



1914 277 DEED



15537 91 277-<sup>284</sup>000

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INDEXING  
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ORIGINAL

BOOK 1914 PAGE 277

1-2435-5-4

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Dec 31 11 16 AM '91

SPECIAL WARRANTY DEED

RECORDS & DEEDS  
DOUGLAS COUNTY, NE

KNOW ALL MEN BY THESE PRESENTS:

THAT, UNION PACIFIC LAND RESOURCES CORPORATION, a corporation of the State of Nebraska, Grantor, in consideration of the sum of Four Hundred Ten Thousand Dollars (\$410,000.00) to it paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto MILLARD LUMBER INC., a corporation of the State of Nebraska, whose postal address is 5005 South 135th Street, Omaha, Nebraska 68137, Grantee, those certain parcels of land situated in Section 1, Township 14 North, Range 11 East of the Sixth Principal Meridian in the City of Omaha, Douglas County, Nebraska, described in Exhibit A hereto attached and hereby made a part hereof, and the approximate location of which is graphically shown for illustrative purposes only and not for purposes of describing the lands hereby conveyed, on the print marked Exhibit B, attached hereto and hereby made a part hereof.

EXCEPTING from this grant and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of, said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by Grantee, its successors or assigns.

This deed is made SUBJECT to the following:

(a) All taxes and assessments, general and special, and all installments of assessments, lawfully levied upon or assessed against the premises described in Exhibit A which became or may become due and payable on or after September 23, 1983, and Grantee assumes and agrees to pay, or to reimburse Grantor for, if paid by it, all

15537  
Deed #

12/04/91

NEBRASKA DOCUMENTARY STAMP TAX	
Date	12/31/91
\$ 367.50	By D/H

BK 1914 N 1-14-11 C/O X FEE 41.00  
 PG 277-284 43-575 DEL VIL MC Wc  
 OF Deed COMP VCP F/B 0-6000  
 64-34900

such taxes and assessments and installments of assessments.

(b) All liens, encumbrances, clouds upon, impairments of and defects in the title created or permitted to be created by Grantee on and after September 23, 1983, and any and all restrictions and limitations imposed by public authority, and any easements, restrictions and/or outstanding rights of record, and exceptions, reservations and conditions contained in prior deeds or open and obvious on the ground, including, without limiting the foregoing, the following:

(i) that certain License Agreement made and entered into October 6, 1972, by and between Union Pacific Land Resources Corporation, a corporation of the State of Utah (predecessor in interest to Grantor herein), and Metropolitan Utilities District, identified in the records of Grantor as C.D. No. 304, Audit No. 518, covering the construction, maintenance and operation of an underground water pipeline across a portion of the land described in Exhibit A;

(ii) that certain Easement Deed dated March 17, 1978, from Grantor to City of Omaha, identified in the records of Grantor as UIC Law Department Document No. 1-2593-1, Audit No. 23091, and recorded on April 3, 1978 in the Miscellaneous Records of Douglas County, Nebraska in Book 595 at Page 503, covering the construction, operation, maintenance, repair, renewal, reconstruction and use of an 8' x 4' concrete box culvert storm drainage on and along a portion of the land described in Exhibit A, together with the right of ingress and egress to and from said easement area for the purpose of exercising the rights therein granted;

(iii) undocumented encroachments of various utility lines; and

12/04/91

(iv) public roads and rights of way.

TO HAVE AND TO HOLD, subject to the aforesaid exception, reservation and other provisions, the premises described in Exhibit A, with the appurtenances thereunto belonging, unto Grantee, its successors and assigns, forever, and Grantor, for itself, and its successors and assigns, that it is lawfully seized of said premises, that they are free from encumbrances, except as hereinbefore set out, and that it has good right and lawful authority to sell the same, and that it will and its successors and assigns shall warrant and defend the same unto Grantee, its successors and assigns, forever, except as aforesaid, against the unlawful claims of all persons claiming by, from or under it, but against none other.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed by its Senior Vice President and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed this 5th day of December, 1991.

In Presence of:

UNION PACIFIC LAND RESOURCES CORPORATION, a Nebraska corporation

Judith M. Dubich

By: [Signature]  
Senior Vice President

ATTEST:

Neuman (SEAL)  
Assistant Secretary

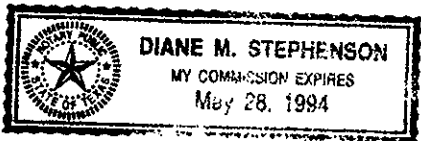


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STATE OF TEXAS            )  
                                  )  SS  
COUNTY OF DALLAS        )

BEFORE ME, the undersigned authority, on this day personally appeared R. D. Hirsch, Jr. Vice President, and P. J. Neuman, Assistant Secretary, respectively, of UNION PACIFIC LAND RESOURCES CORPORATION, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5 day of December, 1991.



