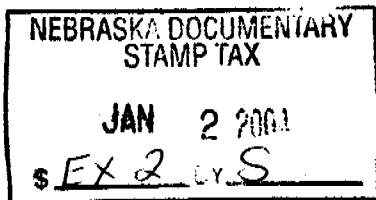


FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2004-00009

2004 JAN -2 A 10:33

*Glenn J. Dowling*  
REGISTER OF DEEDS



COUNTER SM C.E. D  
VERIFY 2 D.E. D  
PROOF 2  
FEES \$ 10.50  
CHECK# \_\_\_\_\_  
CHG. DOR CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

### QUITCLAIM DEED – STATE

**Project F-514(2), Tract 5 and Project F-370-7(1011), Tract 2**

John L. Craig, DIRECTOR 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 Thirty Nine Thousand and no/100 – (\$39,000.00)-- in hand paid, does hereby grant, bargain, sell, convey, remise, release and forever quitclaim unto **Titan Springs, L.L.C.**, hereinafter known as the Grantee, whether one or more, the following described real estate situated in Sarpy County and State of Nebraska and subject to any and all existing restrictions and/or easements:

A tract of land located in the Southeast Quarter of Section 36, Township 14 North, Range 12 East of the Sixth Principal Meridian, Sarpy County, Nebraska, described as follows:

Referring to the Northwest corner of said Quarter Section; thence southerly a distance of 790.20 feet along the west line of said Quarter Section to the point of beginning; thence southerly deflecting 000 degrees, 00 minutes, 00 seconds, a distance of 29.80 feet along the west line of said Quarter Section; thence easterly deflecting 103 degrees, 16 minutes, 24 seconds left, a distance of 2339.44 feet; thence westerly deflecting 177 degrees, 13 minutes, 48 seconds left, a distance of 1215.93 feet; thence westerly deflecting 010 degrees, 39 minutes, 57 seconds right, a distance of 308.81 feet; thence southwesterly deflecting 029 degrees, 25 minutes, 27 seconds left, a distance of 259.70 feet; thence westerly deflecting 012 degrees, 58 minutes, 02 seconds right, a distance of 568.87 feet to the point of beginning, containing 2.59 acres, more or less.

There will be no ingress or egress over the above described tract to or from Highway 370. The intent being to deny entry to and exit from said highway.

In accordance with Article III, Section 20 of the Constitution of the State of Nebraska, the State of Nebraska, Department of Roads does hereby retain and reserve to itself all salt springs, coal, oil, gas, natural resources or other mineral rights it may have in or on the above described real property.

The Grantees, for themselves, their heirs, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby further covenant and agree "as a covenant running with the land" (1) that the land herein conveyed or any part hereof shall not be used for the erection or display of any advertising sign, device or display which is not related to or connected with the use of the premises conveyed hereby; (2) that the land herein conveyed shall not be used for the storage, processing, sorting, transfer or any other use related to or connected with scrap material of any nature or kind; or any other use which would create or cause an unsightly or obnoxious appearance upon the premises herein conveyed.

The State of Nebraska, Department of Roads, reserves an easement for the operation, maintenance and use of any and all existing utilities which are located over, under or upon the above described tract.

The State reserves to itself a permanent easement over which the various impacts, including but not limited to, noise, air, light and dust, associated with vehicular traffic on the highway may be disbursed.

*RVR* Return to: Daryl Behrends  
Nebraska Dept. of Roads, R.O.W. Division  
1500 Hwy 2, Box 94759  
Lincoln, NE 68509-4759

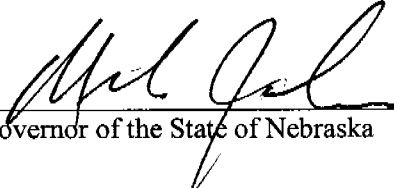
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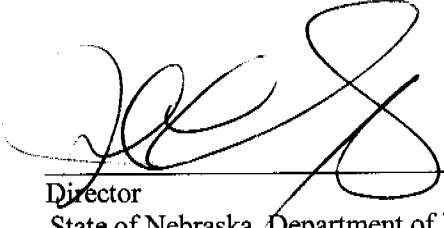
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That to insure the observance of the above covenants, the State shall have the right to prevent the breach thereof by an injunction, mandatory or otherwise, and to recover whatever damages may have been suffered from any such breach, together with any attorney fees and expenses incurred thereby.

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 3rd day of December, 2003.

  
\_\_\_\_\_  
Governor of the State of Nebraska

  
\_\_\_\_\_  
Director  
State of Nebraska, Department of Roads

SEAL

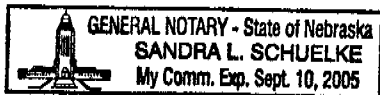
STATE OF NEBRASKA )

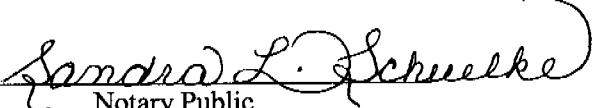
) ss

Lancaster County )

On this 3rd day of December, A.D., 2003, before me, a General Notary Public, duly commissioned and qualified personally came John L. Craig, Director of the State of Nebraska, Department of Roads, 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 Notary Seal the day and year last above written.



  
\_\_\_\_\_  
Notary Public

My commission expires the 10<sup>th</sup> day of September, A.D. 2005