

88-18361

Original

FILED 1988 DEC 23 11:39
MINERAL DEED

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MINERAL DEED

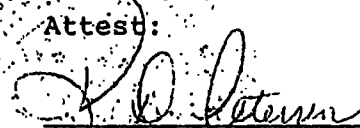
BEFORE THIS INSTRUMENT, made as of the 1st day of April, 1971, between UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, Grantor, and UNION PACIFIC LAND RESOURCES CORPORATION, a corporation of the State of Utah, which, by merger effective August 12, 1977, became Union Pacific Land Resources Corporation, a corporation of the State of Nebraska, successor in interest, Grantee:

WITNESSETH, That the said Grantor does hereby quitclaim as a contribution, without consideration, to the capital of the Grantee, and by these presents does REMISE, RELEASE and QUITCLAIM unto the said Grantee, its successors and assigns, forever, all of its right, title, interest, estate, claim and demand, both at law and in equity, in and to all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered in and underlying the property consisting of 70.39 acres more or less, situated in Sarpy County, State of Nebraska, as more particularly described in Exhibit A, hereto attached and hereby made a part hereof, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive, and perpetual right to explore for, remove, and dispose of, said minerals by any means or methods suitable to the Grantee, its successors and assigns, but without entering upon or using the surface of said lands, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by the Grantor, its successors and assigns.

Together with all and singular the appurtenances thereunto belonging; TO HAVE AND TO HOLD the above-described mineral rights unto the said UNION PACIFIC LAND RESOURCES CORPORATION, and unto its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, Union Pacific Railroad Company, has caused these presents to be duly executed as of the day and year first herein written.

Attest:


Assistant Secretary

(Seal)

UNION PACIFIC RAILROAD COMPANY,

By


Executive Vice President
NEBRASKA DOCUMENTARY
STAMP TAX

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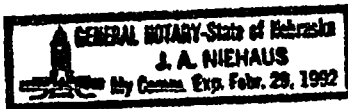
STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS) SS.

The foregoing instrument was acknowledged before
me this 9th day of November, 1988,
by J. R. Davis, Executive Vice President
of Union Pacific Railroad Company, a Utah corporation, on
behalf of the corporation.

J. A. Niehaus
Notary Public

(Seal)

Acknowledgement



NEAR PAPILLION, SARPY COUNTY, NEBRASKA

EXHIBIT "A"
TO
QUITCLAIM DEEDUnion Pacific Railroad Company (Grantor)
Papio Natural Resources District (Grantee)

A strip of land 100.0 feet wide, being 50.0 feet wide, measured at right angles and/or radially, on each side of the hereinafter described centerline of the abandoned main track of the old main line of the Union Pacific Railroad Company, as formerly constructed and operated, and extending westerly from a straight line drawn at right angles to said centerline at the hereinafter described True Point of Beginning to a straight line drawn at right angles to said centerline at the hereinafter described ending point thereof, over and across the legal subdivisions identified as follows:

<u>Subdivision</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Meridian</u>
NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$	33	14 N.	13 E.	6th P.M.
N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$	32	14 N.	13 E.	6th P.M.
S $\frac{1}{2}$ SW $\frac{1}{4}$	29	14 N.	13 E.	6th P.M.
E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	30	14 N.	13 E.	6th P.M.
E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$	25	14 N.	12 E.	6th P.M.
NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$	26	14 N.	12 E.	6th P.M.

Containing an area of 48.66 acres, more or less.

Also, all of that certain strip of land heretofore acquired by Union Pacific Railway Company from Union Cattle Company by Deed dated March 10, 1887, filed for record June 18, 1887, in Book R of Deeds at page 456 of the Records of Sarpy County, Nebraska, being described in said deed as follows:

"... a strip of land Fifty (50) feet in width across that part of the North-West Quarter of the North-West Quarter of Section 33, in Township 14, North of Range 13, East in Sarpy County, Nebraska, lying west of Papillion Creek, the Parcel hereby Conveyed lying North of and adjoining the present right-of-way of the Union Pacific Railway Company through said land, the intention being to Convey an additional Fifty (50) feet in width of ground adjoining said right-of-way on the

North and parallel to the centerline of the present Track of said Railway Company."

