

THIS AGREEMENT made this 1st day of November, 1921, between William S. HUBBARD, a single man, hereinafter referred to as "Hubbard" and THE MAGNOLIA LIME LIME COMPANY, a corporation organized and existing under the laws of the State of Texas, hereinafter referred to as "Magnolia".

WITNESSETH:

HUBBARD, on the 1st day of February, 1921, with A. Pedersen, single, executed in favor of Magnolia Lime LIME COMPANY, hereinafter referred to as "Magnolia", a right of way agreement for pipe lines of other purposes across the land situated in Douglas County, Nebraska, said right of way agreement being recorded in Book 123 of Miscellaneous, Page 128 of the Register of Deeds Office, Douglas County, Nebraska, reference to which is made for all purposes as if the same were copied herein; and

HUBBARD, the Owner named above is now the present owner of the land described in said right of way agreement and has requested Magnolia to release the rights, privileges and easements granted to it by the above mentioned right of way agreement, except the strip of land 25 feet in width and hereinafter described, upon which pipe lines or other equipment are now located.

NOW THEREFORE, in consideration of the mutual benefit and obligation of the parties resulting from the covenants herein, the parties do hereby agree as follows:

1. Magnolia hereby releases all rights, privileges and easements held by it under the above mentioned right of way agreement insofar as they affect any of the land described in said right of way agreement, except for the following described strip of land, with reference to which Article 2 of said agreement contains all of its rights, privileges and easements.

A perpetual easement for a strip of land varying in width as hereinafter after delineated the centerline of which is described as follows:

Beginning at a point 2,443.02' North and 2,443.02' West of the North west corner of Section 31, Township 13 North, Range 12 East of the 4th Principal Meridian in Douglas County, Nebraska, said point being a point on the North property line of the Union Pacific Railroad Lane Cutoff at the west easterly corner of Lot 13, Block 15A in Westwood Subdivision as addition to Douglas County, Nebraska, as surveyed, platted and recorded;

thence, beginning with a perpetual easement of 25 feet in width which 25 feet is west of centerline and 17 feet is east of centerline running northwesterly along the west property line of Lot 13, Block 15A and on this line extended to a point on the centerline of 17' Street;

thence, running northwesterly along the east property line of 17th Street to a point 2,545.41 feet South and 2,455.17 feet West of the Northeast Corner of said Section 31;

thence, assuming the east property line of said Section 31, 17th Street North and South, on a bearing of N 89° 30' 00" W and running a distance of 116.74 feet to a point 2,527.78 feet South and 2,443.02 feet East of the Northeast Corner of said Section 31;

thence, increasing the width of the perpetual easement to 50 feet, which 25 feet is west of centerline and 25 feet is east of centerline, on a bearing of N 89° 31' 30" W and running a distance of 210.17 feet to a point 1,877.42 feet South and 2,455.17 feet West of the Northeast Corner of said Section 31;

thence, on a bearing of N 89° 31' 30" W and running a distance of 2,527.78 feet to a point on the east property line of 17th Street, said point being 25.7 feet South and 2,443.02 feet East of the Northeast Corner of said Section 31.

STATE OF TEXAS }
COUNTY OF DALLAS }

BE IT REMEMBERED, That on the 28th day of December, 1960, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared WILLIAM A. SMITH, single, to be known to be the person who executed the within instrument, and he so duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Richard E. Carter
Notary Public

STATE OF TEXAS }
COUNTY OF DALLAS }

BE IT REMEMBERED, That on this 28th day of December, 1960, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared D. E. Ford, Vice President, of Magnolia Pipe Line Company, a Texas corporation, who is personally known to me, and to be the Vice President of said corporation and the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires:

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