

Jack Boyer Kirkham Michael
9110 West Dodge Rd
Omaha, Ne, 68127

R.O.W. # 19472

U S WEST COMMUNICATIONS, INC.
-EASEMENT-
(BURIED AND UNDERGROUND FACILITIES)

THE UNDERSIDNGED OWNER(S) OF AN INTEREST IN THE REAL ESTATE DESCRIBED BELOW (HEREINAFTER CALLED "OWNER") HEREBY GRANT(S) AND CONVEY(S) TO U S WEST COMMUNICATIONS, INC., A COLORADO CORPORATION, ITS ASSOCIATED AND ALLIED COMPANIES, ITS AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS, LESSEES AND AGENTS (HEREINAFTER CALLED "COMPANY"), IN CONSIDERATION OF THE SUM OF FOUR HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$425.00) RECEIVED FROM THE COMPANY AND OF THE AGREEMENTS STATED BELOW, A RIGHT-OF-WAY AND EASEMENT TO INSTALL, CONSTRUCT, OPERATE, MAINTAIN, REPLACE, AND REMOVE SUCH COMMUNICATIONS SYSTEMS AS THE COMPANY MAY FROM TIME TO TIME REQUIRE. SAID COMMUNICATIONS SYSTEMS MAY CONSIST OF, BURIED CABLES, CONDUIT, AND MANHOLES WHICH WILL BE INSTALLED, MAINTAINED, REINFORCED, OR REMOVED AS THE COMPANY MAY DEEM NECESSARY FOR THE PURPOSE OF EXERCISING THE RIGHTS HEREIN GRANTED, INCLUDING RIGHTS OF INGRESS AND EGRESS, UPON, UNDER, ACROSS, OVER AND THROUGH THE FOLLOWING DESCRIBED REAL ESTATE LOCATED IN THE COUNTY OF DOUGLAS, STATE OF NEBRASKA.
MORE SPECIFICALLY DESCRIBED AS:

See Attached Exhibit "A".

THE COMPANY AGREES TO INSTALL ALL FACILITIES DESIGNED FOR UNDERGROUND INSTALLATION AT SUFFICIENT DEPTH SO AS TO NOT INTERFERE WITH OWNER'S PRESENT NORMAL USAGE OF THE LAND, AND TO PAY FOR ALL DAMAGE TO OWNER'S PROPERTY ARISING FROM THE COMPANY'S EXERCISE OF THE RIGHTS HEREIN GRANTED.

OWNER AND OWNER'S BUILDING TENANTS ARE GUARANTEED ACCESS TO THE COMMUNICATIONS FACILITIES TO BE CONSTRUCTED ON THIS EASEMENT AT A LOCATION SPECIFIED BY U S WEST. THE COST OF CONSTRUCTING THE PRIVATE SERVICE TO THE NEW FACILITIES WILL BE BORNE BY THE OWNER.

IF U S WEST ABANDONS USE OF THE COMMUNICATIONS FACILITIES WITHIN THIS EASEMENT, THIS EASEMENT AGREEMENT SHALL TERMINATE AND BE NULL AND VOID.

THIS EASEMENT IS NON-EXCLUSIVE TO U S WEST COMMUNICATIONS, INC. IT BEING UNDERSTOOD THAT OTHER PARTIES MAY ALSO BE GRANTED THE RIGHT TO INSTALL UNDERGROUND FACILITIES OVER, UNDER OR UPON THE PARCEL DESCRIBED IN EXHIBIT A PROVIDED SUCH ADDITIONAL GRANTS OF EASEMENT DO NOT INTERFERE WITH THE COMPANY'S USE OF THE EASEMENT.

ANY CLAIM, CONTROVERSY OR DISPUTE ARISING OUT OF THIS AGREEMENT SHALL BE SETTLED BY ARBITRATION IN ACCORDANCE WITH THE APPLICABLE RULES OF THE AMERICAN ARBITRATION ASSOCIATION, AND JUDGMENT UPON THE AWARD RENDERED BY THE ARBITRATOR MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF. THE ARBITRATION SHALL BE CONDUCTED IN THE COUNTY WHERE THE PROPERTY IS LOCATED.

SIGNED THIS 19th DAY OF NOVEMBER, 1993.

WITNESS Michael F. Tilkovich OWNER Old Mill Business Center Association, Inc
Secretary By Donald D. Graham
PRESIDENT

ACKNOWLEDGEMENT

STATE OF Nebraska)
COUNTY OF Douglas)
SS

ON THIS THE 19th DAY OF November, 1993, BEFORE ME, Lynette M. Barnes
THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Donald D. Graham Presid. Old Mill Business
KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON(S) WHOSE NAME(S) is
has ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT he
has EXECUTED THE SAME FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Lynette M. Barnes
NOTARY PUBLIC
GENERAL NOTARY-STATE OF NEBRASKA
LYNETTE M. BARNES
My Comm. Exp. July 23, 1995

