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Plow G. Smith

REGISTERED DEEDS

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This instrument was drafted by Williams Pipe Line Company, a Delaware Corporation, P.O. Box 3448, Tulsa, Oklahoma 74101, 918/588-3295.

**PARTIAL RELEASE AND GRANT OF RIGHT OF WAY**

KNOW ALL MEN BY THESE PRESENTS that WILLIAMS PIPE LINE COMPANY, (formerly Williams Brothers Pipe Line Company), a Delaware Corporation with its principal place of business in Tulsa, Oklahoma, party of the first part, hereinafter called Grantor, for and in consideration of One Dollar (\$1.00) in hand paid by Eagle Crest Development, L.L.C., a Nebraska limited liability company, party of the second part, hereinafter called Grantee, and the covenants hereinafter contained to be kept by Grantee, does hereby release, quit claim, and convey unto the said Grantee with the intent to extinguish, all of its right, title and interest acquired by that certain Right of Way Agreement executed by Peter Hansen and Marie Hansen, his wife, on the 11th day of February, 1946, and filed for record in the office of the County Clerk of Sarpy County, Nebraska on the 28th day of February, 1946, in Book 12 of Misc. at Page 632 and by that certain Gate Valve Permit dated May 18, 1946 executed by Peter Hansen and Marie Hansen and filed for record on the 21st of June, 1946 in Book 13 of Misc. at Page 27 in said County Clerk's office and assigned to Williams Brothers Pipe Line Company by Conveyance and Assignment dated March 15, 1966, and filed for record in the office of the said County Clerk, in Book 42 at Page 565, in and to the following and no other described land in the County of Sarpy and the State of Nebraska:

The South One-Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, except those parts taken for highway right-of-way and subject to public roads and/or highways,

EXCEPTING AND RESERVING unto Grantor, its successors and assigns, all right, title and interest acquired by virtue of the aforementioned Right of Way Agreement in and to the following described parcel or strip of land:

A strip of land 100 feet in width located in and extending completely across the above described property, the sidelines of said strip being located 46 feet

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Northeasterly and 54 feet Southwesterly from the following described reference line over the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24, Township 14 North, Range 12 East, Sarpy County, Nebraska, described as follows:

Commencing at the Southeast corner of the said South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24; thence N 00°09'49" W (bearings referenced to the Final Plat of EAGLE RIDGE, a subdivision, as surveyed, plated and recorded in Sarpy County, Nebraska) for 60.00 feet along the East line of the said South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24 to the North right of way line of Cornhusker Highway (Old Highway 208); thence N 89°59'00" W for 77.69 feet along said North right of way line to the center line of the 12 inch pipeline as spotted by Williams Pipe Line Company on December 16, 1995, and the TRUE POINT OF BEGINNING of said reference line; thence N 58°54'46" W for 896.16 feet along said centerline of the 12 inch pipe line and the reference line; thence N 58°37'04" W for 1542.38 feet along said centerline of the 12 inch pipe line and the reference line to the North line of the said South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24 and the POINT OF TERMINUS; said Point of Terminus falls S 89°53'23" E for 470.31 feet from the Northwest corner of the said South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 24, Township 14 North, Range 12 East, Sarpy County, Nebraska, as shown on the attached Exhibit "A".

AND FURTHER EXCEPTING AND RESERVING unto Grantor the Gate Valve Box on said property.

AND FURTHER EXCEPTING AND RESERVING unto Grantor, the right of ingress and egress and the right to use temporary work space as desired, on, over, and across the above described released tract.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

It is strictly understood that nothing herein contained shall in anywise diminish Grantor's right, title, and interest, in and to the tract of land above excepted unto Grantor.

It is further understood and agreed that the said Grantee will not erect, construct, or create any building, improvement, structure, or obstruction of any kind either on, above, or below the surface of the ground on the strip or tract of land above excepted unto Grantor, or change the grade or elevation thereof, or cause or permit these things to be done by others, without the express written permission of Grantor. The Grantee shall assume, indemnify, and save harmless the Grantor, its successors and assigns, from all cost, loss, damage, expense, or claim of any nature arising from any acts of the Grantee so permitted by the

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Grantor or from the existence of any construction so permitted. The covenants contained in this paragraph shall constitute covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, their personal representatives, heirs, successors, and assigns.

