

MODIFICATION AND AMENDMENT OF EASEMENT GRANT

493-1-96

This instrument made and entered into this 27th day of March, 1980, by and between NORTHERN NATURAL GAS COMPANY, a Delaware Corporation, (hereinafter referred to as "Northern") and The Omaha National Bank, Successor Trustee to the Margaret E. Moylan and Harold T. Moylan Trusts (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: West half of the Northeast Quarter (W²NE⁴) Section Three (3) Township Fifteen (15) North, Range Eleven (11) East.,

which Easement Grant has been recorded in Book 378 of at Page 25 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 16 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:

All the property described above.

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 100 feet in width across the property of the Owners as last described above. 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 above written.

"NORTHERN"
By R. L. Andsager

"OWNERS"
The Omaha National Bank, Successor Trustee
to the Margaret E. Moylan & Harold T. Moylan
Trusts

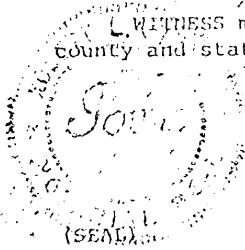
Attest _____

By Robert O. Brown
VICE-PRESIDENT

STATE OF IOWA :
 : SS.
COUNTY OF Polk :

On this 27th day of March, A.D., 1980, before me a Notary Public duly commissioned and qualified in and for said county and state, personally came R. L. Andsager, Des Moines Area Manager of NORTHERN NATURAL GAS COMPANY, who is personally known to me to be the identical person whose name is affixed to the above instrument as Des Moines Area Manager of said corporation, and that as Des Moines Area Manager being authorized to execute the foregoing instrument on behalf of NORTHERN NATURAL GAS COMPANY, 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.

I, WITNESS my hand and official seal at Des Moines, Iowa, in said county and state, the date aforesaid.

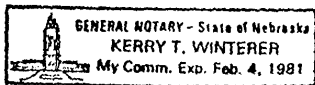


Commission Expires
September 30, 1981

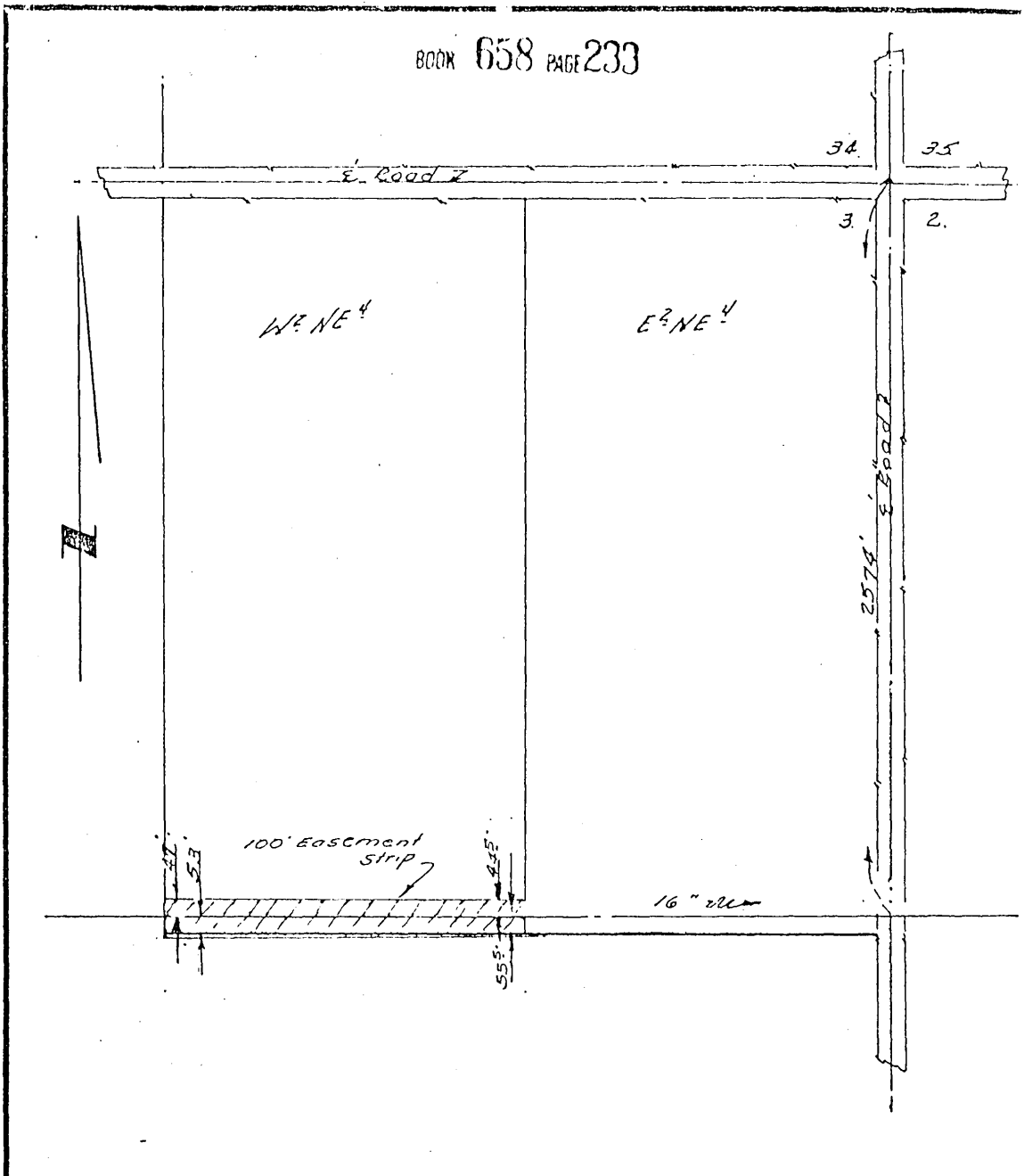
Robert L. Stumbo
Notary Public

STATE OF NEBRASKA :
COUNTY OF DOUGLAS : SS.

On this 7th day of MARCH, A.D., 1980, before me, a Notary Public in and for said County in said State, personally appeared ROBERT O. BROWN, VICE-PRESIDENT to me known 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 and the voluntary act and deed of said corporation as Trustee.



Kerry T. Winterer



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|-----------------------|----|--------------------|---------|--------------------|------|---|------|---|------|----|--------------|-------------|------|
| Scale | | Dr. by <i>RLS</i> | | Date <i>3-6-80</i> | | Transmission Operations Division Des Moines Area | | | | | | | |
| Drawing Status | | Checked | | Approved | | | | SKETCH OF 16" LINE CROSSING W ¹ / ₄ NE ¹ / ₄ SECTION 37 T15N, R11E, DOUGLAS COUNTY, NEBRASKA. | | | | | |
| | | By | Date | By | Date | By | Date | | | | | By | Date |
| Prel'y | | | | | | | | | | | | | |
| Bid | | | | | | | | | | | | | |
| Revised | By | Appr. | Constr. | | | | | P.O. | W.O. | 19 | Construction | Drawing No. | |
| Microfilm File Number | | Design File Number | | P.L. or Sta Number | | | | | | | | | |



46 Misc

RECEIVED
 1981 AUG 26 AM 8:45
 C. HAROLD OSTLER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

Book 658
Page 231
ns. M.L.C.

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Info
Compd
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