



BK 2199 PG 403-409



DEED 2001 17484

Nebr Doc Stamp Tax
12-31-01
Date
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By <i>WLP</i>

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

01 DEC 31 PM 12:20

RECEIVED

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Nebraska Machinery Company, a Nebraska corporation, in consideration of One DOLLAR in hand paid by the City of Omaha, a Municipal Corporation in the State of Nebraska, does hereby Grant Bargain, Sell and Convey unto the said City of Omaha, a Municipal Corporation in the State of Nebraska, the following described premises situated in the County of Douglas and State of Nebraska, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

Together with all the tenements, hereditaments, and appurtenances thereunto belonging, and all the estate, right, title, interest, claim or demand whatsoever of the said Nebraska Machinery Company, a Nebraska corporation, of, in, or to the same, or any part thereof:

TO HAVE AND TO HOLD the above described premises unto the said grantees and to their heirs forever; and the said Grantor hereby covenants that said premises are free and clear of all liens and encumbrances, except those easements, restrictions and covenants of record and it does hereby covenant to WARRANT AND DEFEND the said premises against the lawful claims and demands of all persons claiming by, through, or under it, and against no other claims or demands.

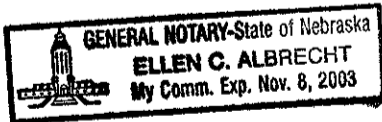
IN WITNESS WHEREOF we have hereunto set our hand this 17 day of January, 2001.

Nebraska Machinery Company, a
Nebraska corporation

BY: *J. Swanson*
Name: _____
Title: CEO

STATE OF Nebraska)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on January 17th, 2001 by (Name) JL Swanson, (Title) CEO of Nebraska Machinery company, a Nebraska corporation, known to be the identical person or persons whose name is or names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed on behalf of said corporation.



Ellen C Albrecht
Notary Public
My commission expires 11-8-2003

Deed A
7
24

FEE	<u>47.00</u>	FB	<u>03-8000</u>
BKP		C/O	<u>4</u> COMP
DEL		SCAN	<u>CR</u> FV

Buy 35

LEGAL DESCRIPTION

Tract 1:

Parcel A.

Lots 1 and 2 and the East 22 feet of Lot 3, in Block 39, in the Original City of Omaha, together with the North ½ of the vacated alley adjacent thereto on the South.

AND

A tract of land located in Lots 3 and 4, in Block 39, in the Original City of Omaha, described as follows: Beginning at the Northwest corner of said Lot 4; thence Easterly along the North line of said Lots 3 and 4, a distance of 110.0 feet; thence Southerly, 90°00' right, a distance of 132.0 feet, to a point on the South line of said Lot 3; thence Westerly, 90°00' right, and along said South line, a distance of 4.89 feet; thence Northwesterly, 31°08'14" right, a distance of 122.8 feet, to a point on the West line of said Lot 4; thence Northerly, 58°51'46" right, and along said West line, a distance of 68.5 feet, to the point of beginning. Together with the North ½ of the vacated alley adjacent to said portion of Lot 3 on the South.

EXCEPTING THEREFROM that portion conveyed by Quitclaim Deed filed December 26, 1989 in Deed Book 1864 Page 710, in the Office of the Register of Deeds, Douglas County, Nebraska.

Parcel B.

8 The one half of the alley adjacent to Lots 1, 2, 3, 6, 7 and 8, Block 39, Original City of Omaha, Douglas County, Nebraska, extending from 12th Street westerly 158.89 feet which was a portion of the property vacated by City Ordinance No. 31665 recorded at Miscellaneous Book 870 Page 136, in the Office of the Register of Deeds, Douglas County, Nebraska.

EXCEPTING THEREFROM that portion conveyed by Quitclaim Deed filed December 26, 1989 in Deed Book 1864 Page 710, in the Office of the Register of Deeds, Douglas County, Nebraska.

Parcel C.

