

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2006 27981

2006 AUG 14 P 3:05 PM

*Sharon J. Dowling*  
REGISTER OF DEEDS

COUNTER LM C.E. LM  
VERIFY P D.E. P  
PROOF LM  
FEES \$ 15.50  
CHECK# \_\_\_\_\_  
CHG EACG CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

### DISCLAIMER OF INTEREST

KNOW ALL MEN BY THESE PRESENTS:

1. That a utility easement exists on, over, through, under and across:

See attached Exhibit A

2. That Aquila, Inc., formerly known as Peoples Natural Gas Company, a division of UtiliCorp United Inc. has no facilities in said easement and is executing this document to clear from the title any cloud raised by said easement.
3. That Aquila, Inc. does hereby disclaim or release any right or interest in the utility easement as stated on Exhibit A attached.

DATED AT Columbus this 10<sup>th</sup> day of August, 2006.

AQUILA, INC.

BY: *Dan Mechtenberg*

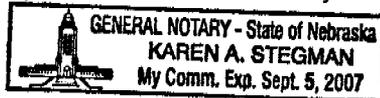
Title: DIR BUSINESS OPERATIONS

### CORPORATION ACKNOWLEDGMENT

STATE OF NEBRASKA )  
COUNTY OF Platte )

On this 10<sup>th</sup> day of August, 2006, before me a Notary Public in and for said County, personally appeared Dan Mechtenberg, to me personally known, who being by me duly sworn, did say that he/she is the Director of Operations of said Aquila, Inc., that no seal has been procured by said corporation and that said instrument was signed on behalf of the said corporation by authority of its Board of Directors, and the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

WITNESS my hand and seal the day and year last above written.



*Karen A. Stegman*  
Notary Public in and for said County

My Commission Expires: Sept. 5, 2007

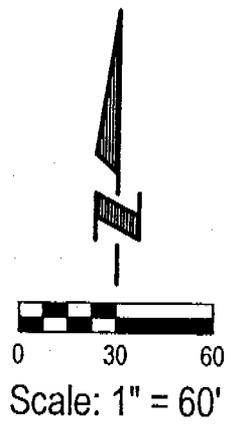
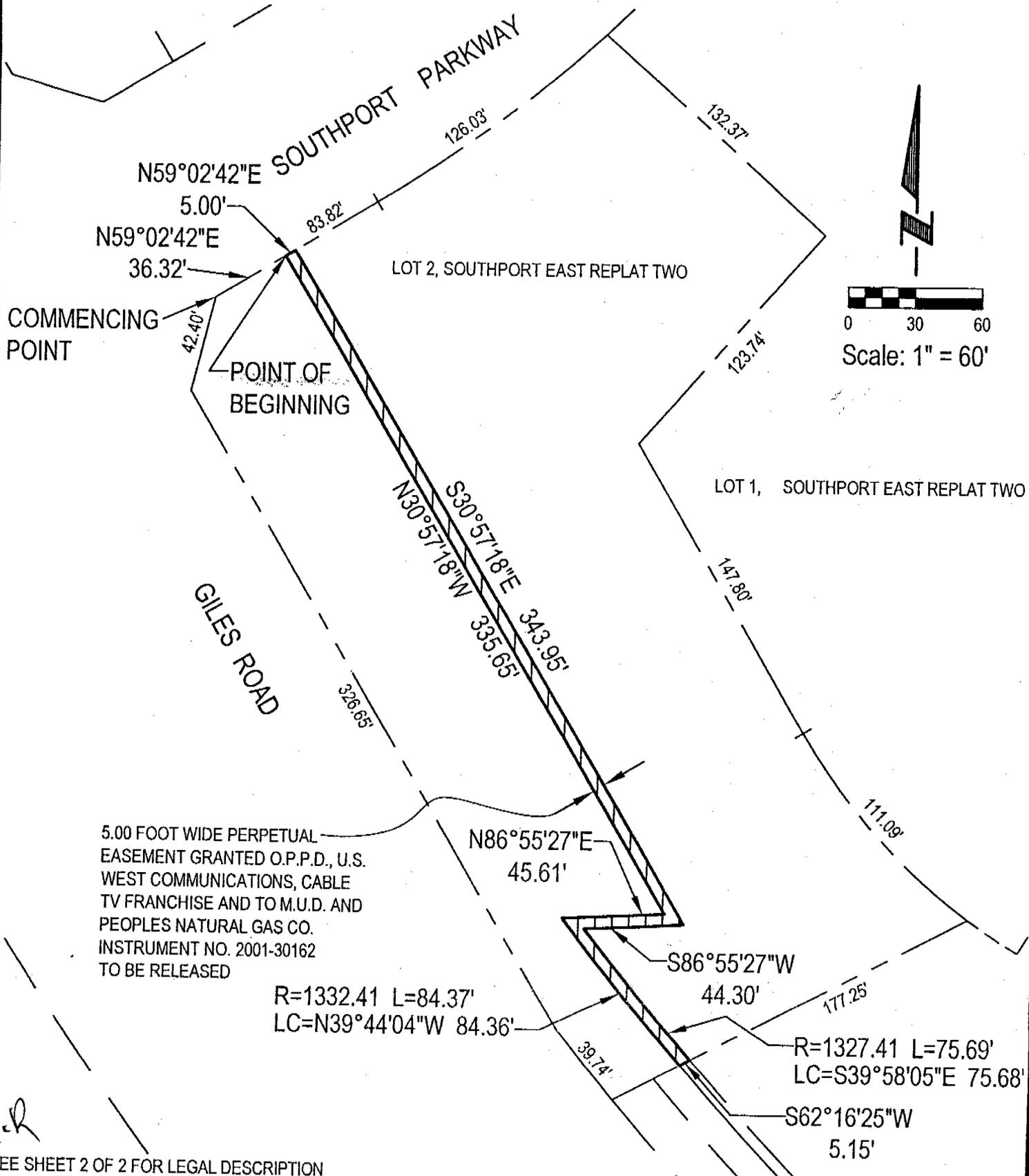
(SEAL)

