

97-021362

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
97-021362

97 SEP 26 AM 11:21

*Glenn J. Dawley*  
REGISTER OF DEEDS

NEBRASKA  
SEP 26 1997  
\$ Extra MR

counter: *[initials]*  
verify: *[initials]*  
N.E.: *[initials]*  
proof: *[initials]*  
fee: 30.50  
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Cash  
Charge *[initials]* DOR

WARRANTY DEED-CORPORATION (page 1)

PROJECT: STPD-50-2(112)

C.N.: 21054

TRACT: 7 SUPPLEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT *S W N Investments*

organized and existing under and by virtue of the laws of the State of Nebraska hereinafter known as the Grantor, for and in consideration of the sum of **FIVE HUNDRED SEVENTY FIVE AND NO/100--(\$575.00)-- DOLLARS** in hand paid, does hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, the following described real property situated in SARPY County, and State of Nebraska, to-wit;

A TRACT OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 349.84 FEET; THENCE NORTHERLY DEFLECTING 90 DEGREES, 33 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 95.02 FEET, TO THE NORTH LINE OF MEADOWS BOULEVARD RIGHT OF WAY AND THE SOUTH LINE OF SAID TAX LOT 3; THENCE EASTERLY DEFLECTING 89 DEGREES, 26 MINUTES, 50 SECONDS RIGHT, A DISTANCE OF 272.40 FEET, TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 94 DEGREES, 18 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 25.04 FEET; THENCE EASTERLY DEFLECTING 94 DEGREES, 13 MINUTES, 58 SECONDS RIGHT, A DISTANCE OF 9.98 FEET TO THE WEST RIGHT OF WAY LINE OF EXISTING STATE HIGHWAY NO. 50 AND THE EAST LINE OF SAID TAX LOT 3; THENCE SOUTHERLY DEFLECTING 90 DEGREES, 31 MINUTES, 36 SECONDS RIGHT, ALONG THE WESTERLY LINE OF EXISTING STATE HIGHWAY NO. 50 RIGHT OF WAY AND THE EAST LINE OF SAID TAX LOT 3, A DISTANCE OF 24.98 FEET; TO THE NORTH LINE OF SAID MEADOWS BOULEVARD RIGHT OF WAY AND THE SOUTHEAST CORNER OF SAID TAX LOT 3; THENCE WESTERLY DEFLECTING 89 DEGREES, 32 MINUTES, 51 SECONDS RIGHT, ALONG THE NORTH LINE OF SAID MEADOWS BOULEVARD RIGHT OF WAY AND THE SOUTH LINE OF SAID TAX LOT 3, A DISTANCE OF 7.90 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 223.20 SQUARE FEET, MORE OR LESS.

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WARRANTY DEED-CORPORATION(page 2)

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THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT 3 IN THE NORTHEAST, QUARTER, IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA.

REFERRING TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 349.84 FEET; THENCE NORTHERLY DEFLECTING 90 DEGREES, 33 MINUTES, 10 SECONDS, RIGHT, A DISTANCE OF 95.02 FEET, TO THE NORTH LINE OF MEADOWS BOULEVARD RIGHT OF WAY AND THE SOUTH LINE OF SAID TAX LOT 3; THENCE EASTERLY DEFLECTING 79 DEGREES, 31 MINUTES, 49 SECONDS RIGHT, A DISTANCE OF 144.01 FEET; THENCE CONTINUING EASTERLY DEFLECTING 9 DEGREES, 50 MINUTES, 34 SECONDS RIGHT, A DISTANCE OF 25.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE, DEFLECTING 00 DEGREES 00 MINUTES, 00 SECONDS, A DISTANCE OF 113.45 FEET; THENCE NORTHERLY DEFLECTING 89 DEGREES, 28 MINUTES, 24 SECONDS LEFT, ALONG THE WEST LINE OF EXISTING STATE HIGHWAY NO. 50 RIGHT-OF-WAY, A DISTANCE OF 619.25 FEET; THENCE CONTINUING NORTHERLY ALONG SAID LINE DEFLECTING 00 DEGREES, 28 MINUTES, 26 SECONDS RIGHT, A DISTANCE OF 797.10 FEET TO THE NORTH LINE OF SAID TAX LOT 3; THENCE WESTERLY DEFLECTING 90 DEGREES, 55 MINUTES, 35 SECONDS LEFT, ALONG THE NORTH LINE OF SAID TAX LOT 3, A DISTANCE OF 39.42 FEET TO THE POINT OF TERMINATION.

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

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 STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors and assigns forever.

Said Grantor does hereby covenant with THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and with its successors and assigns; that said Grantor is lawfully seized of said real property; that said real property is free from encumbrance; that said Grantor is duly authorized to sell said real property; that said Grantor warrants and will defend that title to said real property against the lawful claims of all persons, whomsoever.

Duly executed this 27<sup>th</sup> day of May, 1997.