A tract of land located in part of the South Half of the vacated alley in Block 39, Original City of Omaha, Douglas County, Nebraska, described as follows: Beginning at the Northeast corner of Lot 8 of said Block 39, thence Westerly a distance of 125.78 feet, thence Northwesterly deflecting 031°08'15" right, a distance of 19.34 feet; thence easterly deflecting 148°51'45" right, a distance 142.34 feet; thence Southerly deflecting 090°00'00" right, a distance of 10.00 feet to the Northeast corner of said Lot 8 of said Block 39 to the point of beginning.

Tract 2:

Parts of Blocks 28, 37, 38 and 62, Original City of Omaha, together with parts of vacated streets and alleys adjoining; all in Douglas County, Nebraska, and being more particularly described as follows:

Parcel A.

2 That part of Lots 5 and 6, in said Block 28, being more particularly described as follows: Beginning at the Southwest corner of said Lot 5; thence N89°44'03"E (an assumed bearing) along the South line of said Lots 5 and 6 for 94.0 feet; thence N22°59'36"W along a line 10.0 feet Southwest from and parallel to the centerline of a railroad track, for 144.09 feet to a point on the North line of said Lot 5; thence S89°44'03"W along the North line of said Lot 5 for 38.78 feet to the Northwest corner of said Lot 5; thence S00°27'33"E along the West line of said Lot 5 for 132.90 feet to the point of beginning.

Parcel B.

8 All of Lots 2 thru 7 and parts of Lots 1 and 8, together with that part of vacated alley adjoining said Lots, all in said Block 38; and being more particularly described as follows: Beginning at the Southwest corner of Lot 5, said Block 38; thence N00°15'33"W along the West line of said Block 38 for 306.10 feet to the Northwest corner of Lot 4, said Block 38; thence N89°44'03"E along the North line of said Block 38 for 161.28 feet to a point that is 10.0 feet Southwesterly from the centerline of railroad track ICC #35; thence Southeasterly along a line 10.0 feet Southwesterly from and parallel to the centerline of railroad track ICC #35 for the following five courses: Along a 689.66 foot radius curve to the right (having a chord bearing S19°50'02"E and a chord distance of 80.36 feet) for an arc distance of 80.41 feet; S16°37'41"E for 95.18 feet; along a 595.47 foot radius curve to the left (having a chord bearing S19°14'07"E and a chord distance of 52.89 feet) for an arc distance of 52.90 feet; S21°43'15"E for 63.53 feet, along a 144.28 foot radius curve to the right (having a chord bearing S18°36'31"E and a chord distance of 24.94 feet) for an arc distance of 24.97 feet to a point on the East line of Lot 8 in said Block 38; thence S00°12'40"E along the East line of Lot 8 in said Block 38 for 6.50 feet to the Southeast corner of Lot 8 in said Block 38; thence S89°47'28"W along the South line of Lots 5 thru 8 inclusive in said Block 38 for 263.32 feet to the point of beginning.

Parcel C.

A tract of land in parts of Blocks 37, 38 and 62, Original City of Omaha, an Addition to the City of Omaha, in Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of Lot 2, said Block 62; thence West (assumed bearing) on the South line of Lot 2, said Block 62, 85.60 feet to a point on the Northerly right-of-way line of the Interstate Highway; thence Northwesterly on a curve to the left (radius being 1237.60 feet, chord bearing N71°20'00"W, chord distance 13.0 feet) an arc distance of 13.0 feet; thence N72°59'59"W on said Interstate right-of-way, 124.80 feet; thence Northwesterly on a curve to the right on said Interstate right-of-way, (radius being 2276.3 feet; chord bearing N68°19'05"W, chord distance 50.50 feet) an arc distance of 50.50 feet to a point on the West line of said Block 62; thence N00°12'08"W on the West line of Lot 4, said Block 62 and its northerly extension, 86.67 feet to a point 10.0 feet measured at right angles, Southwesterly from the centerline of a railroad spur track; thence N40°37'11"W on a line 10.0 feet Southwesterly from and parallel to the centerline of said spur track, 88.15 feet to a point of intersection with a line 25.0 feet measured radially, Northeasterly from the centerline of another railroad spur track; thence Northwesterly on a line 25.0 feet Northeasterly from and concentric to the centerline of said spur track on a curve to the left (radius being 179.28 feet, chord bearing N16°05'49"W, chord distance 65.27 feet) an arc distance of 65.64 feet to a point of tangency; thence N21°35'07"W on a line 25.0 feet Northeasterly from and parallel to the centerline of said spur track, 63.53 feet to a point of

