

COUNTER an G.E. RD
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 FEES \$ 18.50
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FILED SARPY CO. NE.
 INSTRUMENT NUMBER 2008-33176
 2008 DEC 17 A 10:35
 REC-16-1111
 DEC 16 2008

Shirley J. ...
 REGISTER OF DEEDS

RELEASE

STATE OF NEBRASKA)
) SS.
 COUNTY OF SARPY)

DAN MECHTENBERG for Black Hills/Nebraska Gas Utility Company, LLC, a Delaware limited liability company, d/b/a Black Hills Energy, formerly known as Peoples Natural Gas Company, Division of UtiliCorp United Inc. (name changed to Aquila, Inc. March 18, 2002) of lawful age, being first sworn, upon his oath, deposes and states that Black Hills Energy does hereby release any and all interest, rights and responsibilities that it may have in the utility easement rights in Lots 1 through 7 of Val Vista Replat One, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska and described as follows:

See EXHIBIT "A" attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the undersigned has set its hand this 8th day of December, 2008.

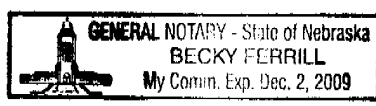
Black Hills/Nebraska Gas Utility Company, LLC,
 a Delaware limited liability company d/b/a
BLACK HILLS ENERGY

Dan Mechtenberg
 BY: DAN MECHTENBERG
 TITLE: VP NEBRASKA OPERATIONS

STATE OF NEBRASKA)
) SS.
 COUNTY OF DOUGLAS)

On this 8th day of December, 2008, before me, the undersigned, a Notary Public duly commissioned and qualified in and for said county and state, personally came DAN MECHTENBERG who is personally known to me to be the identical person whose name is affixed to the above instrument and 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 LINCOLN, NE, in said county and state, the date aforesaid.



Becky Ferrill
 Notary Public

(SEAL)

RETURN TO: VANCE CLARK
 E & A CONSULTING GROUP, INC.
 330 N 117TH ST
 OMAHA NE 68154-2509
 P1999.175.043

33176

2008-33176 B

BLACK HILLS ENERGY **EXHIBIT "A"**
LEGAL DESCRIPTION

A PERMANENT 38 FOOT WIDE AQUILA EASEMENT TO BE VACATED GRANTED WITH THE PLAT OF VAL VISTA RECORDED AS INSTRUMENT No. 2001-14254

Black Hills Energy

An existing Permanent 38 foot wide ~~Aquila~~ Easement to be vacated originally located in Lots 235 thru 240, inclusive, Val Vista, and now known as Lots 1 thru 7, inclusive, Val Vista Replat One, a subdivision located in the SW1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of said Lot 1, Val Vista Replat One, said point also being the point of intersection of the Westerly right-of-way line of 107th Street, and the Northerly right-of-way line of Giles Road; thence N02°29'39"W (assumed bearing) along the Easterly line of said Lot 1, Val Vista Replat One, said line also being said Westerly right-of-way line of 107th Street, a distance of 135.76 feet the point of beginning; thence N77°06'09"W, a distance of 336.76 feet; thence Westerly on a curve to the left with a radius of 1116.89 feet, a distance of 253.05 feet, said curve having a long chord which bears N83°35'35"W, a distance of 252.51 feet; thence Northerly on a curve to the right with a radius of 119.00 feet, a distance of 180.83 feet, said curve having a long chord which bears N46°33'06"W, a distance of 163.92 feet; thence N03°01'11"W, a distance of 60.33 feet; thence Northwesterly on a curve to the left with a radius of 81.00 feet, a distance of 43.90 feet, said curve having a long chord which bears N18°32'46"W, a distance of 43.36 feet; thence N34°04'21"W, a distance of 85.84 feet to a point on the Southerly right-of-way line of Brentwood Drive; thence Northeasterly along said Southerly right-of-way line of Brentwood Drive on a curve to the left with a radius of 234.03 feet, a distance of 38.04 feet, said curve having a long chord which bears N55°55'39"E, a distance of 38.00 feet; thence S34°04'21"E, a distance of 85.84 feet; thence Southerly on a curve to the right with a radius of 119.00 feet, a distance of 64.49 feet, said curve having a long chord which bears S18°32'46"E, a distance of 63.71 feet; thence S03°01'11"E, a distance of 60.33 feet; thence Easterly on a curve to the left with a radius of 81.00 feet, a distance of 123.08 feet, said curve having a long chord which bears S46°33'06"E, a distance of 111.58 feet; thence Southeasterly on a curve to the right with a radius of 1154.89 feet, a distance of 261.66 feet, said curve having a long chord which bears S83°35'35"E, a distance of 261.10 feet; thence S77°06'09"E, a distance of 326.30 feet to a point on said Westerly right-of-way line of 107th Street; thence S02°29'39"E along said Westerly right-of-way line of 107th Street, a distance of 39.41 feet to the point of beginning.

Black Hills Energy

Said existing Permanent 38 foot wide ~~Aquila~~ Easement to be vacated contains an area of 35,746 square feet or 0.821 acres, more or less.

SEE Sheet 1 of 2 FOR EASEMENT DRAWING

BLACK HILLS ENERGY



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

PERMANENT 38 FOOT WIDE AQUILA EASEMENT TO BE VACATED VAL VISTA
SARPY COUNTY, NEBRASKA

Drawn by: JAF Chkd by: WOC 12-16-08 Chkd by: _____
Job No.: P1999.175.043 Date: 09/17/2008 Sheet No.: 2 of 2