

118-566

C. D. No. 47999

WARRANTY DEED

from

UNION PACIFIC RAILROAD COMPANY

to

SOUTHERN LUMBER & COAL CO.

FILED FOR RECORD IN SARPY COUNTY NEBR. July 8 1964. AT 2 O'CLOCK P.M.
AND RECORDED IN BOOK 118 OF Deeds PAGE 566 Abner Bunker REGISTER OF DEEDS. 725

Dated May 28, 1964.

Covering parcel of land
in
Sarpy County, Nebraska.

5/21/64

ORIGINAL

118-567

KNOW ALL MEN BY THESE PRESENTS:

That UNION PACIFIC RAILROAD COMPANY, a corporation existing under and by virtue of the laws of the State of Utah, Grantor, in consideration of the sum of Thirty-five Thousand Ninety-five Dollars (\$35,095.00), to it paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto SOUTHERN LUMBER & COAL CO., a corporation existing under and by virtue of the laws of the State of Nebraska, Grantee, the following described real estate situate, lying and being in the County of Sarpy, State of Nebraska, to wit:

An irregular tract of land situate in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 15, Township 14 North, Range 13 East of the Sixth Principal Meridian, in Sarpy County, Nebraska, bounded and described as follows:

Beginning at a point in the east and west center line of said Section 15 that is 298.5 feet distant southwesterly, measured at right angles, from the center line of the southwesterly main track of Union Pacific Railroad Company as now constructed and operated;

thence northwesterly along a straight line parallel with and 298.5 feet distant southwesterly, measured at right angles, from said center line of southwesterly main track, a distance of 238.97 feet to a point in a straight line drawn at right angles to said center line of southwesterly main track from Railroad Survey Station 457+19.65 which is a point in said center line that is 407.74 feet distant northwesterly from said east and west center line of Section 15, measured along said center line of main track;

thence northwesterly along a straight line a distance of 154.9 feet, more or less, to a point 336.0 feet distant southwesterly from said center line of southwesterly main track, measured along a straight line drawn at right angles thereto from Railroad Survey Station 455+69.38 thereon;

thence northwesterly along a straight line parallel with and 336.0 feet distant southwesterly, measured at right angles from said center line of southwesterly main track, a distance of 900.0 feet to a point in a straight line drawn at right angles to said center line of main track from Railroad Survey Station 446+69.38 thereon;

thence southwesterly, at right angles, a distance of 250.0 feet to a point in the westerly property line of said Union Pacific Railroad Company;

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thence southeasterly along said westerly property line, which is parallel with and 586.0 feet distant southwesterly, measured at right angles, from said center line of southwesterly main track, a distance of 355.85 feet, more or less, to a corner which is in the west line of Tax Lot 5;

thence south along said westerly property line, which is coincident with the west line of said Tax Lot 5, a distance of 671.2 feet, more or less, to a point in said east and west center line of Section 15;

thence east along said east and west center line of Section 15 a distance of 705.8 feet, more or less, to the point of beginning;

containing an area of 436,759 square feet, more or less.

EXCEPTING from this grant and RESERVING unto the 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 there-to, together with the sole, exclusive and perpetual right to explore for, remove and dispose of, said minerals by any means or methods suitable to the 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 the Grantee, its successors or assigns.

This deed is made subject to the rights of the public in the roadway over and across the southerly 33 feet of the above-described property.

SUBJECT to taxes and assessments as follows:

All taxes and all assessments, or, if payable in installments, all installments of assessments, levied upon or assessed against the premises hereinbefore described which became or may become due and payable in the year 1964 shall be prorated as of the date of this deed between the Grantor and the Grantee, and the Grantee assumes and agrees to pay, or to reimburse the Grantor for, if paid by it, all such taxes and assessments and installments of assessments applicable to the period subsequent to the date of this deed and assumes all taxes and all assessments and all installments of assessments which may become due and payable after said year.

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TO HAVE AND TO HOLD, subject to the said exceptions, reservations and other provisions, the said premises, with all the rights and appurtenances thereunto belonging, unto the said Grantee, its successors and assigns, forever, and said Union Pacific Railroad Company does hereby covenant with the said Grantee that at the making of this instrument it is well seized of the said premises as of a good and indefeasible estate in fee, and has good right to sell and convey the same, and that it will warrant and defend the title to said premises unto the said Grantee, its successors and assigns, forever, against the lawful claims of all persons whomsoever, except as herein mentioned.

IN WITNESS WHEREOF, said Union Pacific Railroad Company has caused these presents to be signed by its President and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed this 28th day of May, 1964.

In Presence of:

UNION PACIFIC RAILROAD COMPANY,

McThomas

By W. E. Starnes

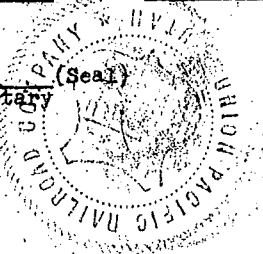
President

Attest:

J. L. Jones

(Seal)

Assistant Secretary



118-570

Comp.

STATE OF NEBRASKA }
COUNTY OF DOUGLAS } ss.

On this 28th day of May, 1964,
before me, a Notary Public in and for said County in the State
aforesaid, personally appeared A. E. Stoddard, to me personally
known, and to me personally known to be the President
of UNION PACIFIC RAILROAD COMPANY, and to be the same person
whose name is subscribed to the foregoing instrument, and who,
being by me duly sworn, did say that he is President
of Union Pacific Railroad Company; that the seal affixed to
said instrument is the corporate seal of said corporation;
and that said instrument was signed and sealed on behalf of
said corporation by authority of its board of directors; and
the said A. E. Stoddard acknowledged said instrument to
be his free and voluntary act and deed, and the free and
voluntary act and deed of said corporation, by it voluntarily
executed, for the uses specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand
and official seal the day and year last above written.

My commission expires August 31, 1969.

John H. Haller
Notary Public

Residing at Omaha, Nebraska
(Seal)

Comp.