curve; thence Northwesterly on a line 25.0 feet Northeasterly from and concentric to the centerline of said spur track on a curve to the right (radius being 560.47 feet, chord bearing N19°01'52.5"W, chord distance of 49.95 feet) an arc distance of 49.97 feet to a point of tangency; thence N16°28'38"W on a line 25.0 feet Northeasterly from and parallel to the centerline of said spur track, 95.18 feet to a point of curve; thence Northwesterly on a line 25.0 feet Northeasterly from and concentric to the centerline of said spur track on a curve to the left (radius being 724.66 feet, chord bearing N21°04'36"W, chord distance 116.22 feet) an arc distance of 116.34 feet to a point of intersection with a line 10.0 feet, measured radially, Southwesterly from the centerline of another railroad spur track; thence Southeasterly on a line 10.0 feet, Southwesterly from and concentric to the centerline of said spur track on a curve to the right (radius being 581.16 feet, chord bearing S40°41'14"E, chord distance 59.03 feet) an arc distance of 59.06 feet to a point of reverse curve; thence Southeasterly on a line 10.0 feet Southwesterly from and concentric to the centerline of said spur track on a curve to the left (radius being 3469.52 feet, chord bearing S40°34'22"E, chord distance 426.17 feet) an arc distance of 426.44 feet to a point of tangency; thence Southeasterly on a line 10.0 feet Southwesterly from and concentric to the centerline of said spur track on a curve to the left (radius being 612.22 feet, chord bearing S51°42'55"E, chord distance 169.15 feet) an arc distance of 169.69 feet to a point on the East line of Lot 1, said Block 62, thence S00°03'32"W on the East line of Lots 1 and 2, said Block 62, 108.32 feet to the point of beginning, EXCEPTING THEREFROM that portion contained in Cass Street and EXCEPTING THEREFROM the Northeast corner of Lot 1, Block 62, owned by the Omaha Bridge and Terminal Railway Company.

ALSO DESCRIBED AS:

Parcel A:

A tract of land located in part of Lots 5 and 6, Block 28, Original City of Omaha, located in the SE ¼ of Section 15, Township 15 North, Range 13 East, Douglas County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of said Lot 5, Block 28, Original City of Omaha, said point of intersection of the North right-of-way line of Cass Street and the East right-of-way line of 12th Street; thence N02°16'48"W (assumed bearing) along said East right-of-way line of 12th Street, said line also being the West line of said Lot 5, Block 28, Original City of Omaha, a distance of 132.25 feet to the Northwest corner of said Lot 5, Block 28, Original City of Omaha, said point also being the point of intersection of said East right-of-way line of 12th Street and the South right-of-way line of an alley, thence N87°36'34"E along said South right-of-way line of any alley, said line also being the North line of said Lot 5, Block 28, Original City of Omaha, a distance of 38.58 feet to a point on the Southwesterly right-of-way line of the Omaha Bridge and Terminal Railway (now owned by the Canadian National Illinois Central Railroad); thence S25°01'43"E along said Southwesterly right-of-way line of the Omaha Bridge and Terminal Railway (now owned by the Canadian National Illinois Central Railroad), a distance of 143.32 feet to a point on the South line of said Lot 6, Block 28, Original City of Omaha, said point also being on said North right-of-way line of Cass Street; thence S87°37'23"W along the South line of said Lots 5 and 6, Block 28, Original City of Omaha, said line also being said North right-of-way line of Cass Street, a distance of 94.00 feet to the point of beginning.

