

PROJECT: F-493 (H)

AFE: R-991

TRACT: 6

KNOW ALL MEN BY THESE PRESENTS:

THAT Adolph J. Babel, Trustee

in the exercise of the power in this behalf conferred upon him by a conveyance to him in trust from
Vera L. Walsh, Nebraska Trust

dated _____ and recorded _____ for and in consideration of
 the sum of _____ Four Thousand Eight Hundred Sixty Two and 00/100 (\$4862.00) 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:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21,
 TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN,
 DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE
 NORTHERLY A DISTANCE OF 2648.07 FEET ALONG THE EAST LINE OF SAID
 QUARTER SECTION TO THE NORTHEAST CORNER OF SAID QUARTER SECTION;
 THENCE WESTERLY DEFLECTING 090 DEGREES, 09 MINUTES LEFT, A DISTANCE OF
 64.24 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE
 SOUTHERLY DEFLECTING 089 DEGREES, 51 MINUTES LEFT, A DISTANCE OF
 1345.24 FEET; THENCE EASTERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT,
 A DISTANCE OF 5.00 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00
 MINUTES RIGHT, A DISTANCE OF 402.00 FEET; THENCE WESTERLY DEFLECTING
 090 DEGREES, 00 MINUTES RIGHT, A DISTANCE OF 10.00 FEET; THENCE
 SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF
 900.15 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION;
 THENCE EASTERLY DEFLECTING 090 DEGREES, 04 MINUTES LEFT, A DISTANCE OF
 68.76 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT
 OF BEGINNING CONTAINING 3.95 ACRES, MORE OR LESS, WHICH INCLUDES 2.03
 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 QUARTER SECTION, EXCEPT, OVER THE
 EXISTING PUBLIC ROAD ALONG THE SOUTH LINE OF SAID QUARTER SECTION, AND
 EXCEPT, OVER ONE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN
 WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE NORTH
 LINE(S) OF SAID QUARTER SECTION, AND EXCEPT, OVER ONE 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 PROCEDURE INDICATED
 BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 1120 FEET
 FROM THE SOUTH LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE
 CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS DEED, 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 GRANTEE 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.

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.

AND ALSO:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 2648.02 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 089 DEGREES, 50 MINUTES RIGHT, A DISTANCE OF 64.34 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 090 DEGREES, 09 MINUTES RIGHT, A DISTANCE OF 1761.16 FEET; THENCE NORTHERLY DEFLECTING 000 DEGREES, 39 MINUTES RIGHT, A DISTANCE OF 886.88 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 09 MINUTES RIGHT, A DISTANCE OF 55.29 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 3.84 ACRES, MORE OR LESS, WHICH INCLUDES 2.02 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 QUARTER SECTION, EXCEPT, OVER THE EXISTING PUBLIC ROAD ALONG THE NORTH LINE OF SAID QUARTER SECTION, AND EXCEPT, OVER ONE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE SOUTH LINE(S) OF SAID QUARTER SECTION, AND EXCEPT, OVER ONE 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 PROCEDURE INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 943 FEET FROM THE NORTH LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS DEED, 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 GRANTEE 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.

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 said The State of Nebraska and to its successors and assigns forever.

And trustee as Grantor does hereby covenant with the said Grantee and with its successors and assigns that Grantor has not made, done, executed or suffered any act or thing whatsoever, whereby the above described premises or any part thereof now or at any time hereafter shall be imperiled charged or incumbered in any manner whatsoever; and Grantor as trustee, does hereby warrant and defend the title to said presises against all persons lawfully claiming the same from, through, or under them.

Signed this 22nd day of May A.D. 1977

In Presence of

Adolph J. Babel
 VERA L. WALSH, NEBRASKA TRUST
 ADOLPH J. BABEL, TRUSTEE

John J. ...

On this 3rd day of MAY, A.D. 1974, before me, the undersigned JOHN E. Mc SWEENEY

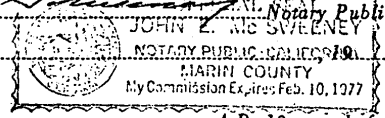
) ss. MARIN County)

a General Notary Public, duly commissioned and qualified, personally came ADOLPH J. BABEL

trustee for
to me known to be the identical person S whose name S IS
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.

My Commission expires the day of



STATE OF)
) ss.)
County)

On this day of A.D. 19 before me, the undersigned 240 Buena Vista Ave., Mill Valley, CA 94040 a General Notary Public, duly commissioned and qualified, personally came

trustee for
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.

My Commission expires the day of 19

RECEIVED
1974 OCT 21 AM 9:58
C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

16
Deeds

THE STATE OF NEBRASKA }
Douglas County }
Entered in Numerical Index and filed
for record in the office of the Register of
Deeds of said County and recorded in
Book 1511 of Adolphe
Page 457

C. Harold Ostler
Register of Deeds

By Deputy
MAIL Dept of Records
P.O. Box 94759
IN 21-15-10 G.P.N.-P.G.
Compared Fee 12.25

Y-1-15-10

Project F-499H AFE R-991

Indexed General
Compared Paged

TRUSTEE'S DEED (2 Page)

Adolph J. Babel,
Trustee

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 Deeds on page of

Register of Deeds, Deputy

39940