SEAL

S W N Investments Corporation

BY: [Signature]

ATTEST: \_\_\_\_\_

WARRANTY DEED-CORPORATION(page 3)

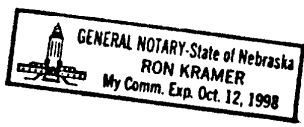
PROJECT: STPD-50-2(112) C.N.: 21054 TRACT: 7 SUPPLEMENT

STATE OF NEBRASKA )  
 ) ss.  
Sandy County)

On this 27<sup>th</sup> day of May, A.D., 1997,  
before me, a General Notary Public, duly  
commissioned and qualified, personally came

Lee H. Supb  
the duly authorized representatives of \_\_\_\_\_  
S.W.N. Investments

who acknowledged that he, she or they held the  
position or title set forth in the instrument,  
that he, she or they signed the instrument on  
behalf of the corporation by proper authority and  
that the instrument was the act of the  
corporation and are to me known to be said duly  
authorized representative or representatives and  
and the identical person or persons who signed  
the foregoing instrument and acknowledged the  
execution thereof to be his, her or their volunt-  
ary act and deed.



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

Ron Kramer Notary Public.  
My commission expires the 12 day of Oct., 1997.

STATE OF \_\_\_\_\_ )  
 ) ss.  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_,  
before me, a General Notary Public, duly  
commissioned and qualified, personally came

the duly authorized representatives of \_\_\_\_\_

who acknowledged that he, she or they held the  
position or title set forth in the instrument,  
that he, she or they signed the instrument on  
behalf of the corporation by proper authority and  
that the instrument was the act of the  
corporation and are to me known to be said duly  
authorized representative or representatives and  
and the identical person or persons who signed  
the foregoing instrument and acknowledged the  
execution thereof to be his, her or their volunt-  
ary 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\_\_\_\_.

# Resolution

BE IT RESOLVED, that LEE H. SAPP, GENERAL PARTNER  
(Corporate Officer)

and ..... of the  
(Corporate Officer)

SWN INVESTMENTS  
(Corporation) are hereby authorized

and directed for, and on behalf of the Board of Directors, to execute all necessary documents to convey title to corporate property for highway purposes to the State of Nebraska, Department of Roads.

I further certify that the Board of Directors of the SWN INVESTMENTS  
(Corporation)

..... has, and at the time of the adoption of said resolution, had full power and lawful authority to adopt the foregoing resolution and to confer the powers therein granted to the persons named who have full power and authority to exercise the same.

Duly executed this 23 day of May, 1997.

Witnessed By Patricia Balwz POA

ATTEST: .....

Project No.: STPD-50-2 (112)

C.N. 21054

Tract No.: 2 Supplement

Owner's Name: SWN Investments

POWER OF ATTORNEY

STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

KNOW ALL MEN BY THESE PRESENTS:

That I, LEE H. SAPP, the undersigned, of Omaha, Douglas County, Nebraska, do hereby make, constitute, and appoint PATRICIA R. BALVANZ, of Omaha, Douglas County, Nebraska, my true and lawful Attorney in Fact for me and in my name, place, and stead, and on my behalf and for my use and benefit:

1. To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire, the legal right, power or capacity to exercise or perform, in connection with or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter whatsoever.

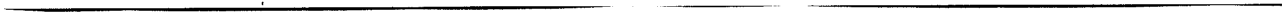
2. To request, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, notes, interests, and any and all documents of title, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by me, or due, owing, payable or belonging to me or in which I have or may hereafter acquire an interest, and to adjust, sell, compromise, and agree for the same, and to make, execute, and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same.

3. To lease, purchase, exchange, and acquire and to agree, bargain, and contract for the lease, purchase, exchange and acquisition of, and to accept, receive, and possess any real or personal property whatsoever, tangible or intangible, or interest therein, on such terms and conditions, and under such covenants as said Attorney in Fact shall deem proper.

4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or in any interest therein, that I now own or may hereafter acquire under such terms and conditions and under such covenants as my said Attorney in Fact shall deem proper.

5. To conduct, engage in, and transact any and all lawful business of whatsoever nature or kind for me, and on my behalf, and in my name.

6. To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, deeds of trust, security agreements, bills of sale, leases, mortgages, assignments, documents of title, bills, checks, drafts, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts, and deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings and loans or other institutions



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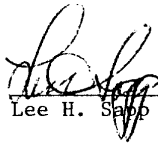
or associations, proofs of loss, evidence of debts, releases and satisfaction of mortgages, liens, judgements, security agreements and other debts and obligations, and such other instruments in writing of whatsoever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

7. I grant to attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper or necessary to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes, as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said Attorney in Fact, or said Attorney in Fact's substitute or substitutes, shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers herein granted.

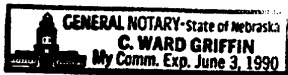
8. This instrument is to be construed and interpreted as a general Power of Attorney. The enumeration of specific items, rights, acts or powers herein is not intended to, nor does it, limit or restrict, and it is not to be construed or interpreted as limiting or restricting the general powers herein granted to said Attorney in Fact.

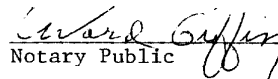
9. The rights, powers, and authority of said Attorney in Fact herein granted shall commence and be in full force and effect as of the date hereof, and such rights, powers, and authority shall remain in full force and effect thereafter until specifically terminated in writing by me.

DATED this 26 day of March, 1987.

  
\_\_\_\_\_  
Lee H. Sapp

SUBSCRIBED and sworn to before me this 26 day of March, 1987.



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