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2004079072

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

This instrument made and entered into this 27 day of Aug, 2004 by and between NORTHERN NATURAL GAS COMPANY, a Delaware corporation, with principal offices at 1111 South 103rd Street, Omaha, Nebraska 68124 (hereinafter referred to as "Northern"), and MANCHESTER RIDGE, L.L.C., a Nebraska limited liability company, (hereinafter referred to as "Owner", whether one or more).

WITNESSETH THAT:

WHEREAS, Northern is the holder of an Easement granted by Pauline Andresen, on the 12th day of January, 1962, covering the following described premises in Douglas County, Nebraska:

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) EXCEPT the East 16.25 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 9, Township 15 North, Range 11 East,

which Easement was recorded the 21st day of March, 1962, as Document No. N/A, in Book 378 at Page 45, in and for Douglas County, Nebraska (hereinafter referred as "Easement"); and

WHEREAS, pursuant to the authority contained in the Easement, Northern has constructed and currently operates and maintains a 16-inch pipeline, through and across the premises above-described; and

WHEREAS, of the premises described in the Easement, Owner is present owner of the following described premises (hereinafter referred to as "Owned Premises"):

That part of the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) being platted as MANCHESTER RIDGE, Lots 1 thru 101 inclusive & Outlots "A", "B" & "C", in Section 9, Township 15 North, Range 11 East.

WHEREAS, the parties hereto desire to more clearly define their rights under the Easement and further desire to modify and amend the Easement 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 across the Owned Premises only to a strip of land 90 feet in width, the centerline of which strip shall be the present location of Northern's 16-inch pipeline (hereinafter referred to as "Pipeline Right-of-Way").

Ret. Northern Natural Gas  
PO Box 3330  
Omaha 68103

min  
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104

9  
6700 OC-23606  
FEE \_\_\_\_\_ FB \_\_\_\_\_  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP. MD  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_  
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