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479-392

WARRANTY DEED (page 1)  
PROJECT: NH-30-7(106) C.N.: 20705

TRACT: 4

KNOW ALL MEN BY THESE PRESENTS:

THAT Dehy Alfalfa Mills, Inc., a Nebraska Corporation

hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of SEVEN THOUSAND FOUR HUNDRED THIRTY FOUR AND NO/100--(\$7,434.00)-- DOLLARS in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, the following described real estate situated in WASHINGTON County, and State of Nebraska, to-wit;

A TRACT OF LAND LOCATED IN TAX LOT 4, IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 2652.26 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 089 DEGREES, 27 MINUTES, 33 SECONDS RIGHT, A DISTANCE OF 126.84 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 090 DEGREES, 10 MINUTES, 45 SECONDS RIGHT, A DISTANCE OF 1674.60 FEET; THENCE EASTERLY DEFLECTING 004 DEGREES, 18 MINUTES, 33 SECONDS RIGHT, A DISTANCE OF 867.27 FEET TO A POINT ON THE NORTHERLY EXISTING HIGHWAY 30 RIGHT OF WAY LINE; THENCE NORTHEASTERLY ON A 150.00 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 037 DEGREES, 31 MINUTES, 28 SECONDS LEFT, A DISTANCE OF 144.91 FEET, SUBTENDING A CENTRAL ANGLE OF 055 DEGREES, 21 MINUTES 12 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 004 DEGREES, 35 MINUTES, 07 SECONDS RIGHT, A DISTANCE OF 101.40 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 083 DEGREES, 38 MINUTES, 39 SECONDS RIGHT, A DISTANCE OF 33.00 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 301.20 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 7.69 ACRES, MORE OR LESS, WHICH INCLUDES 3.56 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 TAX LOT 4: EXCEPT, OVER THE EXISTING PUBLIC ROAD ALONG THE EAST LINE OF SAID QUARTER SECTION.

AND ALSO:

EXCEPT, OVER ONE UNRESTRICTED ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE WEST LINE(S) OF SAID QUARTER SECTION.

AND ALSO:

EXCEPT, OVER ONE RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED

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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 479.41 FEET FROM THE WEST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

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. Said ten (10) vehicle movements per hour restriction shall not apply, however, to the agricultural harvest season.

PROVIDED THAT SHOULD THE GRANTOR(S) 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 90 DAY 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 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 the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors and assigns forever.

Recorded \_\_\_\_\_  
General   
Numerical   
Photostat \_\_\_\_\_

STATE OF NEBRASKA, COUNTY OF WASHINGTON) SS 1049  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 15th DAY OF March, A.D. 1994  
AT 9:10 O'CLOCK P.M. AND RECORDED IN BOOK  
237 AT PAGE 201-306  
COUNTY CLERK (Charlotte S. Petersen)  
DEPUTY (Karen Madson)

FILED  
MAR 15 AM 9:10  
COUNTY OF WASHINGTON  
STATE OF NEBRASKA

NEBRASKA DOCUMENTARY  
STAMP TAX  
Date March 15, 1994  
\$2 Exempt #2 By Ram

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And the Grantor does hereby covenant with THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, 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 1st day of December A.D. 1993.

Dehy Alfalfa Mills, Inc., a Nebraska Corporation

By: William H. Rhea, its President

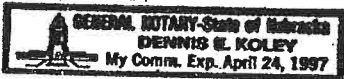
STATE OF NEBRASKA )
) ss.
WASHINGTON County)

On this 1st day of December, A.D., 1993, before me, a General Notary Public, duly commissioned and qualified, personally came William H. Rhea, President of and on behalf of Dehy Alfalfa Mills, Inc., a Nebraska Corporation, the said William H. Rhea

to me known to be the identical person whose name is affixed to the foregoing instrument on behalf of grantor and acknowledged the same to be a voluntary act and deed.

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

My commission expires the 24th day of April, 1997.



STATE OF )
) ss.
County)

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

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 Notarial seal the day and year last above written.

My commission expires the \_\_\_ day of \_\_\_, 19\_\_\_.