

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 29TH day of APRIL, 1985, by and between NORTHERN NATURAL GAS COMPANY, a Delaware Corporation, (hereinafter referred to as "Northern") and Frank R. Krejci and Vera J. Krejci, husband and wife (hereinafter referred to as "Owners").

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement Grant covering the following described premises in Douglas County, Nebraska:

East One-half (E1/2) of the Northeast Quarter (NE1/4) of Section 11, Township 15, Range 10, and the North One-half (N1/2) of Section 12, Township 15, Range 10

which Easement Grant has been recorded in Book 97 of Miscellaneous at Page 157 in the Office of the Register of Deeds

for Douglas County, Nebraska; and

WHEREAS, pursuant to the authority contained in said Easement Grant, Northern has constructed and currently operates and maintains a 2 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:

That part of the N.W.1/4 of Section 12, T15N, R10E of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the S.W. corner of said N.W.1/4; thence North (assumed bearing) on the West line of said N.W.1/4, 1945.20 feet to the S.W. corner of Tax Lot 17; thence N76°26'56"E on the Southerly line of said Tax Lot 17, 407.32 feet to the S.E. corner of said Tax Lot 17; thence North on the East line of said Tax Lot 17 and Tax Lot 18, 599.50 feet to the N.E. corner of said Tax Lot 18 and the North line of said NW1/4; thence S89°29'06"E on the North line of said N.W.1/4, 424.87 feet to the West R.O.W. line of County Road No. 120; thence Southeasterly on the West R.O.W. line of said County Road No. 120 on the following described courses: thence S11°17'06"E, 249.36 feet; thence S37°58'21"E, 990.30 feet; thence S40°24'31"E, 296.20 feet; thence S30°09'31"E, 121.85 feet to a point of curve; thence Southeasterly on a 2503.94 foot radius curve to the left, chord bearing S37°05'12"E, chord distance 604.08 feet, an arc distance of 605.55 feet to a point of tangency; thence S44°00'54"E, 110.64 feet to a point 730.00 feet North of the South Line of said N.W.1/4 and the North line of a tract of land as described in Deed Book 1641 at Page 624 and hereinafter called Tract "A"; thence N89°41'29"W on a line 730.00 feet North of and parallel to the South line of said NW1/4 and on the North line of said Tract "A", 1243.47 feet to the N.W. corner of said Tract "A"; thence S00°18'31"W on the West line of said Tract "A" and the West R.O.W. line of the Union Pacific Railroad, 730.00 feet to the South line of said NW1/4; thence N89°41'29"W on the South line of said N.W. 1/4, 926.41 feet to the point of beginning, containing 72.42 acres, and:

Part of the SE1/4 of Section 2, together with part of the E1/2 of the NE1/4 of Section 11, together with all that part of the NE1/4 of the S.E.1/4 of said Section 11 lying North of the Northerly R.O.W. line of the Union Pacific Railroad, all in T15N, R10E of the 6th P.M., Douglas County, Nebraska, and being all more particularly described as follows: Beginning at the S.E. corner of the E1/2 of the NE1/4 of said Section 11 (assuming the East line of the E1/2 of the NE1/4 of said Section 11 to bear North and South); thence S00°07'45"E on the East line of the NE1/4 of