Diane M. Stephenson  
Notary Public, State of Texas  
By Commission Expires: 5-28-94

(SEAL)

12/04/91

EXHIBIT A

01-60000  
1-14-11

Parcel No. 1

SOUTHEAST QUARTER (SE $\frac{1}{4}$ ) OF THE

A parcel of land situate in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 1, Township 14 North, Range 11 East of the Sixth Principal Meridian in Douglas County, State of Nebraska, more particularly described as follows:

ALSO NW $\frac{1}{4}$  SE $\frac{1}{4}$  + NE $\frac{1}{4}$  SE $\frac{1}{4}$

Commencing at the southeast corner of said Section 1; thence along the east line of said Section, North, 500.98 feet, more or less, to the TRUE POINT OF BEGINNING, said point being 150.0 feet normally distant northeasterly from the centerline of the main track of the Union Pacific Railroad Company, as now constructed and operated;

thence parallel with said centerline of main track, North 40 degrees 49 minutes West, 2866.42 feet, more or less, to a point on the east-west centerline of said Section;

thence along said east-west centerline, North 89 degrees 02 minutes 34 seconds West, 134.09 feet, more or less, to a point which is 50.0 feet normally distant northeasterly from said centerline of main track;

thence parallel with said centerline of main track, South 40 degrees 49 minutes East, 3071.53 feet, more or less, to a point on the east line of said Section 1;

thence along said east line, North, 152.99 feet, more or less, to the TRUE POINT OF BEGINNING.

Said parcel contains an area of 296,902 square feet (6.82 acres), more or less.

Parcel No. 2

SOUTHEAST QUARTER (SE $\frac{1}{4}$ ) OF THE

A parcel of land situate in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 1, Township 14 North, Range 11 East of the Sixth Principal Meridian in Douglas County, State of Nebraska, more particularly described as follows:

ALSO NW $\frac{1}{4}$  SE $\frac{1}{4}$  + NE $\frac{1}{4}$  SE $\frac{1}{4}$

Commencing at the southeast corner of said Section 1; thence along the east line of said Section, North, 195.0 feet, more or less, to the TRUE POINT OF BEGINNING, said point being 50.0 feet normally distant southwesterly from the centerline of the main track of the Union Pacific Railroad Company, as now constructed and operated;

thence parallel with said centerline of the main track, North 40 degrees 49 minutes West, 762.00 feet;

thence South 49 degrees 11 minutes West, 11.5 feet to a point 61.5 feet normally distant southwesterly from said centerline of the main track;

thence parallel with said centerline, North 40 degrees 49 minutes West, 1183.49 feet to a point on the centerline of Millard Avenue;

thence along said centerline, South 49 degrees 11 minutes West, 88.50 feet, more or less, to a point that is 150.0 feet normally distant southwesterly from said centerline of the main track;

thence parallel with said centerline of the main track, South 40 degrees 49 minutes East, 2061.27 feet, more or less, to a point on the east line of said Section;

thence along said east line, North, 152.99 feet, more or less, to the TRUE POINT OF BEGINNING.

Excepting therefrom, that portion of said parcel conveyed by Union Pacific Land Resources Corporation to City of Omaha, Nebraska, by Quitclaim Deed dated January 16, 1980, and filed under Audit No. 29063 in the records of the Grantor.

Said parcel contains an area of 181,618 square feet (4.17 acres), more or less.

Parcel No. 3

A parcel of land being a portion of Lot 7, Block 17, Schommers Addition of East Millard, Douglas County, State of Nebraska, as per map recorded in Book 354, Page 308, of Maps in the Office of the County Recorder of said County, said parcel being bounded and described as follows:

64-219  
43-50

Commencing at the southwest corner of said Lot 7; thence along the west line of said Lot 7, North 00 degrees 48 minutes 57 seconds West, 27.81 feet to the TRUE POINT OF BEGINNING;

