

EASEMENT MODIFICATION

KNOW ALL MEN BY THESE PRESENTS, that OMAHA PUBLIC POWER DISTRICT, a corporation, successor to EASTERN NEBRASKA PUBLIC POWER DISTRICT, hereinafter referred to as "District", acquired the permanent right of way for the construction, maintenance, operation and inspection of an electric transmission line consisting of poles, towers, wires, equipment and fixtures with the right to alter, repair and remove at any time, in, over and across the following described lands situated in Sarpy County, Nebraska, to wit:

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section Twenty-three (23), Township Thirteen (13) North, Range Thirteen (13), East of the 6th P.M., and

WHEREAS said easement, dated February 16, 1950 and filed for record August 1, 1950, in Book 14 at Page 421 of Miscellaneous Records in the Office of the Register of Deeds, Sarpy County, Nebraska, and

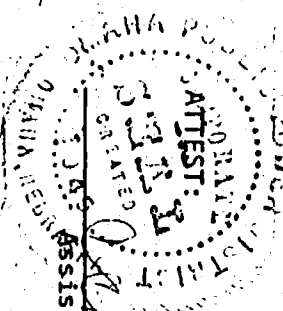
WHEREAS, said easement did not contain a definite description as to the location of said transmission line, and

WHEREAS, the District is hereby defining the said easement area as being a strip of land One Hundred feet (100') in width, being Fifty feet (50') on each side of and parallel to the following described reference line;

Beginning at a point on the West line of Section Twenty-three (23), Township Thirteen (13) North, Range Thirteen (13), East of the 6th P.M., Sarpy County, Nebraska, said point being Seven Hundred Ten feet (710'), more or less North of the Southwest corner of said section; thence in a Northeasterly direction to a point of leaving located on the North line of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of said section, said point being Three Hundred Thirty feet (330'), more or less East of the Northwest corner of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of said section.

Except as herein modified, the terms and conditions of the above referenced Easement shall continue in full force and effect.

Executed this 31 day of October, 1974.



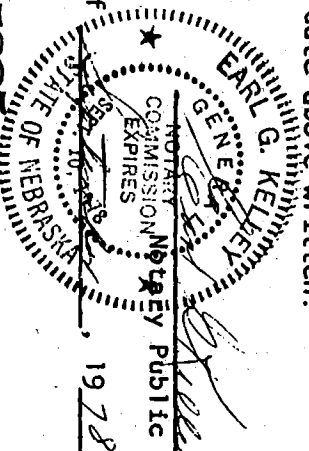
Assistant Secretary

Group Manager  
Engineering and Construction

STATE OF NEBRASKA )  
                                  ) ss. FILED FOR RECORD 6-4-75 AT 12:30 P.M. IN BOOK 48 OF Miscellaneous Records PAGE 388 Carl F. Hillies REGISTER OF DEEDS, SARPY COUNTY, NEB. 2, 25

On this 31st day of October, 1974, before me the undersigned, a Notary Public in and for said County and State, personally appeared J. L. Wilkins and C. C. Draney of the Omaha Public Power District, who are personally known to me to be the identical persons whose names are affixed to the above Instrument as Group Manager, Engineering and Construction and Assistant Secretary of said Corporation, and they acknowledged the instrument to be their voluntary act and deed and the voluntary act and deed of the Corporation.

WITNESS my hand and Notarial Seal the date above written.



My Commission expires on the 1st day of October, 1978.

Fee # 452225

35-103

ASSIGNMENT AND CONVEYANCE

KNOW ALL MEN BY THESE PRESENTS, THAT:

Pursuant to, the provisions of the certain "Merger Agreement", duly authorized and approved by their respective Board of Directors, and executed on October 14, 1964, EASTERN NEBRASKA PUBLIC POWER DISTRICT ("Eastern"), a Public Power District, organized and existing under the laws of the State of Nebraska, does hereby transfer, assign and convey to OMAHA PUBLIC POWER DISTRICT ("OPPD"), a Public Power District, organized and existing under the laws of the State of Nebraska, its entire right, title and interest, of whatsoever nature, in and to any and all transmission line easements owned, held or enjoyed by Eastern, within or partially within Sarpy County, Nebraska, including but not limited to those filed of record in the Office of the Register of Deeds of said County and identified below:

Misc. Book	Page	Dated	Description	
14	421	2-16-50	SW1/4 SW1/4 Sec. 23, T13N, R13,	East 6th P.M.
14	440	3-2-50	SE1/4 & Part NE1/4 Sec. 12, T13N, R13,	"
14	486	9-28-50	Part SE1/4 SW1/4 & Part NE1/4 SW1/4 Sec. 31, T14N, R14,	"
16	281	8-7-53	Part SE1/4 Sec. 11 & Part NE1/4 Sec. 14, both in: T13N, R13,	"
16	369	10-21-53	NW1/4 SW1/4 Sec. 23, T13N, R13,	"

As one of the considerations of said transfer, assignment and conveyance, OPPD has agreed to, and hereby does assume, all of Eastern's obligations, of whatsoever nature, incurred in connection with the acquisition or continuance of said transmission line easements.