Containing an area of 0.66 of an acre, more or less.

Also, all those portions of those two certain parcels of land heretofore acquired by Union Pacific Railroad Company from Edward Powers by Deed dated December 6, 1865, filed for record December 7, 1865, in Book F of Deeds at page 561 of the Records of Sarpy County, Nebraska, that lies northerly and southerly of a strip of land 100.0 feet wide, being 50.0 feet on each side, measured at right angles and/or radially, of the hereinafter described centerline of the abandoned main track of the old main line of the Union Pacific Railroad Company, as formerly constructed and operated and that lies northerly of those two certain triangular shaped parcels of land heretofore condemned by Papillion Drainage District by Appraisal dated July 25, 1910.

Containing a net area of 13.65 acres, more or less.

Said strips of land conveyed by said deed dated December 6, 1865, are described therein as follows:

"... the following piece or parcel of land situate in the County of Sarpy and Territory of Nebraska, to-wit:

A strip of land through the southeast quarter of Section No. thirty in Township No. fourteen North of Range No. thirteen East of the 6th Principal Meridian, and described as follows, beginning at the East boundary of said Section thirty and running thence westerly along the centerline of said "Union Pacific Railroad" two thousand feet more or less to the center of West Papillion Creek, and including two hundred feet on either side of the centerline of said Road, the above described tract being four hundred feet in width; also, a strip of land through that part of said South East quarter of Section thirty lying between the center of West Papillion Creek and the west boundary of said southeast quarter of Section thirty, one hundred feet in width, being fifty feet on either side of the center line of the Road of said Company."

Also, all of that certain strip of land heretofore acquired by Union Pacific Railway Company from David Schmenk, et ux., by Warranty Deed dated December 15, 1886, filed for record June 18, 1887, in Book R of Deeds at page 454 of the Records of Sarpy County, Nebraska, being described in said deed as follows:

". . . the following described Real Estate, situate in the County of Sarpy and State of Nebraska to-wit:

A strip of land fifty (50) feet in width through the North half of the South West Quarter of Section thirty (30) in Township fourteen (14) North of Range thirteen (13) East of the 6th principal meridian, lying North of and adjoining the present right-of-way of said Railway Company through said Quarter Section; the intention being to convey an additional fifty feet in width of ground adjoining said present right-of-way on the North and parallel to the centerline of the present track of said Railway Company."

Containing an area of 2.96 acres, more or less.

Also, all of that certain strip of land heretofore acquired by Union Pacific Railway Company from Samuel M. Pike, et ux., by Deed dated March 7, 1887, filed for record June 18, 1887, in Book R of Deeds at page 455 of the Records of Sarpy County, Nebraska, being described in said deed as follows:

". . . a strip of land Fifty (50) feet in width across the North East Quarter of the South East Quarter of Section 26, in Township 14, North of Range 12, East, in Sarpy County, Nebraska, lying North of and adjoining the present right-of-way of the Union Pacific Railway Company, the intention being to convey additional Fifty (50) feet in width of ground adjoining said right-of-way on the North and parallel to the centerline of the present track of said Railway Company."

Containing an area of 0.80 of an acre, more or less.

Also, all that portion of that certain strip of land heretofore acquired by Union Pacific Railway Company from John Lindsay Brown, et ux., et al., by Deed dated March 13, 1887, filed for record June 18, 1887, in Book R of Deeds at page 457 of the Records of Sarpy County, Nebraska, that lies southeasterly of a straight line drawn at right angles to the hereinafter described centerline of the abandoned main track of the old main line of the Union Pacific Railroad Company, as formerly constructed and operated, at the hereinafter described ending point thereof.

Containing a net area of 3.66 acres, more or less.

