

PROJECT:

F-529(6)

AFF:

TRACT:

14

KNOW ALL MEN BY THESE PRESENTS:

THAT Allan L. Abbott DIRECTOR-STATE ENGINEER in the name of the STATE OF NEBRASKA and for the DEPARTMENT OF ROADS of said State of Nebraska, under the provisions of Section 39-1326 R.R.S. of Nebraska, 1943 and for and in consideration of the sum of Two Hundred Fifty Dollars And No/100--(\$250.00)--And Other Valuable Consideration DOLLARS in hand paid, does hereby grant, bargain, sell, convey, remise, release and forever quitclaim unto LaVonne M. Fisher

hereinafter known as the Grantee, whether one or more, the following described real property situated in Merrick County and State of Nebraska and subject to any and all existing restrictions and/or easements:

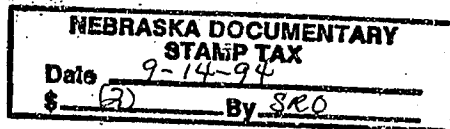
One Restricted Access, not to exceed 40.0 feet in width, the centerline of which is located 260 feet northerly from the South Line of Section 33, Township 16 North, Range 3 West of the Sixth Principal Meridian, Merrick County, Nebraska, as measured along the centerline of State Highway No. 39 and said Restricted Access being located on the southerly side of State Highway No. 39. Such access is to be permitted only if it does not exceed ten (10) vehicle movements per hour as determined by the Department of Roads in accordance with the procedure indicated belows:

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 department may make a traffic count, such count to be for a minimum 8-hour period during the hours of 7 a.m. to 9 a.m., 10 a.m. to - 1:00 p.m., 3 p.m. to 6 p.m., 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 grantee does covenant and agree that should he or his successors in title fail and refuse the 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 90 day 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.

It is the intention of the parties that this Quitclaim Deed conveys a right of ingress and egress for the Restricted Access to State Highway No. 39; and that this conveyance opens the access control for the above described 40.0 feet on the southerly side of State Highway No. 39.

Referring to Department of Roads' plans on Project F-329(6), the Restricted Access is located at Station 535+41 Left.

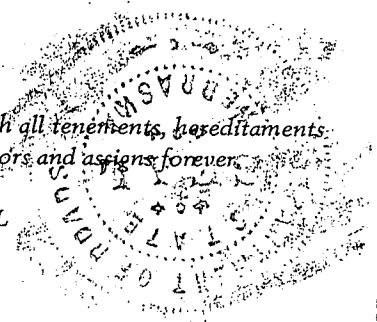


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To have and to hold said real property, hereby known to include real estate together with all tenements, hereditaments and appurtenances thereunto belonging, unto said Grantee and to his, her or their heirs, successors and assigns forever.

Duly executed this 18 day of July, 1994

SEAL



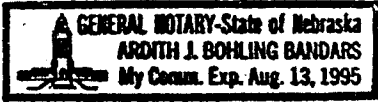
Signature of Governor of the State of Nebraska

Signature of Allan L. Abbott, Director-State Engineer

STATE OF Nebraska)
) ss.
Lincoln County)

On this 18 day of July, A.D., 1994, before me, a General Notary Public, duly commissioned and qualified, personally came Allan J. Abbott Director-State Engineer

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



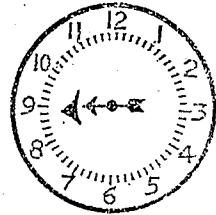
WITNESS my hand and Notarial Seal the day and year last above written.

Ardith J. Bohling Bandars Notary Public.

My commission expires the 13th day of August, 1995.

SEP 14 '94 AM

FILED
NU INDEX ✓
GEN INDEX ✓
COMPARED



DEPT

RECORD

State of Ne
Dept of Rds
Box 94759
Lincoln 68509

Dist of
Old F-529(6) Act Code 5091

Indexed. General
Compared. Paged.

QUITCLAIM DEED - STATE (1 Page)

THE STATE OF NEBRASKA
DEPARTMENT OF ROADS

TO
Lu Anne M. Fisher

STATE OF NEBRASKA) ss.
Merrick County)

Entered in Numerical Index and filed for record in the office of the Register of Deeds of said County, the 14th day of September, 1994, at 8 o'clock and 16 minutes A. M., and duly recorded in Book A 29 Deeds on page 87.

Register of Deeds.
Doreen Tagge Deputy.

60796