In consideration of One Dollar and other consideration paid by Williams, the aforementioned Right of Way Agreement is hereby amended by Grantee, to grant Williams, its successors and assigns the right within the land excepted and reserved above, to construct, install, operate, maintain, replace, repair, and remove such pipeline and underground communications systems as Williams may from time to time require for pipeline communications or transmission of communications for or by others. Such communications systems shall consist of underground conduits, cables, and other appurtenances, together with the rights of ingress and egress over and across the above described released tracts.

The conduits and cables will be placed in an existing pipeline. Any appurtenances not capable of being installed in the pipeline will be buried at a depth equal to the pipeline containing the communications system.

It is further understood and agreed that Grantor may clear any trees, shrubs, or other landscape objects from the reserved tract at any time or times it desires. Grantee is not entitled to any compensation for such items removed.

It is further understood and agreed that Grantor is hereby released from the covenants contained in the aforesaid Right of Way Agreement as to the lands herein released from the burdens thereof.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year below our signatures indicated.

(SEAL)

GRANTOR:

WILLIAMS PIPE LINE COMPANY

By

*J. Kent Myers*  
J. Kent Myers, Director  
Engineering & Operations Services  
Attorney-in-Fact

Date

5-20-96

96-11317C

GRANTEES:

EAGLE CREST DEVELOPMENT  
L.L.C.

By [Signature]  
[Signature]  
Date 5/28/96

STATE OF OKLAHOMA

COUNTY OF TULSA

)  
) SS  
)

Before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 20<sup>th</sup> day of May, 1996, personally appeared J. Kent Myers, Director, Engineering and Operations Services who being by me duly sworn, did say that he is the Attorney-in-Fact for Williams Pipe Line Company, a Delaware corporation, by virtue of a June 16, 1995, Power of Attorney filed for record June 21, 1995, in the County of Tulsa, State of Oklahoma, in Book 5722 at Page 439, as Document 95053214, and that the seal affixed to this instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said J. Kent Myers acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

[Signature]  
Notary Public

My Commission Expires:

May 6, 1998

STATE OF NEBRASKA

COUNTY OF DOUGLAS

)  
) SS  
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Before me, the undersigned, a Notary Public in and for the County aforesaid on this 28 day MAY, 1996, personally MICHAEL F. ROGERS, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he

96-113170

executed the same as his free and voluntary act and deed for the uses and purposes as herein set forth.

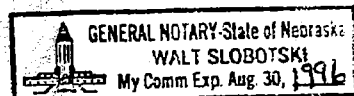
Witness my hand and official seal.

Walt Slobotski

My Commission Expires:  
8-30-96

Notary Public

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) SS

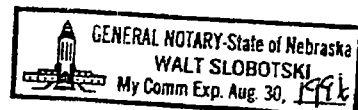


On this 28 day of MAY, 1996, before me appeared ROY D. EAST, to me personally known, who, being by me duly sworn, did say that he is the \_\_\_\_\_ of \_\_\_\_\_ and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its ASSIGN S, and said PERSON acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Walt Slobotski  
Notary Public