the SE1/4 of said Section 11, 517.47 feet to the Northerly R.O.W. line of said Union Pacific Railroad; thence S61 24'42"W on the Northerly R.O.W. line of said Union Pacific Railroad, 659.73 feet to a point of curve; thence Southwesterly on the Northerly R.O.W. line of said Union Pacific Railroad on a 2764.92 foot radius curve to the right, chord bearing S69 33'47"W, chord distance 784.08 feet, an arc distance of 786.74 feet to the West line of the NE1/4 of the SE1/4 of said Section 11; thence N00 02'59"E on the West line of the NE1/4 of the SE1/4 of said Section 11, 1132.52 feet to the S.W. corner of the E1/2 of the NE1/4 of said Section 11; thence N00 07'10"E on the West line of the E1/2 of the NE1/4 of said Section 11, 2438.85 feet to a point 208.50 feet South of the N.W. corner of the E1/2 of the NE1/4 of said Section 11; thence S88 43'28"E on a line 208.50 feet South of and parallel to the North line of the E1/2 of the NE1/4 of said Section 11, 1257.13 feet to a point 50.00 feet West of the East line of the E1/2 of the NE1/4 of said Section 11; thence North on a line 50.00 feet West of and parallel to the East line of the East 1/2 of the NE1/4 of said Section 11, 208.50 feet to the North line of the E1/2 of the NE1/4 of said Section 11; thence N00 33'57"E on a line 50.00 feet West of and parallel to the East line of the SE1/4 of said Section 2, 201.00 feet to the South line of West Maple Road; thence S84 53'41"E on the South line of said West Maple Road, 30.09 feet; thence S68 26'03"E on the South line of said West Maple Road, 21.42 feet to the East line of the SE1/4 of said Section 2; thence S00 33'57"W on the East line of the SE1/4 of said Section 2, 191.56 feet to the NE corner of the E1/2 of the NE1/4 of said Section 11; thence South on the East line of the E1/2 of the NE1/4 of said Section 11, 2643.70 feet to the point of beginning, containing 99.78 Acres.

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 covenants 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 50 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 2 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 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 written.

NORTHERN NATURAL GAS COMPANY
DIVISION OF INTERMOUNTAIN, INC.

By

Edmund J. [Signature]

"OWNERS"

By

Frank R. Hayes

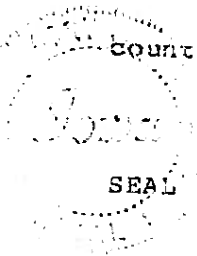
Attest

Collette Beane

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 29TH day of APRIL, A.D., 19__ , before me a Notary Public duly commissioned and qualified in and for said county and state, personally came E.D. BERDINE, Operations Manager, Des Moines Area, of NORTHERN NATURAL GAS COMPANY, Division of InterNorth, Inc., who is personally known to me to be the identical person whose name is affixed to the above instrument as Operations Manager, Des Moines Area, of said corporation, and that as Operations Manager of Des Moines Area being authorized to execute the foregoing instrument on behalf of NORTHERN NATURAL GAS COMPANY, Division of InterNorth, Inc., he acknowledged the said instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said corporation.

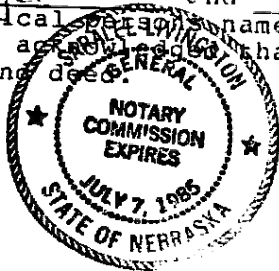
WITNESS my hand and official seal at DES MOINES, in said county and state, the date aforesaid.



