

27

PIPE LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of \$ 1.00 to the undersigned (herein referred to as Grantor, whether one or more), paid, receipt whereof is hereby acknowledged, the said grantor does hereby grant, sell and convey unto Western Power & Gas Company, Inc., a corporation (herein referred to as Grantee), its successors and assigns, the right of way and easement to construct, maintain and operate an underground gas pipe line and appurtenances thereto, along, over, through and under a portion of Lots 46, 48, 49 and 56 of Irregular Tracts, and a portion of the south one-half of the Northeast Quarter, all in Section 21, Township 10 North, Range 6 East of the 6th P.M., and a part of the southwest quarter of the Southeast Quarter of Section 16, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

A strip of land 60 feet in width being 30 feet either side of a line beginning at a point on the west line of Capitol Beach Manor at the centerline of Manchester Drive and running thence westerly along the centerline of Manchester Drive extended which is a circular curve bearing to the right whose radius is 491.51 feet, a distance of 38.3 feet to a point of tangency with a straight line; thence westerly along said straight line a distance of 75 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve bearing to the right whose radius is 915.50 feet and whose central angle is 9 degrees 22 minutes a distance of 149.68 feet to a point of tangency with a straight line; thence along said straight line a distance of 379.8 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve bearing to the left whose radius is 173.77 feet, and whose central angle is 50 degrees 38 minutes, a distance of 153.5 feet to a point of tangency with a straight line; thence along said straight line, a distance of 215 feet; thence right along a straight line which deflects 90 degrees right from the above last described course, a distance of 30 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve bearing to the left whose radius is 189.74 feet and whose central angle is 40 degrees 30 minutes, a distance of 134.12 feet to a point of tangency with a straight line; thence continuing along said straight line a distance of 522.3 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve, bearing to the right whose central angle is 22 degrees 03 minutes, and whose radius is 519.4 feet, a distance of 199.9 feet to a point of tangency with a straight line; thence along said straight line a distance of 262.7 feet to a point of tangency with a circular curve;

27

thence continuing along the arc of said circular curve bearing to the left whose central angle is 32 degrees 30 minutes, and whose radius is 286.44 feet; a distance of 162.5 feet to a point of tangency with a straight line; thence along said straight line a distance of 101.8 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve bearing to the right whose radius is 358.02 feet, and whose central angle is 20 degrees 46 minutes, a distance of 129.76 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve, whose radius is 276.78 feet, and whose central angle is 26 degrees 33 minutes, a distance of 128.26 feet to a point of tangency with a straight line, thence along said straight line a distance of 221.9 feet.

ALSO

A strip of land 80 feet in width being 40 feet either side of a line beginning 40 feet back from the end of the last above described course and running thence right along a straight line which deflects 90 degrees 01 minutes right from the last above described course a distance of 424.4 feet.

ALSO

A strip of land 40 feet in width being 20 feet either side of a line beginning 20 feet back from the end of the last above described course and running thence easterly along a straight line which deflects 90 degrees 01 minutes left from said last above described course a distance of 40 feet to a point of tangency with a circular curve; thence continuing along the arc of said circular curve, whose radius is 134.16 feet, and whose central angle is 46 degrees 50 minutes, a distance of 109.66 feet to a point of tangency with a straight line; thence along said straight line, a distance of 3521.4 feet.

ALSO

A strip of land 40 feet in width being 20 feet either side of a line beginning 20 feet back from the last above described course, and running thence easterly along a straight line which deflects 93 degrees 38 minutes right from the last above described course, a distance of 496.13 feet.

ALSO

A strip of land 10 feet in width being 5 feet either side of a line beginning at a point 170.1 feet east from and 33 feet north of the southwest corner of said Lot 49, continuing thence in a northeasterly direction

27

on a curve whose central angle is 27° 14' right, whose tangent is 107.1 feet and whose radius is 442.1 feet, a chord distance of 210.9 feet to the point of tangency of said curve, continuing thence in a northeasterly direction on last described course a distance of 332.2 feet to intersect existing gas main, thence in a northwesterly direction 89° 18' left a distance of 141.3 feet to intersect east Interstate Highway right of way line, also starting at the northerly end of the 332.2 foot course and continuing northeasterly on the same tangent produced northeasterly a distance of 364.0 feet to a point of curvature; thence to the right on a curve having a radius of 176.92 feet, a tangent distance of 75 feet and a central angle 46° 55' to a point of tangency; thence continuing on a tangent to said curve a distance of 90 feet to the centerline of Coddington Street.

TO HAVE AND TO HOLD unto said grantee, its successors and assigns, so long as such line and appurtenances thereto shall be maintained, with necessary ingress to and egress from the premises for the purpose of constructing, inspecting, repairing, maintaining and replacing the property of grantee, and the removal of such at will, in whole or in part.

Grantee agrees to bury all pipe to a sufficient depth so as not to interfere with the surface of the ground. Grantee shall at all times exercise due care and diligence to avoid injury or damage to the crops, livestock, fences, buildings, and other personal property of the grantor, and the grantee shall indemnify and save harmless the grantor from any damage or loss arising or occurring to such property solely by reason of the construction, operation, maintenance or removal of said pipe line.

Grantee agrees that it will disturb as little as possible, any vegetation, shrubs, trees, or other property now on said premises, and construct, maintain and operate said pipe line in a workmanlike manner. In case it becomes necessary to remove any vegetation, shrubs, or trees, grantee agrees, upon grantor's request, to restore the same as nearly as possible to their original condition.

All covenants and agreements herein contained shall extend to and be binding upon the heirs, legal representatives, successors and assigns of the parties hereto.

Signed this 7th day of October, 1965.



CAPITOL BEACH, INCORPORATED

By [Signature]
President

[Signature]
Secretary

22

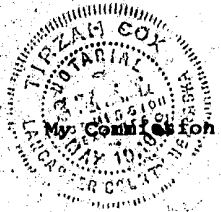
CORPORATE ACKNOWLEDGMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

Before me, a Notary Public qualified for said County, personally came S. E. Copple president of Capitol Beach, Incorporated, a corporation, known to me to be the president and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

Witness my hand and notarial seal on October 7, 1965.

Margaret Cox
Notary Public



My Commission Expires May 19, 1969

INDEXED 6657 22
GENERAL
COMPARED
PAGE

STATE OF NEBRASKA) ss.
Lancaster County)
Entered on numerical index and
filed for record in the Register of
Deeds Office of said County the
11 day of OCTOBER, 1965
at 1 P o'clock and
minutes M. and recorded in
Book of MISCEL.
at page

By: Kenneth L. Ferguson Deputy
REG. OF DEEDS

650

[Handwritten scribbles]