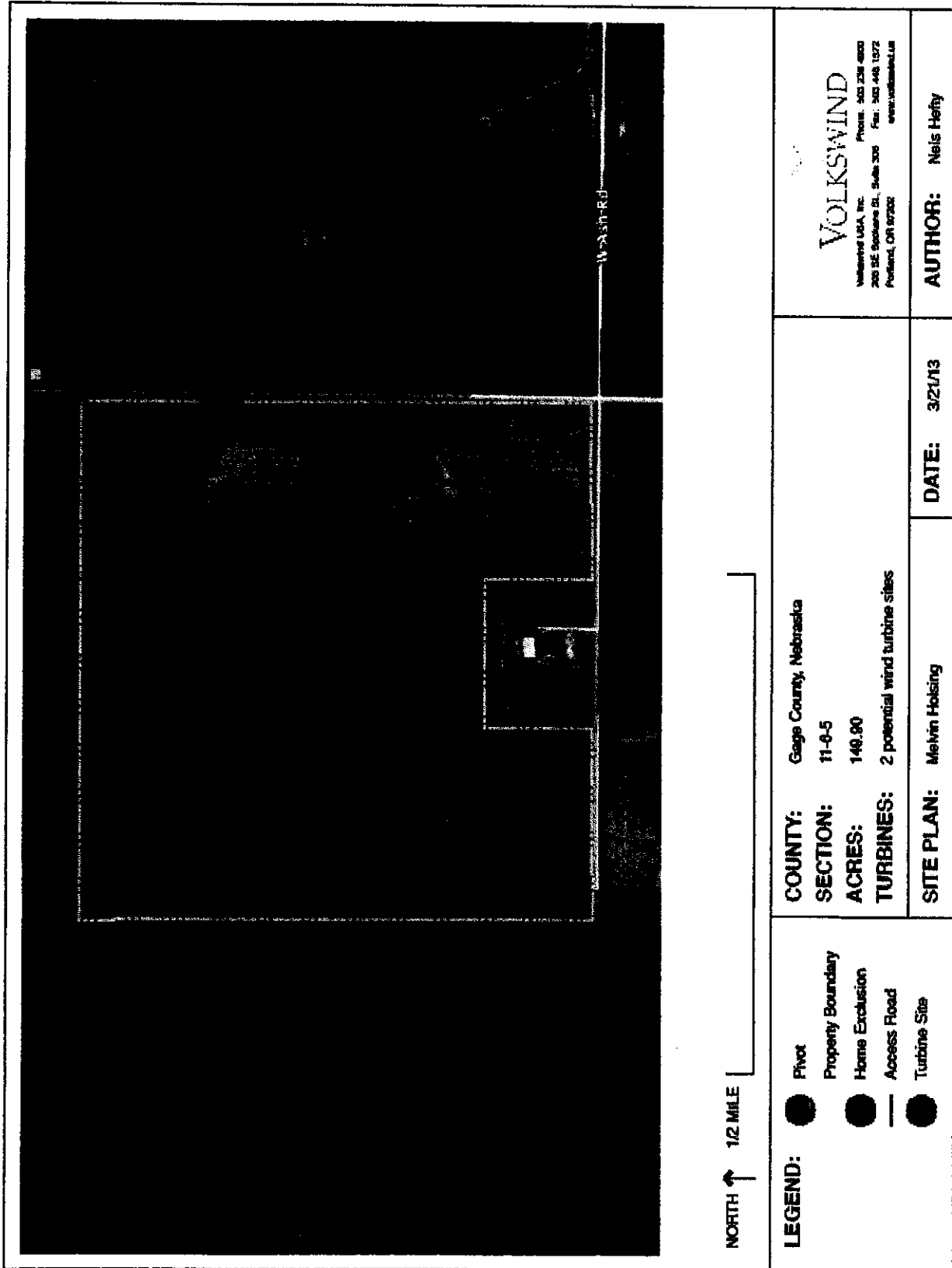
EXCEPT that portion of the deeded for church purposes more particularly described as:
Commencing at the Southeast corner of Northeast Quarter of said Northeast Quarter;
Thence 22 rods North;
Thence 22 rods West;
Thence 22 rods South;
Thence 22 rods East to the place of beginning.