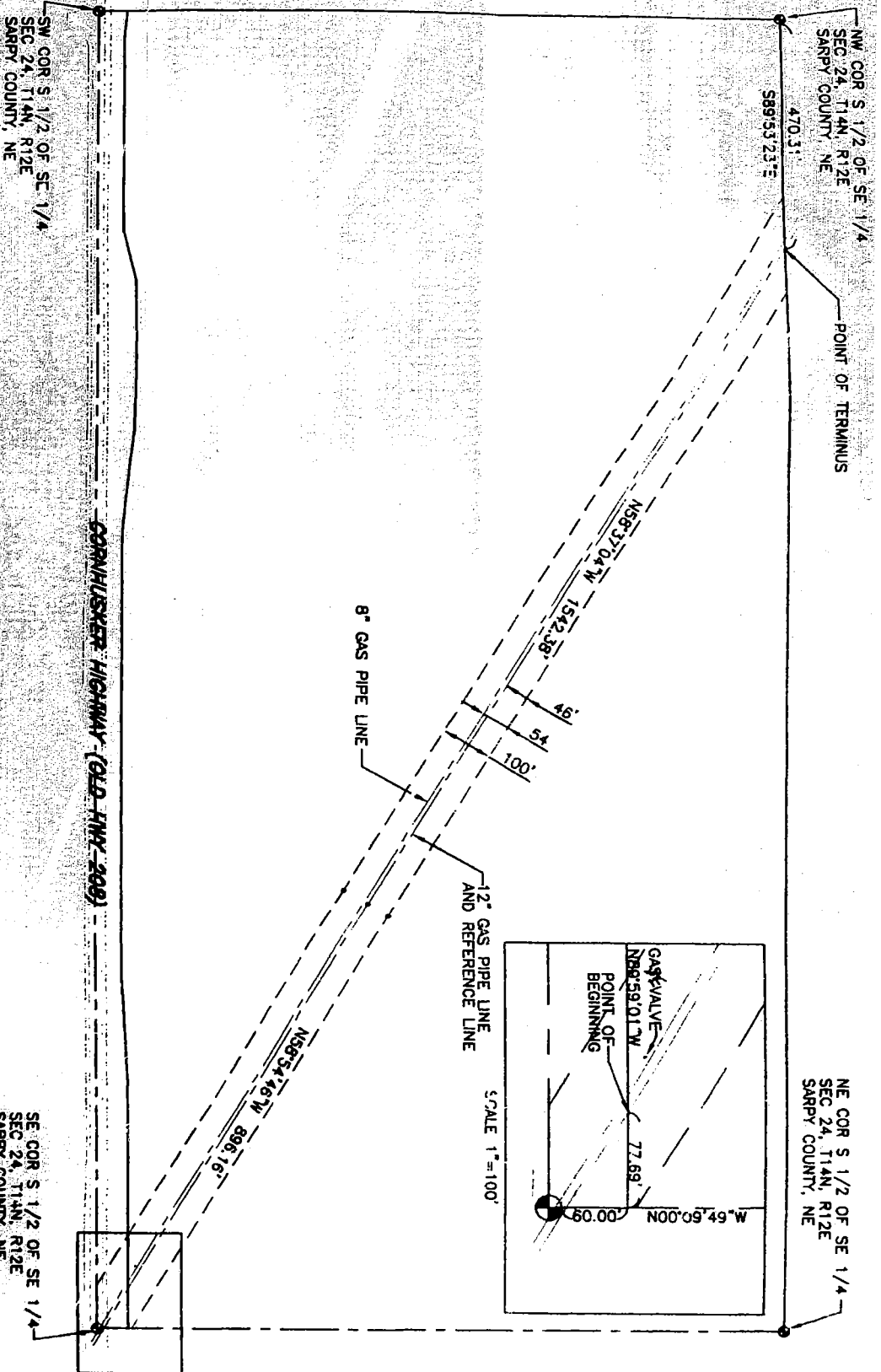
My Commission Expires:  
8-30-96





SARPY COUNTY, NEBRASKA

96-11317 E



LEGAL DESCRIPTION

A permanent one-hundred (100) strip easement, being forty-six (46) feet, northwesterly from and fifty-four (54) feet, southwesterly from the following described reference line over the South Half of the Southeast Quarter of Section 24, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the southeast corner of the said South Half of the Southeast Quarter of Section 24;

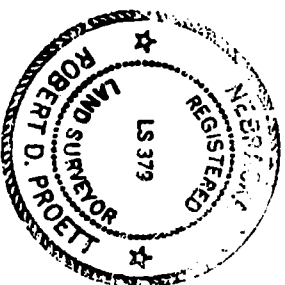
Thence North 00°09'49\" West (bearing referred to the final plat of EAGLE RIDGE, a subdivision, as surveyed, plotted and recorded in Sarpy County, Nebraska) for 60.00 feet along the east line of the said South Half of the Southeast Quarter of Section 24 to the north right of way line of Cornhusker Highway (Old Highway 208);