Parcel B:

All of Lots 1 and 2, Block 39, Original City of Omaha; and also together with part of Lots 3 and 4, said Block 39, Original City of Omaha, and also together with part of a vacated alley located in said Block 39, Original City of Omaha; all located in the NE $\frac{1}{4}$ of Section 22, Township 15 North, Range 13 East of the 6th P.M., more particularly described as follows:

Beginning at the Northeast corner of said Lot 1, Block 39, Original City of Omaha, said point also being the point of intersection of the South right-of-way line of Cass Street and the West right-of-way line of 12th Street; thence $S02^{\circ}20'25''E$ (assumed bearing) along the East line of said Lot 1, Block 39, Original City of Omaha, and the Southerly extension thereof, said line also being said West right-of-way line of 12th Street, a distance of 152.15 feet to the point of intersection of said West right-of-way line of 12th Street and the South right-of-way line of said vacated alley in said Block 39, Original City of Omaha, said point also being the Northeast corner of Lot 8, said Block 39, Original City of Omaha; thence $S87^{\circ}35'04''W$ along said South right-of-way line of a vacated alley in Block 39, Original City of Omaha, said line also being the North line of Lots 7 and 8, said Block 39, Original City of Omaha, said line also being the Northerly right-of-way line of Nebraska Department of Roads Interstate Highway No. I-480, a distance of 126.24 feet; thence $N61^{\circ}20'34''W$ along said Northerly right-of-way line of the Nebraska Department of Roads Interstate Highway No. I-480, a distance of 19.38 feet to a point on the centerline of said vacated alley in Block 39, Original City of Omaha; thence $S87^{\circ}35'05''$ along said centerline of a vacated alley in Block 39, Original City of Omaha, said point also being on the Northerly right-of-way line of Nebraska Department of Roads Interstate Highway No. I-480, a distance of 16.60 feet; thence $N02^{\circ}24'56''W$ along said Northerly right-of-way line of the Nebraska Department of Roads Interstate Highway No. I-480, a distance of 10.00 feet to a point on the North right-of-way line of said vacated alley, said point also being on the South line of said Lot 3, Block 39, Original City of Omaha; thence $N61^{\circ}20'34''W$ along said Northerly right-of-way of Nebraska Department of Roads Interstate Highway No. I-480 a distance of 123.00 feet to a point on the West line of said Lot 4, Block 39, Original City of Omaha, said point also being on the East right-of-way line of 13th Street, thence $N02^{\circ}18'54''W$ along said West line of Lot 4, Block 39, Original City of Omaha, said line also being said East right-of-way line of 13th Street, a distance of 68.49 feet to the Northwest corner of said Lot 4, Block 39, Original City of Omaha, said point also being the point of intersection of said East right-of-way line of 13th Street and said South right-of-way line of Cass Street; thence $N87^{\circ}32'42''E$ along the North line of said Lots 1, 2, 3 and 4, Block 39, Original City of Omaha, said line also being said South right-of-way line of Cass Street, a distance of 264.86 feet to the point of beginning.