Dated this 22 day of December, 1964.

ATTEST: \_\_\_\_\_ EASTERN NEBRASKA PUBLIC POWER DISTRICT

*Richard P. Miller* Secretary BY *Richard P. Miller* President

OMAHA PUBLIC POWER DISTRICT

ATTEST: \_\_\_\_\_ BY \_\_\_\_\_ President

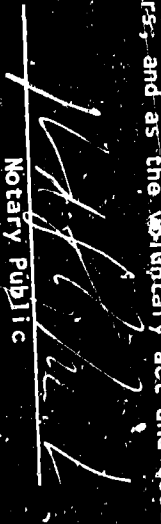
*W. L. ...* Secretary

FILED FOR RECORD IN SARPY COUNTY NEBR. April 21 1965 AT 3:30 O'CLOCK P.M.

AND RECORDED IN BLOCK 35 OF PAGE 123 Oliver Rindler REGISTER OF DEEDS

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

On this 24 day of December, 1964, before me, a Notary Public in and for the State and County aforesaid, personally appeared Edward L. Hahn and Lloyd J. Martl, to me known to be the President and Secretary, respectively, of Eastern Nebraska Public Power District, and they severally acknowledged that they executed the foregoing instrument as their voluntary act and deed as such officers, and as the voluntary act and deed of said District.

  
Notary Public

My Commission expires:

  
December 31, 1965

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That we, Judith Lynne Nelsen Trust - C. Clifton Nelsen, Trustee; Karen Ellen Nelsen Trust - C. Clifton Nelsen, Trustee; Andrew Clifton Nelsen - C. Clifton Nelsen, Trustee; and C. Clifton Nelsen, Individual, herein called the grantor whether one or more, in consideration of Two Dollars and Other Good and Valuable Considerations received from grantee, do hereby grant, bargain, sell, convey and confirm unto Central Investment Company, a Nebraska partnership, herein called the grantee whether one or more, the following described real property in Sarpy County, Nebraska:

Tax Lots 2A and 2B in Section 23, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

That part of the South Half of the Southwest quarter of Section 23, Township 13 North, Range 13 East of the 6th P.M. lying Westerly from the Missouri Pacific Railroad right-of-way and Easterly from the right-of-way of State Highway #73-75 more completely described as follows:

Beginning at a point on the South line of Section 23 which is 61.1 feet East of the Southwest Corner (said point being also on the Easterly right-of-way line of Highway #73-75); thence N 00 54' 36" East along said right-of-way line for 1,336.49 feet to a point 84.4 feet Easterly from the Northwest Corner of the SW 1/4 SW 1/4 of said Section 23; thence S 89 04' 48.5" East along the 1/16th section line for 1,961.49 feet to a point on the westerly right-of-way line of the Missouri Pacific Railroad (said right-of-way line being 150 feet from the centerline of the railroad tracks); thence S 25 07' 43" West being 150 feet from and parallel to said railroad tracks for a distance of 1,463.93 feet to a point on the South line of Section 23; thence West on the section line for 1,361.03 feet to the point of beginning, containing a calculated area of 50.795 acres of which 1.036 acres are dedicated for County Road purposes on the Southerly side of above described tract.

To have and to hold the above described premises together with all tenements, and hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrance, subject to easements and agreements of record; and that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated February 11 1976

JUDITH LYNNE NELSEN TRUST  
KAREN ELLEN NELSEN TRUST  
ANDREW CLIFTON NELSEN TRUST  
BY: [Signature]  
C. Clifton Nelsen, Trustee

C. Clifton Nelsen, Husband  
[Signature]  
Dianne E. Nelsen, Wife

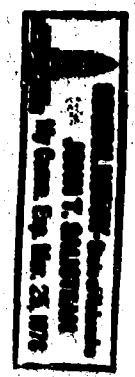
FILED FOR RECORD 2:13-16 P.M. FEB 13 1976  
PAGE 306 Carl F. Hillbels  
REGISTER OF DEEDS, SARPY COUNTY, NEB.