Thence North 89°59'01\" West for 77.69 feet along said north right of way line to the center line of the twelve inch (12) gas pipe line as spotted by Williams Pipe Line Company on December 16, 1995 and the TRUE POINT OF BEGINNING of said reference line;

Thence North 58°54'46\" West for 896.16 feet along said center line of the 12\" gas pipe line and the reference line;

Thence North 58°37'04\" West for 1542.38 feet along said center line of the 12\" gas pipe line and the reference line to the north line of the said South Half of the Southeast Quarter of Section 24 and the POINT OF TERMINUS;

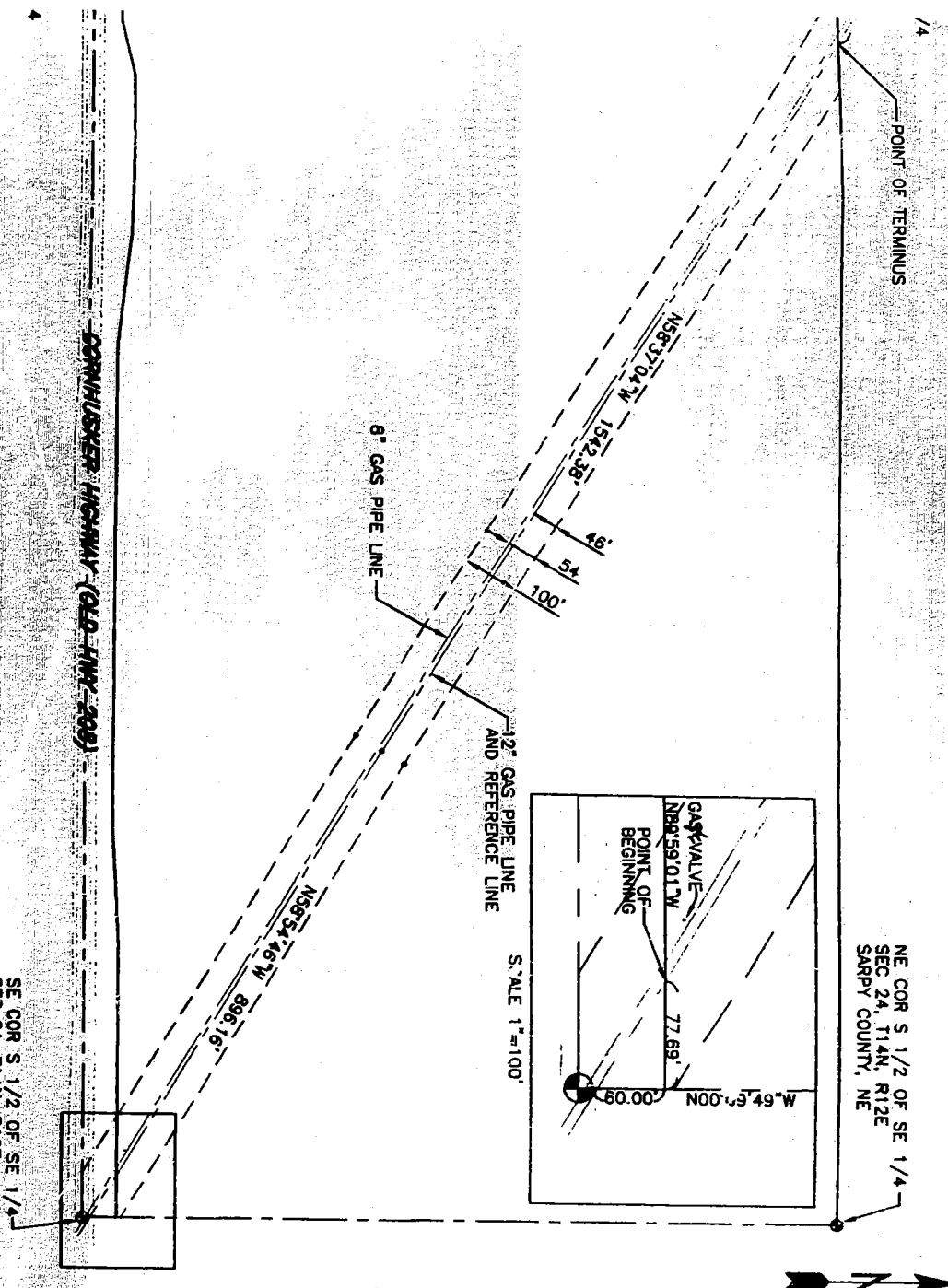
Said Point of Terminus falls South 89°53'23\" East for 470.31 feet from the northwest corner the said South Half of the Southeast Quarter of Section 24.