Parcel C:

A tract of land located in part of Lots 1, 2 and 8, Block 38, Original City of Omaha; and also together with all of Lots 3, 4, 5, 6, and 7, said Block 38, Original City of Omaha; and also together with part of vacated Cass Street; and also together with part of a vacated alley in said Block 38, Original City of Omaha; all located in the NE $\frac{1}{4}$ of Section 22, Township 15 North, Range 13, East of the 6th P.M., Douglas County, Nebraska, more particularly described as:

Beginning at the Southwest corner of said Lot 5, Block 38, Original City of Omaha, said point also being the point of intersection of the North right-of-way line of Chicago Street and the East right-of-way line of 12th Street; thence $N02^{\circ}20'25''W$ (assumed bearing) along the West

line of said Block 38, Original City of Omaha, and the Northerly extension thereof, said line also being said East right-of-way line of 12th Street, a distance of 306.45 feet; thence N87°37'23"E, a distance of 161.28 feet to a point on the Westerly right-of-way line of the Canadian National Illinois Central Railroad; thence Southerly along said Westerly right-of-way line of the Canadian National Illinois Central Railroad and the Northerly Extension thereof; on the following described courses; thence Southeasterly on a curve to the right with a radius of 689.66 feet, a distance of 80.41 feet, said curve having a long chord which bears S22°00'20"E, a distance of 80.36 feet; thence S18°47'59"E, a distance of 95.18 feet; thence Southeasterly on a curve to the left with a radius of 595.47 feet, a distance of 52.91 feet, said curve having a long chord which bears S21°24'25"E, a distance of 52.89 feet; thence S23°53'33"E, a distance of 63.53 feet; thence Southeasterly on a curve to the right with a radius of 144.28 feet, a distance of 25.37 feet, said curve having a long chord which bears S20°42'03"E, a distance of 25.33 feet to a point on the East line of said Lot 8, Block 38, Original City of Omaha, said line also being the West right-of-way line of vacated 11th Street; thence S02°11'05"E along said East line of Lot 8, Block 38, Original City of Omaha, said line also being said West right-of-way line of vacated 11th Street, said line also being said Westerly right-of-way line of Canadian National Illinois Central Railroad, a distance of 6.32 feet to the Southeast corner of said Lot 8, Block 38, Original City of Omaha, said point also being the point of intersection of said intersection of said West right-of-way line of vacated 11th Street and said North right-of-way of Chicago Street; thence S87°37'29"W along the South line of said Lots 5, 6, 7 and 8, Block 38, Original City of Omaha, said line also being said North right-of-way line of vacated Chicago Street, a distance of 263.87 feet to the point of beginning.

Parcel D:

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2
A tract of land located in parts of Lots 1, 2, 3, and 4, Block 62, Original City of Omaha; and also together with part of a vacated alley located in said Block 62, Original City of Omaha; and also together with part of Lots 5 and 6, Block 37, said Original City of Omaha; and also together with parts of Lots 1 and 8, Block 38, said Original City of Omaha; and also together with part of vacated 11th Street; and also together with part of vacated Chicago Street; and also together with part of vacated 10th Street; all located in the SE ¼ of Section 15, Township 15 North, Range 13 East of the 6th P.M. and the NE ¼ of Section 22, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:
Commencing at the Southwest corner of Lot 5, Block 62, Original City of Omaha, said point also being the point of intersection of the East right-of-way line of 11th Street and the North right-of-way line of Davenport Street; thence N02°25'29"W along said East right-of-way line of 11th Street, said line also being the West line of said Block 62, Original City of Omaha, a distance of 211.60 feet to a point on the Northerly right-of-way line of Nebraska Department of Roads U.S. Interstate No. I-480, said point also being the point of beginning; thence continuing N02°25'29"W along said East right-of-way line of 11th Street, said line also being said West line of Lot 4, Block 62, Original City of Omaha, and the Northerly extension thereof, a distance of 86.71 feet; thence N43°00'38"W along the Southwesterly line of 11th Street vacation, vacated by Ordinance 27490, a distance of 87.86 feet; thence Northwesterly on a curve to the left with a radius of 179.28 feet, a distance of 65.64 feet, said curve having a long chord which bears N18°29'16"W, a distance of 65.27 feet to a point on the Northeasterly right-of-way line of the Canadian National Illinois Central Railroad; thence N23°58'34"W along said Northeasterly right-of-way line of the Canadian National Illinois Central Railroad, a distance of