~~Aquila, Inc~~  
~~410 Sandy Hough~~  
~~1815 Capitol Ave~~  
~~OMAHA NE 68102~~

27981

A

# EXHIBIT "A"



5.00 FOOT WIDE PERPETUAL  
 EASEMENT GRANTED O.P.P.D., U.S.  
 WEST COMMUNICATIONS, CABLE  
 TV FRANCHISE AND TO M.U.D. AND  
 PEOPLES NATURAL GAS CO.  
 INSTRUMENT NO. 2001-30162  
 TO BE RELEASED

R=1332.41 L=84.37'  
 LC=N39°44'04"W 84.36'

R=1327.41 L=75.69'  
 LC=S39°58'05"E 75.68'

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

**e+a** E&A CONSULTING GROUP, INC.  
 ENGINEERING • PLANNING • FIELD SERVICES  
 330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700

Drawn by: EDF Chkd by: WAC 6-9-06 Chkd by: \_\_\_\_\_  
 Job No.: 2000030.17 Date: 3/21/06 Revised: 6/08/06 SHEET 1 OF 2

LOT 2, SOUTHPORT EAST REPLAT TWO  
 OPPD, COX, QWEST, MUD, AND PEOPLES NATURAL  
 GAS EASEMENT TO BE RELEASED  
 SARPY COUNTY, NEBRASKA

# EXHIBIT "A"

## LEGAL DESCRIPTION

A 5.00 foot wide perpetual O.P.P.D., U.S. West Communications, Cable TV Franchise, M.U.D., and Peoples Natural Gas Company Easement to be released located in Lot 2, Southport East Replat Two, a subdivision located in the SE1/4 of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the point of intersection of the Southerly right-of-way line of Southport Parkway, and the Easterly right-of-way line of Giles Road, said point also being on the Northerly line of said Lot 2, Southport East Replat Two; thence N59°02'42"E (assumed bearing) along said Southerly right-of-way line of Southport Parkway, said line also being said Northerly line of Lot 2, Southport East Replat Two, a distance of 36.33 feet to the Point of Beginning; thence continuing N59°02'42"E along said Southerly right-of-way line of Southport Parkway, said line also being said Northerly line of Lot 2, Southport East Replat Two, a distance of 5.00 feet; thence S30°57'18"E, a distance of 343.95 feet; thence S86°55'27"W, a distance of 44.30 feet; thence Southeasterly on a curve to the left with a radius of 1327.41 feet, a distance of 75.69 feet, said curve having a long chord which bears S39°58'05"E, a distance of 75.68 feet to a point on the Southerly line of said Lot 2, Southport East Replat Two, said line also being the Westerly line of Lot 3, said Southport East Replat Two; thence S62°16'25"W along said Southerly line of Lot 2, Southport East Replat Two, said line also being said Westerly line of Lot 3, Southport East Replat Two, a distance of 5.15 feet; thence Northwesterly on a curve to the right with a radius of 1332.41 feet, a distance of 84.37 feet, said curve having a long chord which bears N39°44'04"W, a distance of 84.36 feet; thence N86°55'27"E, a distance of 45.61 feet; thence N30°57'18"W, a distance of 335.65 feet to the point of beginning.

Said 5.00 foot wide perpetual O.P.P.D., U.S. West Communications, Cable TV Franchise, M.U.D., and Peoples Natural Gas Company Easement to be released contains an area of 2,324 square feet or 0.053 acres, more or less.

SEE SHEET 1 OF 2 FOR DRAWING



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Job No.: 2000030.17 Date: 3/21/06 Revised: 6/08/06 SHEET 2 OF 2

**LOT 2, SOUTHPORT EAST REPLAT TWO**  
OPPD, COX, QWEST, MUD, AND PEOPLES NATURAL  
GAS EASEMENT TO BE RELEASED  
SARPY COUNTY, NEBRASKA