I, Robert D. Proett  
Land Surveyor  
information  
representing  
or under

|                       |          |      |          |
|-----------------------|----------|------|----------|
| REDAWN AND GENERAL RE |          |      |          |
| NEW DRAWING           |          |      |          |
| ISSUE NO.             | DRAWN BY | DATE | CHECK BY |
|                       |          |      |          |
| WILLIAMS PIPE         |          |      |          |
| TULSA                 |          |      |          |
| PLAT OF               |          |      |          |
| WILLIAMS PIPE         |          |      |          |
| S 1/2 SE 1/4 SE       |          |      |          |
| SARPY                 |          |      |          |
| DRAWN BY              | ELK      |      | SC       |
| CHECKED BY            |          |      |          |
| PROJECT ENGINEER      |          |      |          |
| SECTION               |          |      |          |
| HEAD                  |          |      |          |
| APPROVED BY           |          |      |          |

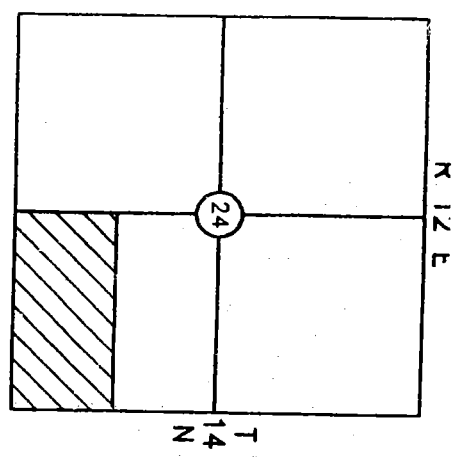
SARPY COUNTY, NEBRASKA



**LEGAL DESCRIPTION**

SE COR S 1/2 OF SE 1/4  
SEC 24, T14N, R12E  
SARPY COUNTY, NE  
POINT OF COMMENCEMENT

1. A North 58°54'46\"/>



**LOCATION MAP**  
S 1/2 SE 1/4 SEC. 24, T14N-R12E  
SARPY COUNTY, NEBRASKA

I, Robert D. Proett, an Nebraska Registered Land Surveyor, do hereby certify that the information shown herein is an accurate representation of a survey made by me or under my direct supervision.

*Robert D. Proett* **March 26, 1998**  
Robert D. Proett LS 379 Date

| DRAWING AND GENERAL REVISION |      |             |    |
|------------------------------|------|-------------|----|
| NO.                          | DATE | REVISION    | BY |
| 1                            |      | NEW DRAWING |    |

| ISSUE NO. | DRAWN BY | CHECKED BY | PROJECT SECTION | APPROVED BY |
|-----------|----------|------------|-----------------|-------------|
| 1         |          |            |                 |             |

**WILLIAMS PIPE LINE COMPANY**  
TULSA, OKLAHOMA

**PLAT OF SURVEY OF**  
**WILLIAMS PIPELINES CROSSING**  
**S 1/2 SE 1/4 SECTION 24, T14N-R12E**  
**SARPY COUNTY, NEBRASKA**

| DATE | BY | SCALE | 1"=250' | DATE |
|------|----|-------|---------|------|
|      |    |       |         |      |

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