63.53 feet; thence Northwesterly along said Northeasterly right-of-way line of the Canadian National Illinois Central Railroad on a curve to the right with a radius of 560.47 feet, a distance of 49.95 feet; said curve having a long chord which bears $N21^{\circ}25'20''W$, a distance of 49.95 feet; thence $N18^{\circ}52'05''W$ along said Northeasterly right-of-way line of the Canadian National Illinois Central Railroad, a distance of 95.18 feet; thence Northwesterly along said Northeasterly right-of-way line of the Canadian National Illinois Central Railroad on a curve to the left with a radius of 724.66 feet, a distance of 45.99 feet, said curve having a long chord which bears $N20^{\circ}41'11''W$, a distance of 45.98 feet to a point on the North line of said Lot 1, Block 38, Original City of Omaha, said point also being on the South right-of-way line of Cass Street; thence $N87^{\circ}37'23''E$ along said North line of Lot 1, Block 38, Original City of Omaha, said line also being said South right-of-way line of Cass Street, a distance of 26.36 feet to a point on the Southwestern right-of-way line of the Omaha Bridge and Terminal Railway (now owned by said Canadian National Illinois Central Railroad); thence Southeasterly along said Southwesterly right-of-way line of the Omaha Bridge and Terminal Railway (now owned by the Canadian National Illinois Central Railroad) on a curve to the left with a radius of 3469.52 feet, a distance of 401.27 feet, said curve having a long chord which bears $S43^{\circ}10'17''E$, a distance of 401.50 feet, thence Southeasterly along said Southwesterly right-of-way line of the Omaha Bridge and Terminal Railway (now owned by said Canadian National Illinois Central Railroad), on a curve to the left with a radius of 612.22 feet, a distance of 169.69 feet; said curve having along chord which bears $S54^{\circ}06'22''E$, a distance of 169.15 feet to a point on the East line of said Lot 1, Block 62, Original City of Omaha, said point also being on the West right-of-way line of said vacated 10th Street, vacated by Ordinance 31898-A; thence $N87^{\circ}40'05''E$, a distance of 50.00 feet to a point on the centerline of said vacated 10th Street, vacated by Ordinance 31898-A, said point also being on the Westerly right-of-way line of the Chicago, St. Paul, Minneapolis and Omaha Railroad (now owned by the Union Pacific Railroad Company, thence $S02^{\circ}19'55''E$ along said West right-of-way line of the Chicago, St. Paul, Minneapolis and Omaha Railroad (now owned by the Union Pacific Railroad Company), said line also being the West right-of-way line of the Burlington Northern Railroad, said line also being the West property line of William D. Rule, said line also being the West property line of Ivan Abdouch and Helen Abdouch Joint Tenants, said line also being the center line of vacated 10th Street, a distance 118.32 feet, thence $S87^{\circ}40'05''W$, a distance of 50.00 feet to a point on the centerline of an alley in said Block 62, Original City of Omaha vacated by said Ordinance 31898-A; thence $S87^{\circ}37'35''W$ along said centerline of an alley in Block 62, Original City of Omaha vacated by Ordinance 31898-A, a distance of 57.59 feet to a point on said Northerly right-of-way line of Nebraska Department of Roads U.S. Interstate Highway No. I-480; thence Northwesterly along said Northerly right-of-way line of Nebraska Department of Roads U.S. Interstate Highway No. I-480 on a curve to the left with a radius of 1237.60 feet, a distance of 42.37 feet, said curve having a long chord which bears $N73^{\circ}02'09''W$, a distance of 42.73 feet; thence $N75^{\circ}23'26''W$ along said Northerly right-of-way line of Nebraska Department of Roads U.S. Interstate Highway No. I-480 on a curve to the left with a radius of 2276.30 feet, a distance of 50.86 feet, said curve having a long chord which bears $N70^{\circ}42'15''W$, a distance of 50.86 feet to the point of beginning.