

MODIFICATION AGREEMENT

WHEREAS, certain Protective Covenants were recorded in Miscellaneous Record Book 384 at Page 715 in the office of the Register of Deeds of Douglas County, Nebraska, and said Covenants contain a utility license in favor of the undersigned Utilities over Block Twelve (12), Meadowview, an addition in Douglas County, Nebraska, (and other property) and,

WHEREAS, the undersigned Developer and owner has changed the dimensions of the original lot lines as platted for Block Twelve (12), Meadowview, an addition in Douglas County, Nebraska.

Now, therefore, it is mutually agreed between the undersigned parties that,

1. The undersigned Utilities hereby release any right-of-way granted to them over, upon and under the rear and side boundary lines of Lots One (1) to Six (6), inclusive, Block Twelve (12), as originally platted in Meadowview, an addition in Douglas County, Nebraska.

2. The undersigned Developer and owner do hereby grant to both Utilities new easement right-of-way to erect and maintain electric and telephone utilities over, upon and under a five (5) foot strip of land adjoining the rear and side boundary lines of each one of the following described tracts:

Tract 1. Lot 4, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded except the West 10.00 feet thereof.

Tract 2. Part of Lots 3 and 4, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded, more particularly described as follows: beginning at a point which is 10.00 feet East of the Northeast corner of said Lot 3, Block 12, and running Southerly a distance of 126.36 feet; thence running Westerly a distance of 60.00 feet; thence running Northerly a distance of 126.36 feet; thence running Easterly a distance of 60.00 feet to the point of beginning.

Tract 3. Part of Lots 1, 2 and 3, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded, more particularly described as follows: beginning at the Northwest corner of said Lot 1, Block 12, and running Easterly a distance of 175.06 feet; thence running Southwesterly a distance of 170.80 feet; thence running Northwesterly along the East property line of 96th Avenue a distance of 136.00 feet to the point of beginning.

Tract 4. Part of Lots 5 and 6, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded, more particularly described as follows: beginning at the Northeast corner of said Lot 5, Block 12, and running Westerly a distance of 119.70 feet; thence running Southwesterly a distance of 73.36 feet; thence running Southeasterly along the East property line of 96th Avenue a distance of 60.00 feet; thence running Northeasterly a distance of 141.40 feet; thence running Northerly a distance of 82.88 feet to the point of beginning.

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Tract 5. Part of Lots 1, 2, 3 and 5, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded, more particularly described as follows: beginning at a point which is 20.00 feet East of the Northeast corner of said Lot 2, Block 12, and running Southerly a distance of 126.36 feet; thence running Southwesterly a distance of 73.36 feet; thence running Northwesterly along the East property line of 96th Avenue a distance of 85.00 feet; thence running Northeasterly a distance of 170.80 feet to the point of beginning.

Tract 6. Part of Lot 6, Block 12, Meadowview, an addition in Douglas County, Nebraska as surveyed, platted and recorded except that part described as follows: beginning at the Northeast corner of said Lot 6, Block 12, and running Westerly a distance of 148.07 feet; thence running Southeasterly along the East property line of 96th Avenue a distance of 15.90 feet; thence running Northwesterly a distance of 141.40 feet to the point of beginning.



Presented this 5th day of March, 1964.

OMAHA PUBLIC POWER DISTRICT

BY A. G. Johnson
ITS Senior Assistant General Manager

Executed this 3rd day of April, 1964.

NORTHWESTERN BELL TELEPHONE COMPANY

ATTEST [Signature] BY [Signature]
ITS VICE PRESIDENT AND GENERAL MANAGER

Executed this 26th day of February, 1964.

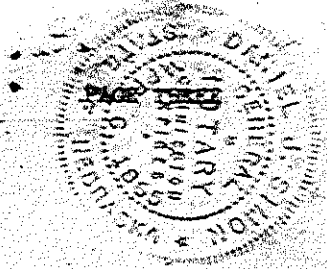
T. H. MAENNER CO.

BY [Signature]
ITS President

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 5th day of March, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally came A. G. Johnson, Senior Assistant General Manager and Walter Gaebler II, Assistant Secretary of Omaha Public Power District known personally to me to be the same and identical persons whose names are affixed to the above instrument and acknowledged the execution thereof to be their voluntary act and deed and as such officer the voluntary act and deed of the said corporation and that the Seal of the said corporation was thereto affixed by its authority.

Witness my hand and official Seal at Omaha, Nebraska, in said County the date aforesaid.



Daniel J. Simon
Notary Public

My Commission Expires: April 6, 1965

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 3rd day of April, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally came John W. Ryan, Vice-Pres. and Genl. Mgr. and J. M. Hornish, Assistant Secretary of Northwestern Bell Telephone Company known personally to me to be the same and identical persons whose names are affixed to the above instrument and acknowledged the execution thereof to be their voluntary act and deed and as such officer the voluntary act and deed of the said corporation and that the Seal of the said corporation was thereto affixed by its authority.

Witness my hand and official Seal at Omaha, Nebraska, in said County the date aforesaid.



[Signature]
Notary Public

My Commission Expires: February 6, 1968

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 26th day of February, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally came John R. Penner, President of T. H. Maenner Co., a corporation, known personally to me to be the same and identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed and as such officer the voluntary act and deed of the said corporation and that the Seal of the said corporation was thereto affixed by its authority.

Witness my hand and official Seal at Omaha, Nebraska, in said County the date aforesaid.



[Signature]
Notary Public

My Commission Expires: Sept 8, 1967