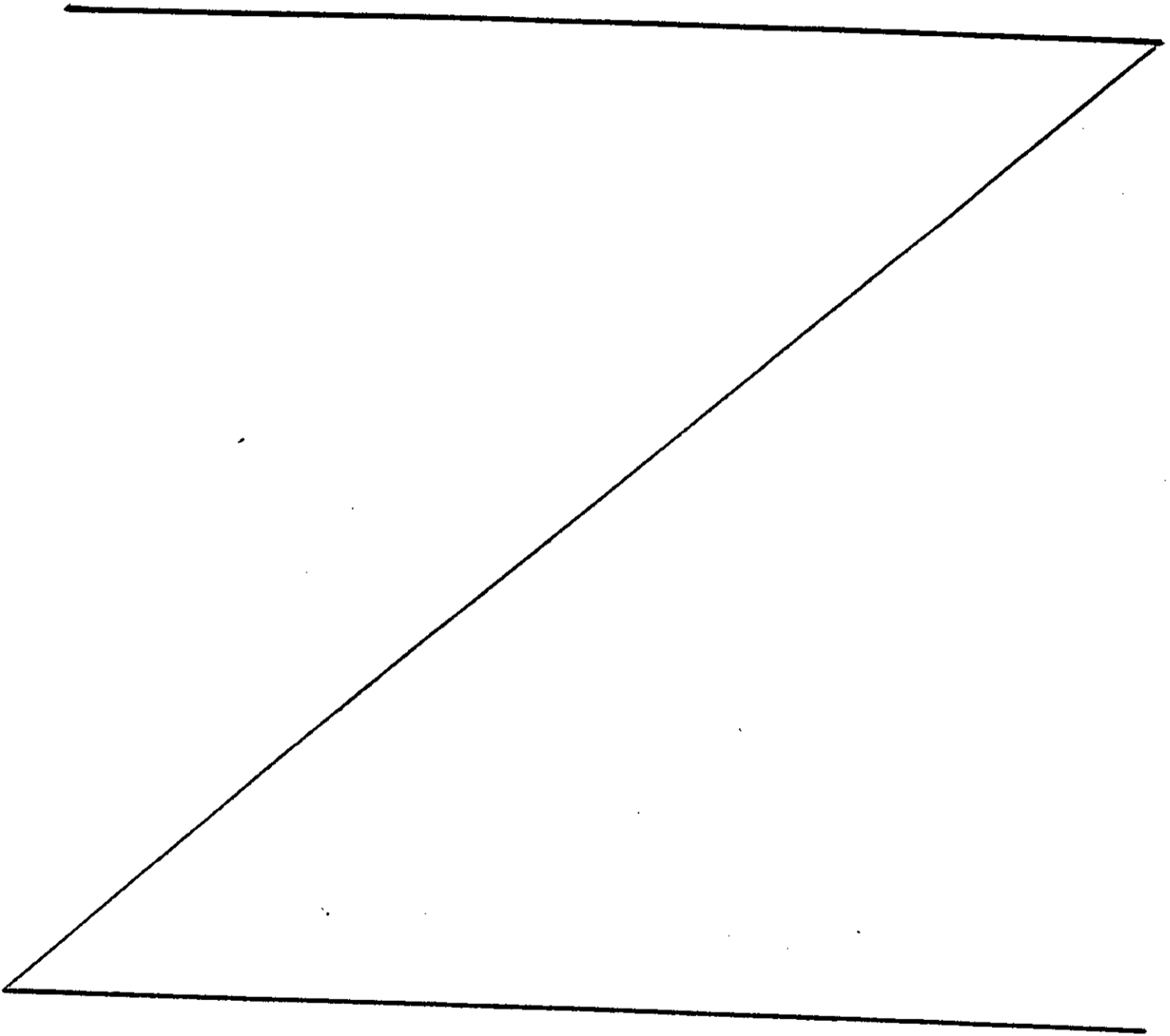
thence continuing along said west line, North 00 degrees 48 minutes 57 seconds West, 92.09 feet, more or less, to a point on the southwesterly right-of-way line of the Union Pacific Railroad Company;

thence along said southwesterly right-of-way line, South 41 degrees 32 minutes East, 94.54 feet;

thence South 00 degrees 48 minutes 57 seconds East, 34.76 feet;

