

160-960

WARRANTY DEED CITY OR COUNTY (Individual-Page 1)  
PROJECT: RS-3785(1) AFE: S-049

TRACT: 3

KNOW ALL MEN BY THESE PRESENTS:

THAT *MILTON M FRICKE*  
*VERNA FRICKE*

hereinafter known as the grantor, whether one or more, for and in consideration of the sum of ONE THOUSAND THREE HUNDRED TWENTY AND NO/100 DOLLARS in hand paid do hereby grant, bargain, sell, convey and confirm unto SARPY COUNTY, NEBRASKA hereinafter known as the Grantee, the following described real estate situated in SARPY County, and State of Nebraska:

A TRACT OF LAND LOCATED IN TAXLOT 2 OF THE SOUTHWEST QUARTER OF SECTION 24 TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTHERLY 00 DEGREES, 11 MINUTES, 19 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTH LINE OF CORNHUSKER ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 11 MINUTES, 19 SECONDS WEST, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 298.52 FEET; THENCE NORTH 89 DEGREES, 44 MINUTES, 23 SECONDS EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 00 DEGREES, 11 MINUTES, 19 SECONDS EAST, A DISTANCE OF 299.98 FEET; THENCE SOUTH 12 DEGREES, 40 MINUTES, 15 SECONDS EAST, A DISTANCE OF 90.03 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD; THENCE NORTH 87 DEGREES, 59 MINUTES, 21 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 17 DEGREES, 21 MINUTES, 21 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD, A DISTANCE OF 93.06 FEET; THENCE SOUTH 89 DEGREES, 48 MINUTES, 41 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD, A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRE, MORE OR LESS, 0.22 ACRE, MORE OR LESS, OF EXISTING RIGHT OF WAY AND 0.22 ACRE, MORE OR LESS, OF RIGHT OF WAY BEING ACQUIRED.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAXLOT 2 OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE SOUTH 89 DEGREES, 46 SECONDS, 00 SECONDS EAST (ASSUMED BEARING), ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE OF 507.00 FEET, THENCE NORTH 00 DEGREES, 11 MINUTES, 19 SECONDS WEST, A DISTANCE OF 56.87 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ALSO THE POINT OF INTERSECTION OF THE EAST PROPERTY LINE OF SAID TAXLOT 2 AND THE NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD; THENCE SOUTH 89 DEGREES, 52 MINUTES, 30 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD A DISTANCE OF 237.32 FEET; THENCE NORTH 87 DEGREES, 59 MINUTES, 21 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF CORNHUSKER ROAD A DISTANCE OF 190.35 FEET, THENCE NORTH 12 DEGREES, 40 MINUTES, 15 SECONDS WEST, A DISTANCE OF 90.03 FEET; THENCE NORTH 00 DEGREES, 11 MINUTES, 19 SECONDS WEST, A DISTANCE OF 299.98 FEET; THENCE SOUTH 89 DEGREES, 44 MINUTES, 23 SECONDS WEST, A DISTANCE OF 27.00 FEET; THENCE NORTH 00 DEGREES, 11 MINUTES, 19 SECONDS WEST, A DISTANCE OF 496.67 FEET TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION BEING ON THE NORTH PROPERTY LINE OF SAID TAXLOT 2.

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EXCEPT, OVER ONE UNRESTRICTED DRIVE NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE OF WHICH IS LOCATED 151.57 FEET SOUTHERLY FROM THE NORTH LINE OF SAID TAXLOT 2 AS MEASURED ALONG THE CENTERLINE OF THE PROJECT.

AND ALSO, EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS. SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY SARPY COUNTY IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE OF THE ACCESS IS LOCATED 356.57 FEET SOUTHERLY FROM THE NORTH LINE OF SAID TAXLOT 2 AS MEASURED ALONG THE CENTERLINE OF THE PROJECT.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE COUNTY MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTOR DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TO HAVE AND TO HOLD said real property, hereby known to include real estate together with all tenements, hereditaments and appurtenances thereunto belonging, unto said Grantee and to its successors and assigns forever.

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Said Grantor does hereby covenant with said Grantee and with its successors and assigns that said Grantor is lawfully siezed of said real property; that said real property is free from encumbrance; that said Grantor is duly authorized to sell said real property; that said Grantor warrants and will defend the title to said real property against the lawful claims of all persons, whomsoever.

Duly executed this 29 day of MARCH, 1985.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Milton H. Fricke  
\_\_\_\_\_ Verma M. Fricke  
\_\_\_\_\_

STATE OF Nebr )  
                  ) ss.  
SARPY County)

On this 29 day of MARCH, A.D., 1985,  
before me, a General Notary Public, duly  
commissioned and qualified, personally came  
MILTON H. FRICKE & VERMA M. FRICKE



to me known to be the identical person \_\_\_\_\_ whose  
name \_\_\_\_\_ affixed to the foregoing instrument as  
grantor \_\_\_\_\_ and acknowledged the same to be  
voluntary act and deed.

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

My commission expires the 10 day of SEPT, 1987.

BOOK 160 OF Deeds  
PAGE 960  
15<sup>50</sup>

1985 APR 29 AM 11:21

Carl H. Fritchard  
REGISTER OF DEEDS

NEBRASKA DOCUMENTARY  
STAMP TAX  
APR 29 1985  
\$ Exempt BY cs