Said strip of land conveyed by said Deed dated March 13, 1887, is described therein as follows:

". . . the following described Parcel of land situate in the County of Sarpy, State of Nebraska, to-wit:

A strip of land Fifty (50) feet in width through the North Half of the South-West Quarter of Section 25, and the South Half of the North-East Quarter of Section 26, in Township 14, North of Range 12, East of the 6th Principal Meridian, lying North of and adjoining the present Right-of-Way of the Union Pacific Railway Company, excepting a strip Fifty (50) feet wide, commencing at a point Twelve Hundred and Sixty (1260), feet westerly, measured along the centerline of the Main Track of said Railway from the North and South centerline of said Section 25, and continuing to a point Five Hundred and Twenty (520), feet Easterly, measured along the centerline of the Main Track of said Railway, from the West line of said Section 25, the intention being to Convey an additional Fifty (50) feet in width of ground adjoining the present Right-of-Way on the North and parallel to the centerline of the present Track of said Railway Company, excepting the Parcel above-described."

Said centerline of abandoned main track, hereinabove referred to, is described as follows:

Commencing at the northeast corner of said Section 33, T. 14 N., R. 13 E.;

thence southerly along the east line of said Section 33, a distance of 49.5 feet, more or less, to said centerline of main track;

thence southwesterly along said centerline, deflecting $95^{\circ}54'$ from north to southwest from said north-south centerline, a distance of 2,533.55 feet to the True Point of Beginning of the centerline hereby being described;

thence continuing southwesterly along the extension of the last-described line, a distance of 2,816.70 feet, more or less, to a point in the west line of said Section 33 that is 590.2 feet distant southerly, measured along said west line, from the northwest corner thereof;

thence southwesterly, along the extension of the last-described line, forming a deflection angle of $95^{\circ}30'$ from north to southwest with said west line of Section 33, a distance of 941.10 feet to the beginning of a tangent curve to the right, having a radius of 2,864.93 feet;

thence northwesterly, along said curve, through a central angle of $32^{\circ}48'$, a distance of 1,640.0 feet;

thence northwesterly, tangent to the end of the last-described curve, a distance of 896.60 feet to a point in the south line of said Section 29, T. 14 N., R. 13 E., that is 1,962.20 feet distant westerly, measured along the south line of said Section 29, from the south-west corner thereof;

thence continuing northwesterly along the extension of the last-described line, forming a deflection angle of $26^{\circ}35'$ from west to northwest with said south line of Section 29, a distance of 2,210.0 feet, more or less, to a point in the east line of said Section 30, T. 14 N., R. 13 E., that is 990.5 feet distant northerly, measured along said east line, from the southeast corner thereof;

thence continuing northwesterly along the extension of the last-described line, forming a deflection angle of $62^{\circ}33'30''$ from north to northwest with said east line of Section 30, a distance of 576.10 feet to the beginning of a tangent curve to the left, having a radius of 2,864.93 feet;

thence northwesterly and westerly along said curve, through a central angle of $30^{\circ}18'$, a distance of 1,515.0 feet;

thence southwesterly, tangent to the end of the last-described curve, a distance of 3,130.50 feet, more or less, to a point in the east line of said Section 25, T. 14 N., R. 12 E. that is 1,331.0 feet, more or less, distant northerly, measured along said east line, from the southeast corner thereof;

thence continuing southwesterly along the extension of the last described line, forming a deflection angle of $94^{\circ}06'30''$ from north to southwest with said east line of Section 25, a distance of 77.6 feet to the beginning of a tangent curve to the right, having a radius of 2,864.93 feet;

thence northwesterly along said curve, through a central angle of $17^{\circ}24'$, a distance of 870.0 feet;

thence northwesterly, tangent to the end of the last-described curve, a distance of 4,412.70 feet, more or less, to a point in the east line of said Section 26, T. 14 N., R. 12 E., that is 231.0 feet distant southerly, measured along said east line, from the east quarter-corner thereof;

thence continuing northwesterly, along the extension of the last-described line, forming a deflection angle of $76^{\circ}29'$ from north to northwest with said east line of Section 26, a distance of 2,109.30 feet to the end of the centerline hereby described.

Office of AVP-Engineering Services
Omaha, Nebraska
October 3, 1988

COLORADO
REGISTRATION
RESOURCES COMMISSION
10/03/88