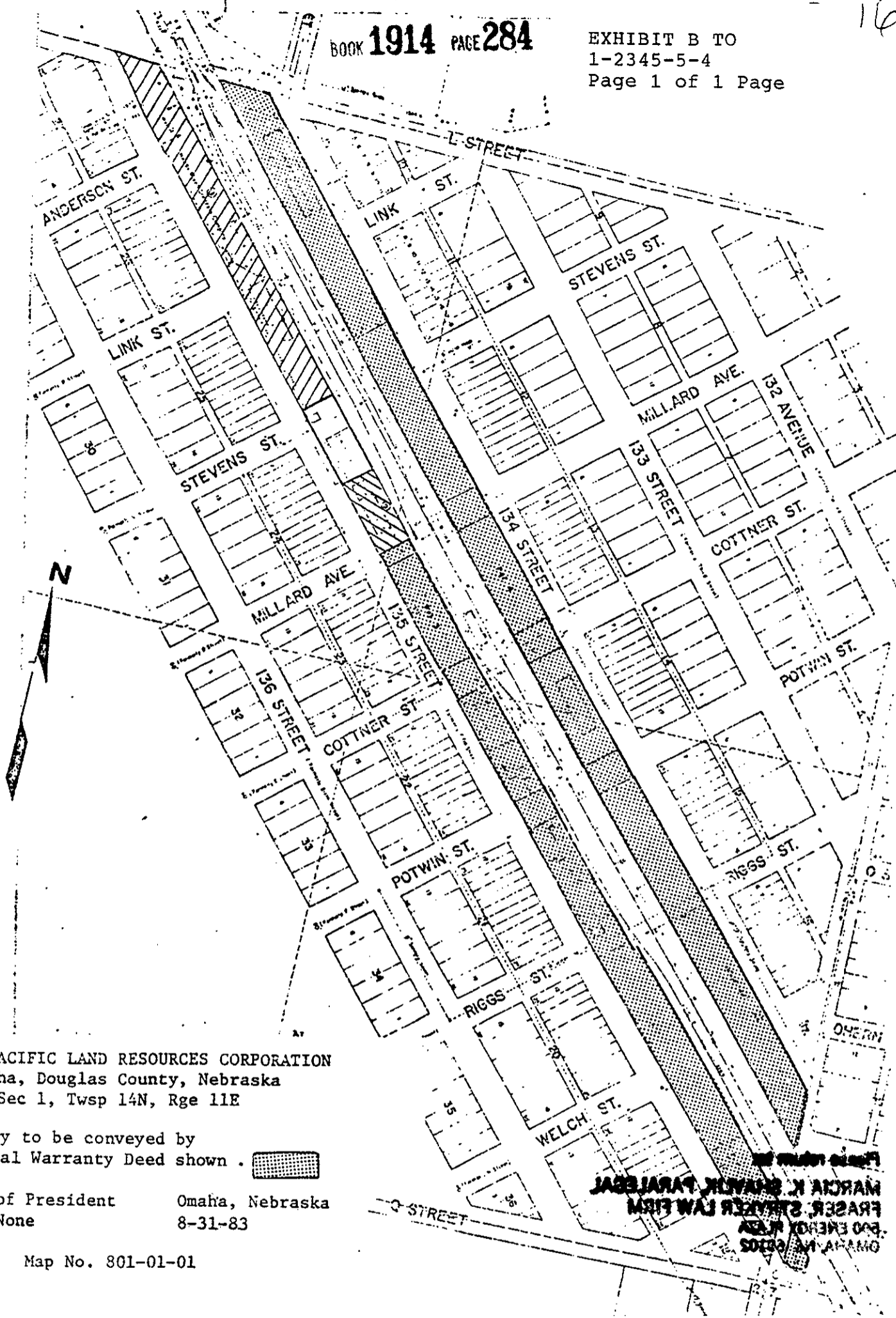
thence South 41 degrees 32 minutes East, 6.53 feet;  
 thence South 88 degrees 43 minutes West, 49.26 feet;  
 thence North 41 degrees 32 minutes West, 9.78 feet;  
 thence North 00 degrees 48 minutes 57 seconds West,  
 7.54 feet;  
 thence South 88 degrees 43 minutes West, 6.18 feet;  
 thence North 41 degrees 32 minutes West, 6.30 feet,  
 more or less, to the TRUE POINT OF BEGINNING.

Said parcel contains an area of 4499 square feet (0.10 acres), more or less.






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UNION PACIFIC LAND RESOURCES CORPORATION  
 Omaha, Douglas County, Nebraska  
 Sec 1, Twsp 14N, Rge 11E

Property to be conveyed by  
 Special Warranty Deed shown . 

Office of President      Omaha, Nebraska  
 Scale: None              8-31-83

Map No. 801-01-01

MARCIA K. SWANER, PARALEGAL  
 FRASER, SWANER LAW FIRM  
 300 E. BROADWAY  
 SUITE 1000  
 OMAHA, NEBRASKA