

PARTIAL ASSIGNMENT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS;

That NORTHERN NATURAL GAS COMPANY, Division of InterNorth, Inc., a Delaware Corporation, having its principal place of business at 2223 Dodge Street, Omaha, Nebraska, herein called the "Assignor", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by Assignee, the receipt of which is hereby acknowledged, does hereby sell, assign, quit claim and convey unto the City of Omaha, Nebraska herein called the "Assignee", only so much of the right, title and interest of the Assignor in a 3" pipeline and the following easements: An easement dated March 3, 1951 from Gertrude Dietz and Ernest H. Dietz, husband and wife, as grantors, to Northern Natural Gas Company as grantee and recorded in Book 263 at Page 615 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; a certain modified easement dated August 3, 1961 with the Ralston Development Corporation and recorded in Book 382 at Page 611 of Miscellaneous Records at the Register of Deeds Office, Douglas County, Nebraska, certain modified easement dated May 30, 1972 with the Ralston Development Corporation and recorded in Book 512 Page 129 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated August 7, 1959 from the Ellsworth Corporation as grantors, to Northern Natural Gas Company, as grantee, and recorded in Book 345 of the Miscellaneous records at the Register of Deeds office, Douglas County, Nebraska; and a certain modified easement dated December 10, 1968 with Applewood, Inc. and recorded in Book 471 and Page 709 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated September 12, 1958 from Arthur F. Blum and Irene H. Blum, husband and wife as grantors, to Northern Natural Gas Company as grantee and recorded in Book 335 at Page 121 of Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; a modification of easement dated June 16, 1966 with Sheldon Harris et al and recorded in Book 439 at Page 143 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated April 8, 1968 from Saturn Development as grantor, to Northern Natural Gas Company, as grantee and recorded in Book 462 at Page 1 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; and a second modification of easement dated June 27, 1977 with the Baron Corporation and recorded in Book 584 at Page 66 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated September 12, 1958 from William Borman and Anna Borman, husband and wife as grantors, to Northern Natural Gas Company, as grantee and recorded in Book 335 at Page 119 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; a modification of easement dated December 6, 1965 with Madeline Jacobson Properties, Inc. et al and recorded in Book 432 at Page 535 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated April 28, 1972 from Madeline Jacobson Properties, Inc. and Signal Hill Park as grantors to Northern Natural Gas Company, as grantee, and recorded in Book 512 at Page 145 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; and an easement dated May 10, 1971 from Fred Hutchinson and Maureen Hutchinson, husband and wife and Madeline Jacobson Properties, Inc. as grantors to Northern Natural Gas Company, as grantee, and recorded in Book 499 at Page 419 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated September 9, 1958 from Max H. Speck and Esther C. Speck, husband and wife as grantors, to Northern Natural Gas Company, as grantee and recorded in Book 335 at Page 117 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; a modification of easement dated April 4, 1963 with Madeline Jacobson Properties, Inc. and recorded in Book 398 at Page 677 of the Miscellaneous Records at the Register of Deeds office, Douglas County, Nebraska; an easement dated February 12, 1958 from Clarence Schroeder and Pearl Schroeder, husband and wife et al, as grantor to Northern

SATURN ENTERPRISES, INC.
OAK HEIGHTS, 2ND PLATTING
PROTECTIVE COVENANTS, RESTRICTIONS AND EASEMENTS

To Whom It May Concern:

The undersigned, owner of all the lots in Oak Heights, 2nd Platting, hereby declare that the following covenants are to run with the land and shall be binding on all present and future owners of all of said lots until January 1, 1992.

If the present or future owners of any of said lots, or their grantees, heirs or assigns shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons either to prevent him or them from so doing or to recover damages for such violation.

Invalidation of any of these covenants by judgment or Court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

A. Said lots shall be used for single-family purposes and for accessory structures incidental to residential use, or for church or school purposes.

B. No noxious or offensive trade or activity shall be carried on upon any plot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

C. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on said real estate shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

D. A perpetual license and easement is hereby reserved in favor of and granted to Omaha Public Power District and Northwestern Bell Telephone Company, their successors and assigns, to install, operate and maintain their utility facilities, over, under and upon a five foot strip of land adjoining on the rear and side boundaries of said lots in said addition. No permanent buildings, trees, retaining walls or loose rock walls shall be placed in the said easements, but same may be used for shrubs, gardens, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights granted herein.

E. Portland concrete public sidewalks, four feet wide by four inches thick shall be constructed in front of each built-upon lot and along the streetside of each built-upon corner lot. The sidewalk shall be placed five feet back of street curb line.

F. No building, fence, wall, signboard or other structure shall be erected, altered or placed on any building plot in the subdivision until complete plans, specifications and plot plan showing the location of such building or improvement have been approved in writing by Saturn Enterprises, Inc., as to use, conformity and harmony of external design with existing structures, topography and finished ground elevation.

G. Dwellings shall be restricted to the following minimum square foot ground floor area, exclusive of garages, breezeways and porches: 1,000 square feet for a one story or step-up style dwelling; 750 square feet on each floor in a full two story dwelling.

IN WITNESS WHEREOF, the said Saturn Enterprises, Inc. has caused its hand and seal to be affixed this 21st day of May, 1968.

SATURN ENTERPRISES, INC.,

By Alan O. Dickey President

Attest: Louis A. Seminara Secretary



STATE OF NEBRASKA)
: ss.
COUNTY OF DOUGLAS)

On this 21st day of May, 1968, before me the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came Alan O. Dickey, President, and Louis A. Seminara, Secretary, of Saturn Enterprises, Inc., a corporation, to me personally known to be the identical persons whose names are affixed to the above instrument, and acknowledged the execution thereof to be their voluntary act and deed as such officers and the voluntary act and deed of said corporation and that the Corporate seal of the said corporation was thereto affixed by its authority.

WITNESS my hand and Notarial Seal at Omaha in said county the day and year last above written.

Sharon C. Tull
Notary Public

My Commission expires: March 16, 1972



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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
29 DAY May 1968 AT 3:45 P.M. THOMAS L. O'CONNOR, REGISTER OF DEEDS
38.25