

PROJECT: RF-64-7 (101)

AFE: R-299

TRACT: 11

KNOW ALL MEN BY THESE PRESENTS:

THAT VIVIAN M. QUINN

NEBRASKA DOCUMENTARY STAMP TAX

APR 16 1980

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hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of ---Sixteen Thousand Three Hundred Ninety Nine and no/100--- (\$16,399.00)-----DOLLARS in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA the following described real estate situated in Douglas County, and State of Nebraska, to-wit:

PROJECT RF-64-7(101) TRACT 11

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1598.81 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 188.46 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 095 DEGREES, 09 MINUTES RIGHT, A DISTANCE OF 462.84 FEET; THENCE WESTERLY DEFLECTING 006 DEGREES, 12 MINUTES LEFT, A DISTANCE OF 300.17 FEET; THENCE WESTERLY DEFLECTING 003 DEGREES, 23 MINUTES RIGHT, A DISTANCE OF 580.93 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTHERLY DEFLECTING 087 DEGREES, 53 MINUTES RIGHT, A DISTANCE OF 120.49 FEET ALONG SAID LINE TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 089 DEGREES, 26 MINUTES RIGHT, A DISTANCE OF 1341.10 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 4.55 ACRES, MORE OR LESS, WHICH INCLUDES 1.02 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID SOUTHWEST QUARTER, EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE EAST LINE(S) OF SAID SOUTHWEST QUARTER.

AND ALSO:

EXCEPT, OVER TWO CONDITIONAL RESTRICTED ACCESS(ES), 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(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 1350.20 FEET AND 610.20 FEET FROM THE EAST LINE OF SAID SOUTHWEST QUARTER AS MEASURED ALONG THE PROJECT CENTERLINE.

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 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.

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AND ALSO:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1598.81 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 188.46 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 083 DEGREES, 15 MINUTES LEFT, A DISTANCE OF 328.77 FEET; THENCE EASTERLY DEFLECTING 002 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 570.48 FEET TO A POINT ON THE SOUTHWESTERLY EXISTING PUBLIC ROAD RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 043 DEGREES, 45 MINUTES RIGHT, A DISTANCE OF 54.76 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 035 DEGREES, 58 MINUTES RIGHT, A DISTANCE OF 101.11 FEET; THENCE SOUTHERLY DEFLECTING 014 DEGREES, 32 MINUTES LEFT, A DISTANCE OF 82.29 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE NORTHERLY DEFLECTING 159 DEGREES, 23 MINUTES LEFT, A DISTANCE OF 182.81 FEET ALONG SAID LINE TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE NORTHWESTERLY DEFLECTING 042 DEGREES, 04 MINUTES LEFT, A DISTANCE OF 205.07 FEET ALONG SAID LINE; THENCE NORTHWESTERLY DEFLECTING 002 DEGREES, 27 MINUTES LEFT, A DISTANCE OF 128.87 FEET ALONG SAID LINE; THENCE NORTHWESTERLY DEFLECTING 016 DEGREES, 42 MINUTES LEFT, A DISTANCE OF 110.26 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 022 DEGREES, 33 MINUTES LEFT, A DISTANCE OF 101.77 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 006 DEGREES, 47 MINUTES LEFT, A DISTANCE OF 346.15 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 000 DEGREES, 01 MINUTES LEFT, A DISTANCE OF 201.01 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 4.43 ACRES, MORE OR LESS, WHICH INCLUDES 0.83 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1787.27 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 083 DEGREES, 15 MINUTES LEFT, A DISTANCE OF 328.77 FEET; THENCE EASTERLY DEFLECTING 002 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 570.48 FEET TO THE POINT OF TERMINATION; EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE WEST LINE(S) OF SAID SOUTHEAST QUARTER.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO 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 MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto The State of Nebraska and to its successors and assigns forever.

And the Grantor does hereby covenant with The State of Nebraska and with its successors and assigns that the Grantor is lawfully seized of said premises; that they are free from encumbrance; that the Grantor has good right and lawful authority to sell the same; and the Grantor does hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever.

Signed this 5th day of February A.D. 1980

Vivian M. Quinn
Vivian M. Quinn

STATE OF Arizona)

On this 5th day of February, A.D. 1980, before

) ss.

me, the undersigned MARGARET CROMAN

MARICOPA County)

a General Notary Public, duly commissioned and qualified, personally came

Vivian M. Quinn, widow

to me known to be the identical person whose name is

affixed to the foregoing instrument as grantor and acknowledged the same to be

her

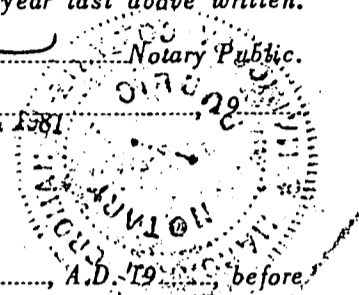
voluntary act and deed.

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

Margaret Croman

Notary Public

My Commission expires the day of July 17, 1981



STATE OF)

On this day of A.D. 19 before

) ss.

me, the undersigned

County)

a General Notary Public, duly commissioned and qualified, personally came

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.

Notary Public

My Commission expires the day of 19

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Project R.F. 647 (A) AFE P-299

Indexed General

Compared Paged

WARRANTY DEED (2 Page)

Vivian M. Quinn

TO The State of Nebraska

STATE OF NEBRASKA) ss. Douglas County

Entered in Numerical Index and filed for record in the office of the Register of Deeds of said County, the day of

at o'clock and minutes M., and

duly recorded in Book of Deeds on page

Register of Deeds.

Deputy

45852

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2-15-10