EXHIBIT "C"

Site Plan

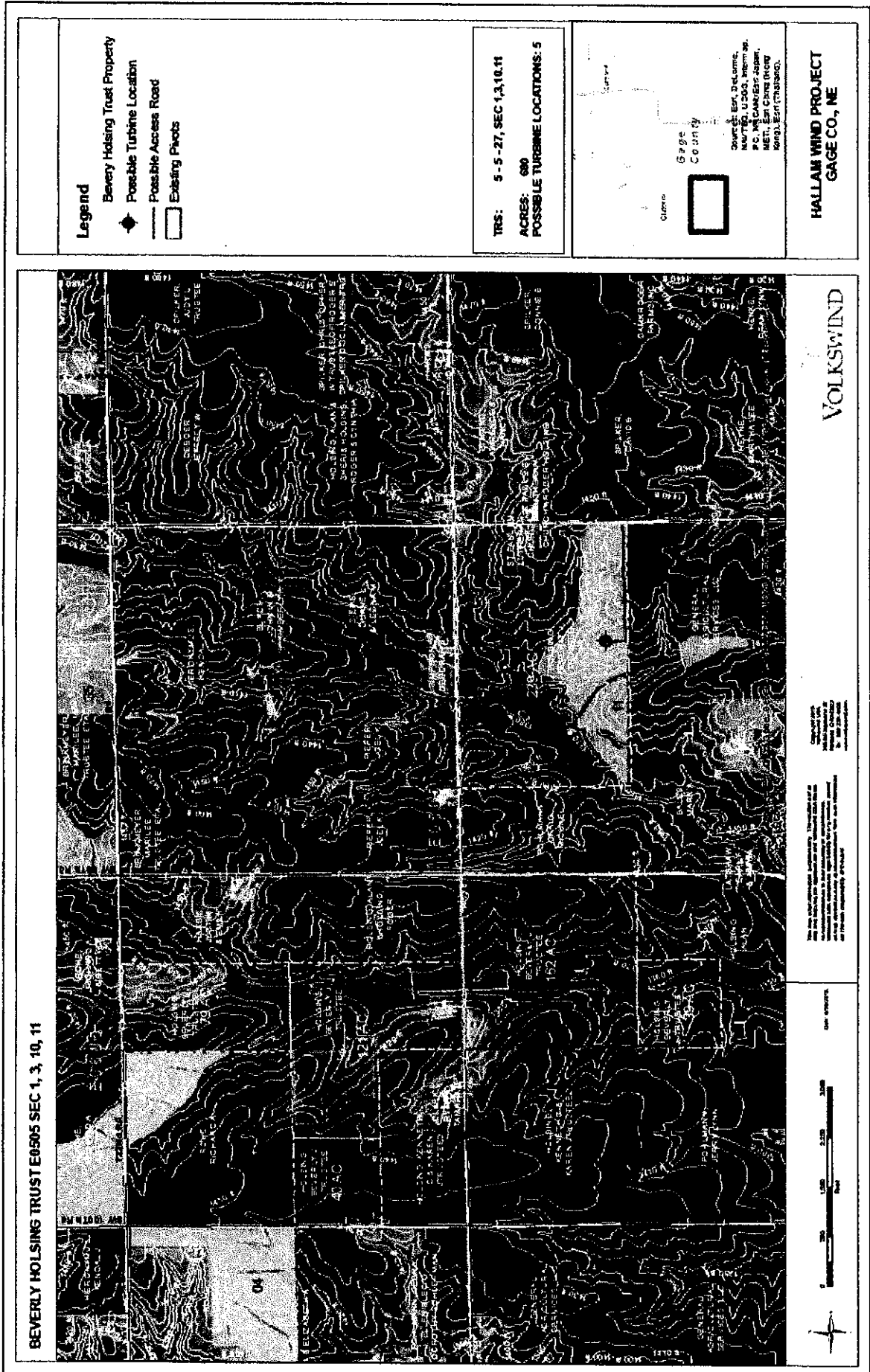
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RECORDER'S MEMO: LEGIBILITY OF
 WRITING, TYPING OR PRINTING
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 IN THIS DOCUMENT WHEN RECEIVED