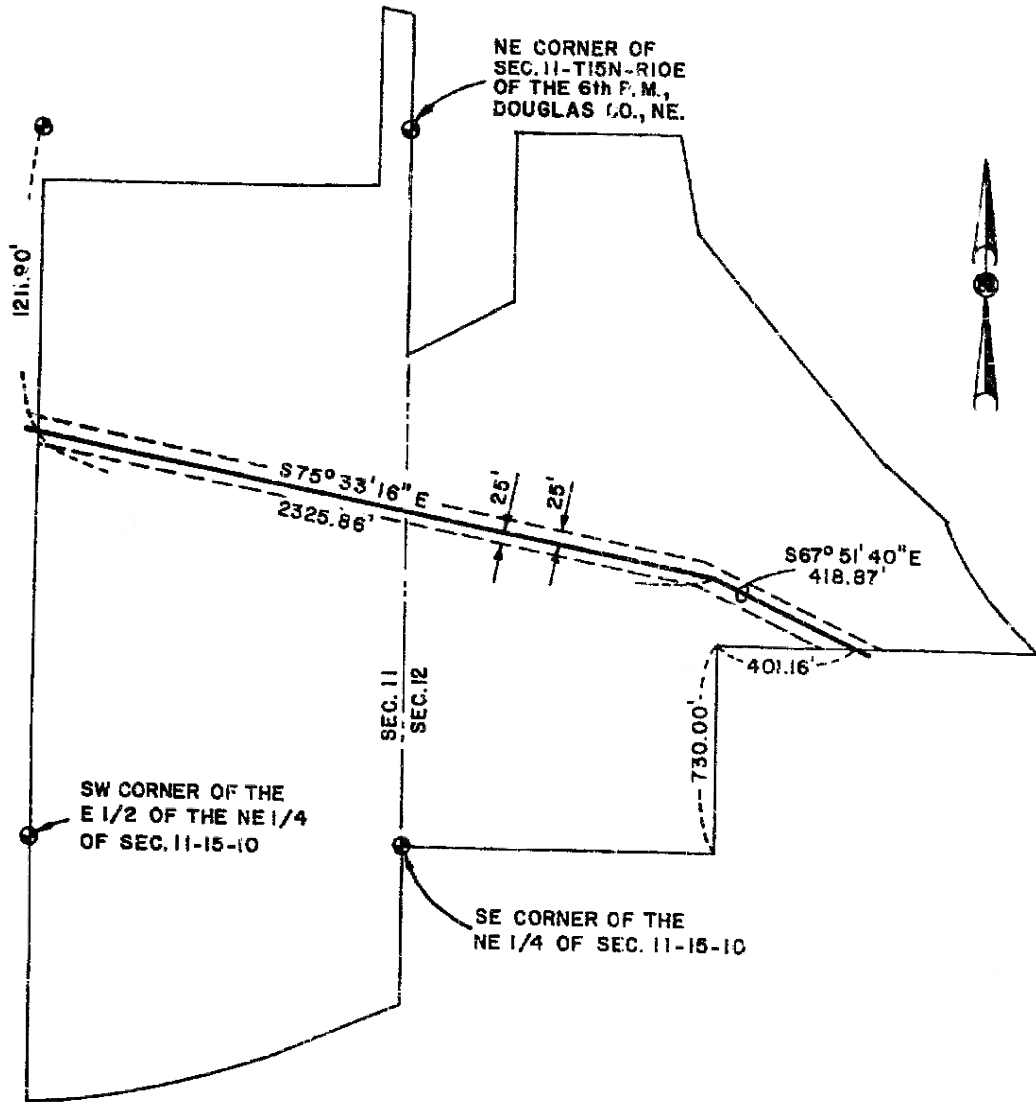
Gregory O. Cade
Notary Public

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 3rd day of April, A.D., 1985, before me a Notary Public in and for said County in said State, personally appeared FRANK R. PEJCI and to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.



Frank R. Pejci



An easement through the East 1/2 of the NE 1/4 of Section 11 and the NW 1/4 of Section 12 all in T15N, R10E of the 6th P.M., Douglas County, Nebraska, the centerline of said easement being more particularly described as follows: Commencing at the NW corner of the East 1/2 of the NE 1/4 of said Section 11; thence S00°07'10\"W (assumed bearing) on the West line of said East 1/2, 1211.90 feet to the point of beginning; thence S75°33'16\"E, 2325.86 feet; thence S67°51'40\"E, 418.87 feet to a point 730.00 feet North of the South line of the NW 1/4 of said Section 12 and the point of termination of this easement, with the limits of said easement extended to meet the West line of the East 1/2 of the NE 1/4 of said Section 11 and a line 730.00 feet North of and parallel to the South line of the NW 1/4 of said Section 12.

EXHIBIT "A"

24 Min

RECEIVED
 1985 APR 30 PM 1:09
 GEORGE J. DUNLAP
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

Book 237
 Page 313
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