



DEED 2006125264



NOV 01 2006 11:04 P 3

Master Doc Stamp Tax
11-1-06
Date
\$ 2x02
Bj CD

Deed

FEE 1650	FB 01.60000
BKP 13-15-10	C/O
DEL	SCAN
	FV

Received - DIANE L. BATTIATO

Register of Deeds, Douglas County, NE

11/1/2006 11:04:05 30



2006125264

## QUITCLAIM DEED - STATE

PROJECT: F-6-7(114)

TRACT: 1

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 Four Hundred Nineteen Thousand Four Hundred Eighty Three and no/100 --(\$419,483.00)-- in hand paid, does hereby grant, bargain, sell, convey, remise, release and forever quitclaim unto **Menard, Inc., a Wisconsin corporation**, hereinafter known as the Grantee, whether one or more, the following described real estate situated in Douglas 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 13, Township 15 North, Range 10 East of the Sixth Principal Meridian, Douglas County, Nebraska, described as follows:

Beginning at the Southeast corner of Lot 5, Skyline Country 4<sup>th</sup> Addition to the City of Elkhorn; thence southwesterly on a 786.42 foot radius curve to the right, 257.72 feet (Long Chord bears S26°13'39"W, 256.57 feet); thence S39°42'51"W, 196.07 feet; thence S42°27'23"W, 267.68 feet; thence S45°31'26"W, 135.37 feet; thence N86°52'03"E, 450.91 feet; thence N15°45'52"E, 272.55 feet; thence N05°31'40"E, 264.44 feet; thence N15°10'05"W, 127.70 feet to the point of beginning, containing 3.21 acres (139,827.60 square feet), more or less.

There will be no ingress or egress over the above described tract to or from West Dodge Road or 204<sup>th</sup> Street. The intent being to deny entry to or exit from said West Dodge Road or 204<sup>th</sup> Street.

See Exhibit 'A' attached

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.

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.

Wp  
TA 52750

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 10<sup>th</sup> day of October, 2006.

Dave Heineman  
Governor of the State of Nebraska

[Signature]  
Director  
State of Nebraska, Department of Roads

STATE OF NEBRASKA )  
 ) ss  
Lancaster County )

On this 10<sup>th</sup> day of October, A.D., 2006, 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.



Sandra L. Schuelke  
Notary Public

My commission expires the 10<sup>th</sup> day of September, A.D. 2009

**Drafted by:**

Nebraska Department of Roads  
Right of Way Division  
1500 Nebraska Highway 2  
Lincoln, NE 68509-4759

**Return to:**

Menard, Inc.  
Heidi L. Peterson  
Corporate Council  
Properties Division  
4777 Menard Drive  
Eau Claire, WI 54703

**Send Tax Statements to:**

Menard, Inc.  
Attn: Corporate Accounting  
4777 Menard Drive  
Eau Claire, WI 54703