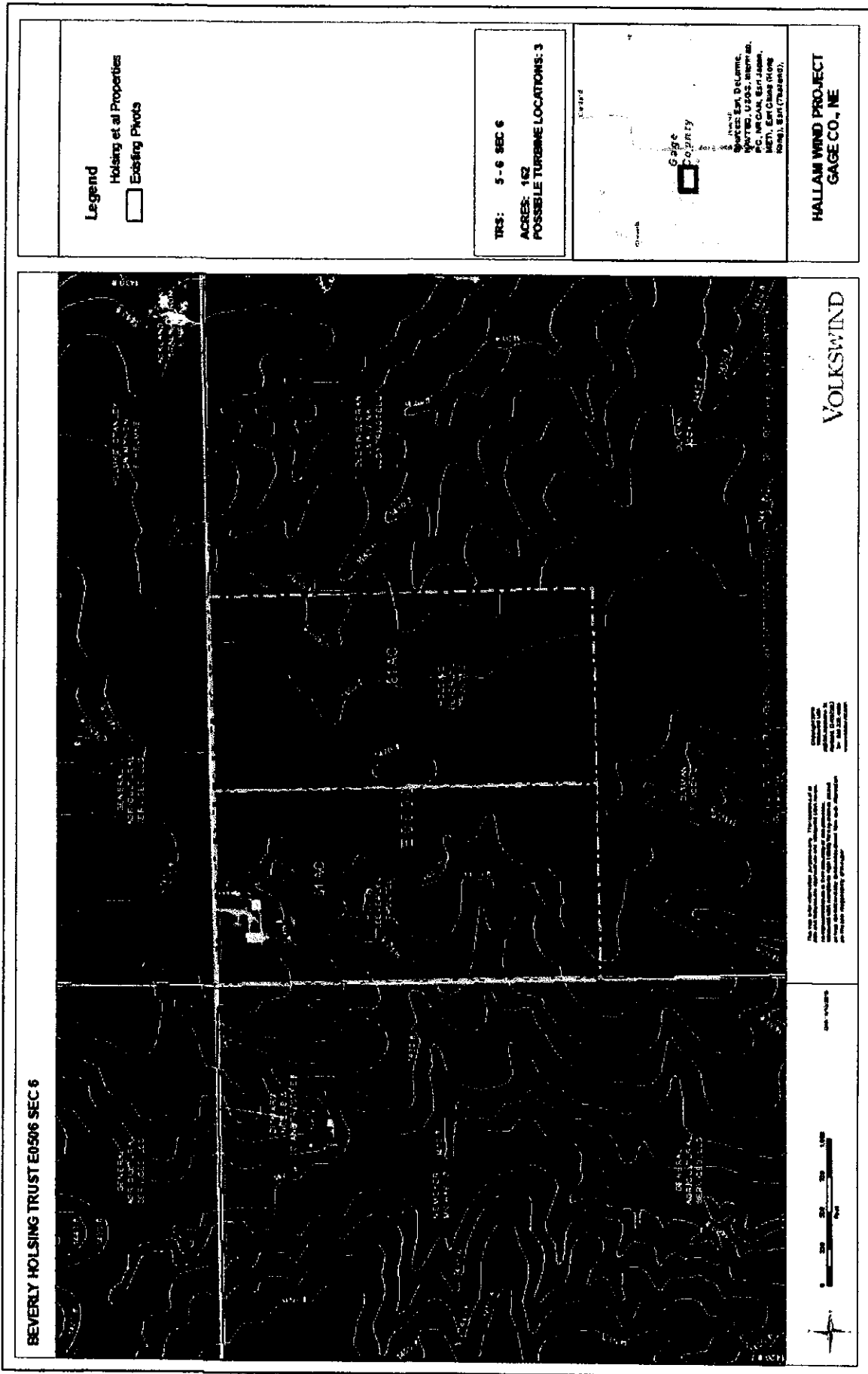
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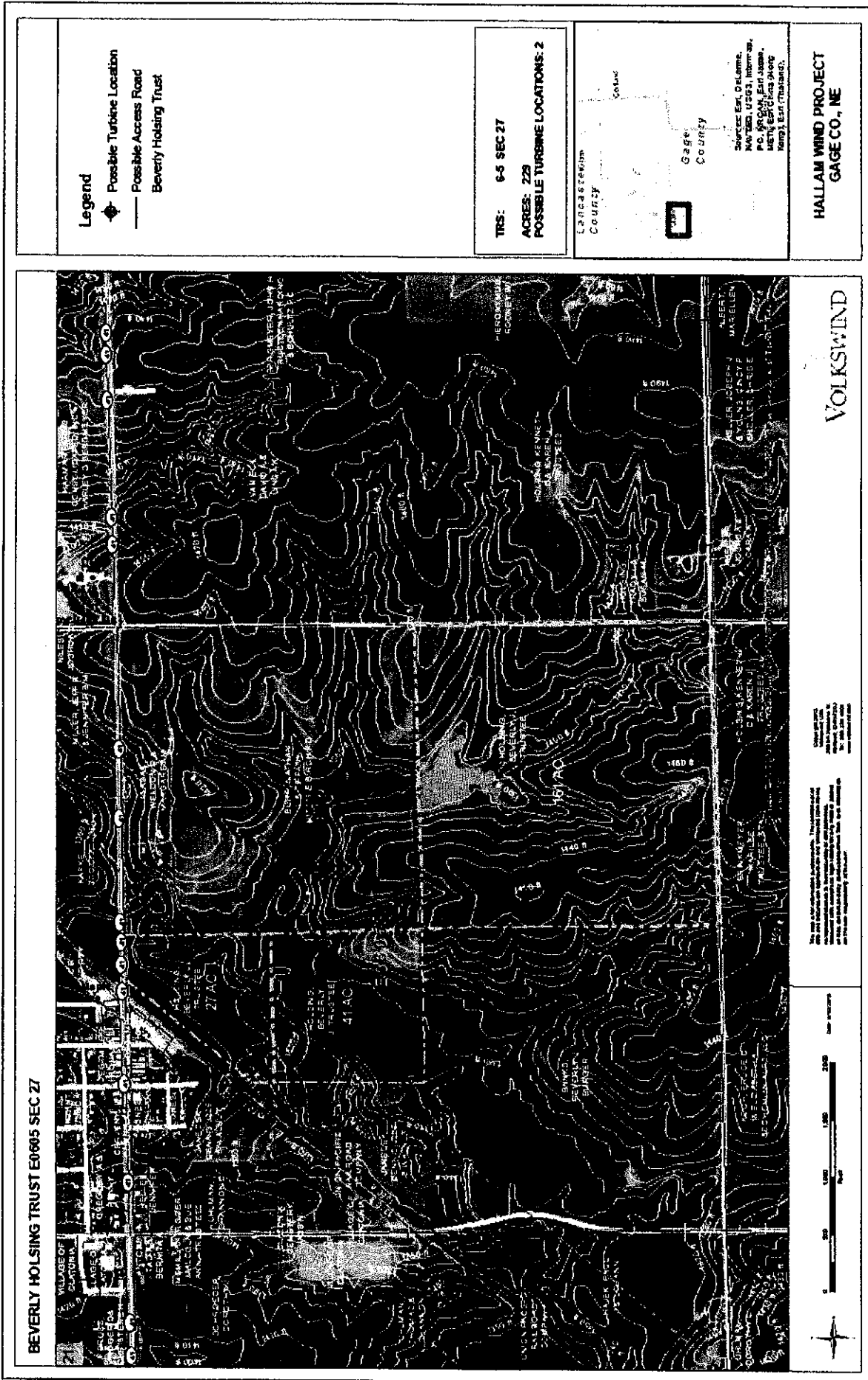
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Legend

- ◆ Possible Turbine Location
- Possible Access Road
- Beverly Holding Trust

TRS: 6-5 SEC 27
 ACRES: 229
 POSSIBLE TURBINE LOCATIONS: 2

LARSON 264610m
 COUNTY
 Gage
 COUNTY
 NEB
 Gage, Nebraska
 HALLAM WIND PROJECT
 GAGE CO., NE

VOLKSWIND

INSTRUMENT NO. 2016-00545