



DEED 2011078232



SEP 15 2011 14:55 P 6

Nebr Doc
Stamp Tax

09-15-2011
Date

\$1206.00

By SB

Fee amount: 32.00
FB: 01-60000
COMP: SB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
09/15/2011 14:55:44.00



2011078232

THE ABOVE SPACE IS RESERVED FOR THE REGISTER OF DEEDS RECORDING INFORMATION

**THIS PAGE INCLUDED
FOR INDEXING**

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

MLI II, L.L.C.
12900 "I" Street
Omaha, Nebraska 68145-0445

Space above for recorder's use only

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation, whose address is 1400 Douglas Street, Omaha, Nebraska 68179, Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does REMISE, RELEASE and forever QUITCLAIM unto **MLI II, L.L.C.**, a Nebraska limited liability company, whose post office address is 12900 "I" Street, Omaha, Nebraska 68145-0445, Grantee, its successors and assigns, forever, all of its right, title, interest, estate, claim and demand, both at law and in equity, of, in and to the real estate situate in Omaha, Douglas County, State of Nebraska, more particularly described in **Exhibit A** hereto attached and hereby made a part hereof (the "Property").

EXCEPTING from this quitclaim 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 Property, and in such manner as not to damage the surface of the Property or the improvements located thereon or to interfere with the use thereof by Grantee, its successors or assigns.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging; TO HAVE AND TO HOLD the Property described in **Exhibit A**, subject to the aforesaid exception and reservation, unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed the 12th day of September, 2011.

Attest:

**UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation**

Barbara Holder
Assistant Secretary

By Tommy Love
Title: Assistant Vice President - Real Estate

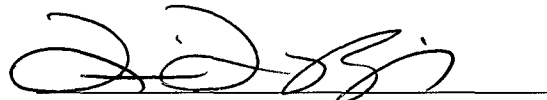
(Seal)



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On September 12, 2011, before me, a Notary Public in and for said County and State, personally appeared TONY K. LOVE and Barbara Holder, **Assistant Vice President – Real Estate** and Assistant Secretary of UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public

(SEAL)



Union Pacific Railroad Company

Douglas County, Nebraska

Exhibit "A"

01-60000

Parcel 1

NESE NWSE

That part of the abandoned Union Pacific Railroad Company right of way in the Southeast Quarter of Section 1, Township 14 North, Range 11 East of the 6th Principal Meridian, Douglas County, Nebraska, described as follows:

Beginning at a 5/8" rebar with 1 1/4" yellow plastic cap stamped LS 545 at the northwest corner of Lot 2, 134th STREET INDUSTRIAL PARK a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 40°48'33" East (bearings referenced to the Nebraska State Plane 2600 Coordinate System) for 697.94 feet along the northeast right of way line of the abandoned Union Pacific Railroad Company to a star drill hole at the centerline of Millard Avenue road right of way;

Thence South 49°09'57" West for 111.51 feet along said centerline to a star drill hole in the southwest right of way line of the abandoned Union Pacific Railroad Company;

Thence North 40°48'33" West for 196.61 feet along said southwest right of way line;

Thence North 49°11'27" East for 66.51 feet to a point being 45.00 feet from said northeast right of way line of the abandoned Union Pacific Railroad Company;

Thence North 40°48'33" West for 501.40 feet along a line parallel with and 45.00 feet southwesterly of said northeast right of way line of the abandoned Union Pacific Railroad Company;

Thence North 49°14'19" East for 45.00 feet to the Point of Beginning.

Containing 44,483 square feet, or 1.021 acres, more or less.

01-60000

Parcel 2

NESE NWSE

That part of the abandoned Union Pacific Railroad Company right of way in the Southeast Quarter of Section 1, and the Southwest Quarter of Section 6, all in Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska. described as follows: \SWSW

Commencing at a brass cap stamped "Douglas County Surveyor" at the southwest corner of the Southwest Quarter of said Section 6;

Thence North 89°29'30" East (bearings referenced to the Nebraska State Plane 2600 Coordinate System) for 162.56 feet along the south line of said Southwest Quarter to a star drill hole at the southwest right of way of the abandoned Union Pacific Railroad Company and the TRUE POINT OF BEGINNING;

Thence along said right of way line for the following five (5) courses;

1. Thence North 40°42'35" West for 249.10 feet to a 5/8" rebar with 1 1/4" yellow plastic cap stamped LS 545 at the east line of Lot 1, MILLARD LUMBER ADDITION a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, and the east line of said Southeast Quarter of Section 1;
2. Thence North 00°01'26" East for 46.76 feet along said east line to a 5/8" rebar with 1 1/4" yellow plastic cap stamped LS 545 at the northeast line of said Lot 1;
3. Thence North 40°48'12" West for 1872.54 feet along said northeast line to a 3/4" open top pipe at the southeast right of way of Millard Avenue;
4. Thence South 49°12'45" West for 42.19 feet along said right of way;
5. Thence North 40°47'16" West for 39.98 feet to a star drill hole at the centerline of said Millard Avenue road right of way;

Thence North 49°09'57" East for 111.51 feet along said centerline to a star drill hole at the northeast right of way line of the abandoned Union Pacific Railroad;

Thence South $40^{\circ}04'37''$ East for 2281.80 feet along said northeast right of way line to a star drill hole at the south line of said Southwest Quarter of Section 6;

Thence South $89^{\circ}29'30''$ West for 131.00 feet to the Point of Beginning.

Contains 166,036 square feet, or 3.811 acres.

Parcel 3

64-25560

That part of Lots 7 and 8, Block 17, ORIGINAL TOWN OF MILLARD, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at a star drill hole at the southwest corner of said Lot 7;

Thence North $49^{\circ}09'54''$ East (bearings referenced to the Nebraska State Plane 2600 Coordinate System) for 38.74 feet along the northwest line of said Lot 7 to the west right of way line of 132nd Street;

Thence South $00^{\circ}01'29''$ West for 59.26 feet along said right of way line to the northeast right of way line of 134th Street;

Thence North $40^{\circ}47'36''$ West for 44.82 feet along said right of way to the Point of Beginning.

Contains 868 square feet, or 0.020 acres.

Union Pacific Railroad Co.
Real Estate Department
Omaha, NE.

LD 0248542-2
April 26, 2010