

Warranty Deed

I-80-9 (10) R-838a Tract 35-1

KNOW ALL MEN BY THESE PRESENTS:

THAT We, Earl Kenneth Root and Eva Jean Root, husband and wife

of the County of _____ and State of _____ for and in consideration of the sum of Sixteen Thousand Three Hundred Fifteen and 20/100 _____ DOLLARS in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA the following described real estate situated in Douglas County, and State of Nebraska, to-wit:

A tract of land located in the Southwest Quarter of Section 35, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the west quarter corner of said Section 35; thence southerly on the West line of the Southwest Quarter of said Section 35 a distance of 48.0 feet to the point of beginning; thence continuing southerly on said West line a distance of 1,745.7 feet to a point on the northerly right of way line of the Union Pacific Railroad Company; thence easterly on said northerly railroad right of way line a distance of 110.1 feet; thence northeasterly on a 377.46 foot radius curve to the right (initial tangent of which forms an angle of 71 degrees 33 minutes left with said northerly railroad right of way line) a distance of 212.0 feet to point of tangency; thence continuing northeasterly, tangent, a distance of 288.6 feet; thence continuing northeasterly 6 degrees 10 minutes right a distance of 318.5 feet; thence easterly 33 degrees 55 minutes right a distance of 339.3 feet; thence northwesterly 113 degrees 43 minutes left a distance of 325.2 feet; thence westerly 64 degrees 02 minutes left a distance of 127.6 feet to point of curvature; thence northwesterly on a 718.5 foot radius curve to the right (initial tangent of which forms an angle of 2 degrees 15 minutes left with the last described course produced) a distance of 367.2 feet to point of tangency; thence continuing northwesterly, tangent, a distance of 268.6 feet; thence continuing northwesterly 23 degrees 53 minutes right a distance of 219.8 feet; thence northerly 36 degrees 30 minutes right a distance of 111.0 feet to point of curvature; thence continuing northerly on a 1,809.66 foot radius curve to the right (initial tangent of which coincides with the last described course produced) a distance of 271.1 feet to point of tangency; thence northwesterly on a line forming an angle of 20 degrees 51 minutes left with the final tangent of the last described curve produced a distance of 112.4 feet; thence westerly 69 degrees 09 minutes left a distance of 97.5 feet to the point of beginning, containing 15.028 acres, more or less, which includes 1.432 acres, more or less, previously occupied as a public highway, the remaining 13.596 acres, more or less, being the additional acreage hereby secured.

The above described tract shall become a part of a controlled access highway facility as described in Section 39-1302 (6), revised Statutes of Nebraska, 1957 Cumulative Supplement to which no ingress and egress shall be allowed to or from adjoining or abutting property, except that safe and reasonable ingress and egress to and from the adjoining or abutting property shall be allowed onto and upon a frontage road to be located and constructed by the Department of Roads within the boundaries of the right of way hereby acquired in accordance with approved plans now on file on Department of Roads Project Number I-80-9 (10), subject to the provisions of Section 39-132B, Revised Statutes of Nebraska, 1957 Cumulative Supplement, and except that ingress and egress shall be allowed onto and upon said Southwest Quarter of said Section 35 between the point of beginning and the point of termination of the following described line:



Referring to the west quarter corner of said Section 35; thence southerly on the West line of the Southwest Quarter of said Section 35 a distance of 48.0 feet to the point of beginning of said line; thence easterly 81 degrees 25 minutes left a distance of 97.5 feet; thence southeasterly 69 degrees 09 minutes right a distance of 112.4 feet; thence southerly on a 1,809.66 foot radius curve to the left (initial tangent of which forms an angle of 20 degrees 51 minutes right with the last described course produced) a distance of 154.8 feet to the point of termination of said line.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto the said The State of Nebraska and to its successors and assigns forever.

And we do hereby covenant with the said Grantee and with its successors and assigns that we are lawfully seized of said premises; that they are free from encumbrance, that we have good right and lawful authority to sell the same; and we do hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever.

And the said Eva Jean Root hereby relinquishes all her rights of every name and kind in and to the above described premises.

Signed this 3 day of August, A.D. 1959

In Presence of

X Earl Kenneth Root
X Eva Jean Root

Wesley Peterson
Donald R. Kuehn

STATE OF Iowa)
Butte County) ss.

On this 3 day of August, A.D. 1959, before me, the undersigned *Elmer H. Berry* a Notary Public, duly commissioned and qualified for and residing in said county, personally came Earl Kenneth Root and Eva Jean Root, husband and wife to me known to be the identical persons whose names are affixed to the foregoing instrument as grantors and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Elmer H. Berry Notary Public

My Commission expires the 4 day of July, 1960.

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
9 DAY Oct 1959 AT 9:52 A.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS 335