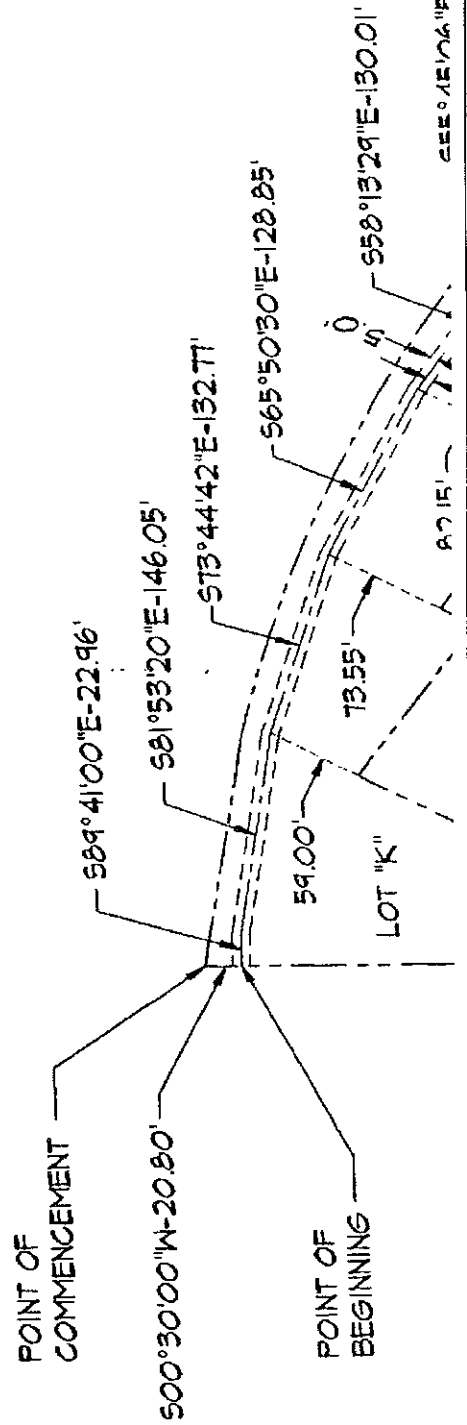
MY COMMISSION EXPIRES July 23, 1995

RECEIVED
JAN 13 4 10 PM '94
GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, N.

CASH 00560 BK 1109 R 802-131 FB 59-28387
TYPE Misc PG 50-54 C/O _____ COMP UP SCAN MP
FEE 25.50 OF Misc LEGL PG _____ MO _____ FY _____

EXHIBIT "A"

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LEGAL DESCRIPTION

A 10.00 FOOT WIDE STRIP OF LAND LYING WITHIN LOT "K", OLD MILL BUSINESS CENTER, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID LOT "K"; THENCE S00°30'00"W (ASSUMED BEARING) 20.80 FEET ON THE WEST LINE OF SAID LOT "K" TO THE POINT OF BEGINNING; THENCE S89°41'00"E 22.96 FEET; THENCE S81°53'20"E 146.05 FEET; THENCE S73°44'42"E 132.77 FEET; THENCE S65°50'30"E 128.85 FEET; THENCE S58°13'29"E 130.01 FEET; THENCE S55°45'06"E 40.02 FEET; THENCE S50°36'06"E 52.00 FEET; THENCE S48°14'36"E 23.50 FEET; THENCE S46°03'55"E 61.42 FEET; THENCE S38°20'46"E 142.95 FEET; THENCE S34°00'03"E 96.53 FEET; THENCE S20°08'46"W 30.48 FEET TO THE POINT OF TERMINATION, SAID POINT BEING ON THE SOUTHEASTERLY LINE OF SAID LOT "K" AND 59.63 FEET SOUTHWESTERLY OF THE MOST EASTERLY CORNER THEREOF WITH THE OUTER BOUNDARIES OF SAID 10.00 FOOT WIDE STRIP OF LAND BEING EXTEND TO MEET THE WEST AND SOUTHEASTERLY LINES OF SAID LOT "K".

AS SHOWN	8-12-93	RAH
scale:	date:	drawn by:

US WEST COMMUNICATIONS

50'
E-61.42'



US

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MILL BUSINESS CENTER

LOT "E"

LOT "D"

43.15'

DISTANCE TO CENTERLINE
OF EASEMENT ON NORTHERLY
EXTENSION OF LOT LINE,
TYPICAL

0'

3.50'

5"E-61.42'

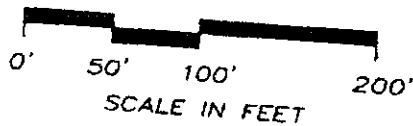
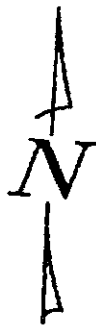
88°20'46"E-142.95'

S34°00'03"E-96.53'

59.63'

S20°08'46"W-30.48'

POINT OF TERMINATION



SURVEY BOOK TELIS, PAGE 20.

OK

WALSH COUNTY & TARRANT