NEBRASKA DOCUMENTARY STAMP TAX  
FEB 13 1976  
\$ 72.05 BY [Signature]

State of Nebraska )  
County of Douglas )

Before me, a Notary Public, qualified for said County, personally came C. Clifton Nelsen and Dianne E. Nelsen, husband and wife, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on February 11, 1976.



[Signature]  
Notary Public  
File # 52077

409-1-8  
Book 48  
Page 346

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 20<sup>th</sup> day of June,

1925, by and between NORTHERN NATURAL GAS COMPANY, a Delaware Corporation, (herein-  
after referred to as "Northern") and Joseph DeWitt, Margaret Danecoff and  
Others.

(hereinafter referred to as "Owners").

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement Grant covering the follow-  
ing described premises in Sarpy County, Nebraska;

Part of South one-half of Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ) Section Twenty-three (23)  
Township Thirteen (13) North, Range Thirteen (13) East,

which Easement Grant has been recorded in Book 16 of Records  
at Page 358 in the Office of the Recorder  
for Sarpy County, Nebraska; and

WHEREAS, pursuant to the authority contained in said Easement Grant,  
Northern has constructed and currently operates and maintains a 8 inch pipeline  
through and across the premises above-described; and

WHEREAS, of the premises described in said Easement Grant, Owners are  
present owners of the following described premises:

All the property described above.  
FILED FOR RECORD 7-15-25 9:30 A.M. BOOK 48 OF REC. RECORDS  
346 Carl & Hilliards REGISTER OF DEEDS, SARPY COUNTY, NEB. 9.25

WHEREAS, the parties hereto desire to more clearly define their rights  
under such Easement Grant and further desire to modify and amend said Easement Grant  
in certain respects.

NOW, THEREFORE, in consideration of the premises and of the mutual coven-  
ants and agreements hereinafter set forth, it is agreed by and between the parties  
hereto as follows:

1. That Northern shall, and by these presents does, hereby limit its  
right-of-way under the aforescribed Easement Grant, to a strip of land forty  
feet in width across the property of the Owners as last described above, the center-  
line of which strip shall be the present location of Northern's 8 inch pipeline.  
A plat showing the location of said strip of land is attached hereto as Exhibit "A"  
and is, by this reference, made a part hereof.

2. That Northern shall, and by these presents does, hereby release from  
its said Easement Grant all of the above-described property of the owners except  
the strip of land described in Paragraph 1 above, upon which strip said Easement

File # 46138

Grant is retained as herein modified.

3. That Grantor shall not build, create, construct, nor allow to be built, created or constructed, any hard surface road, building, or other structure, nor alter the grade or permit such alteration anywhere on the land upon which Grantee has reserved its Easement rights without the written consent of the Grantee.

This instrument and the covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this instrument the day and year first above written.

"NORTHERN"

"OWNERS"

By [Signature]  
Vice President

[Signature]  
Secretary

[Signature]  
Secretary

[Signature]  
Rose Snell

[Signature]  
Rose Snell

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS )

On this 1st day of July, A.D., 1975, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came Alan J. [Signature], Vice President, and [Signature], Secretary of NORTHERN NATURAL GAS COMPANY, who are personally known to me to be the identical persons whose names are affixed to the above instrument as Vice President and ~~XXXXXXXX~~ Secretary of said corporation, and they acknowledged the said instrument to be their free and voluntary act and deed and the free and voluntary act and deed of said corporation.

WITNESS my hand and official seal [Signature], in said county and state, the date aforesaid.

BEYRON E. NIENKE  
GENERAL NOTARY  
State of Nebraska  
My Commission Expires  
MAY 7 1979

BEYRON E. NIENKE  
GENERAL NOTARY  
State of Nebraska  
My Commission Expires  
MAY 7, 1979

On this 16th day of June, A.D., 1975, before me, Notary Public in and for said County, personally appeared [Signature] in and who executed the foregoing instrument, and acknowledged that they executed the same as THEIR voluntary act and deed.

[Signature]  
E. Thomas Stacy

[Signature]  
Margaret J. Jovick  
[Signature]  
Gerald J. Jovick  
[Signature]  
Charles Jovick  
[Signature]  
Rose Snell  
[Signature]  
Alan H. Jovick



44-5-34-75

