



DEED 2013115322



NOV 18 2013 16:04 P 6

Nebr Doc Stamp Tax
11-18-2013 Date
\$ 416.25
By SB

Fee amount: 40.00  
FB: 01-60000  
COMP: SB

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/18/2013 16:04:36.00



AFTER RECORDING RETURN TO:  
First American Title Insurance Company National Commercial Services  
13924 Gold Circle  
Omaha, Nebraska 68144

### SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Lyman-Richey Corporation, a Delaware corporation, ("Grantor") in consideration of One Dollar in hand paid by NBG Enterprises, Inc., an Iowa Corporation, ("Grantee") of Douglas County and State of Nebraska, does hereby grant, bargain, sell and convey unto the said Grantee, the following described real estate ( as defined in Neb. Rev. Stat. sec 76-201) situated in the County of Douglas and State of Nebraska, to-wit:

**See Attached Exhibit "A"**

Together with all the tenements, hereditaments, and appurtenances thereunto belonging, and all the estate, right, title, interest, claim or demand whatsoever of the said Grantor, in, or to the same, or any part thereof:

TO HAVE AND TO HOLD the above described premises unto the said grantees and to their heirs forever; and the said Grantor hereby covenants that: (1) Grantor is lawfully seized of such real estate and it is free and clear of all liens and encumbrances, except those easements, restrictions and covenants of record, and except for the unrecorded easement to Barnet & Ramel Optical Co. of Nebr. dated February 1, 2011; (2) Grantor has legal power and lawful authority to convey the same and (3) WARRANTIES and will defend title to the real estate against all demands or lawful claims of all persons claiming the same or any part thereof, by, through or under the Grantor.

EXECUTED: November 18, 2013

Lyman-Richey Corporation, a Delaware corporation

By: Kevin Schmidt, President and CEO

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF DOUGLAS        )

On November 18, 2013, before me, the undersigned, a Notary Public, duly commissioned and qualified in said County, personally came Kevin Schmidt, President and CEO of Lyman-Richey Corporation, known to be the identical person(s) whose name(s) is affixed to the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed.

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

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:



## EXHIBIT 'A'

Parcel I: NWSE, SWSE

An irregular tract of land situated in Lot 5, Section 27, Township 16 North Range 13, East of the 6th P.M., in Douglas County, Nebraska, bounded and described as follows: Beginning at the point of intersection of the East line of 16th Street in the City of Omaha, with the North City limit line of said City of Omaha, said point being 40.0 feet distance East measured at right angles, from the West line of said Lot 5, and in the North line of Read Street 60 feet wide;

Thence East along said North City Limit Line, which is also along the North line of Read Street 60 feet wide, a distance of 276.8 feet more or less, to the Southwest corner of that certain fifteenth described strip of land 30.0 feet wide heretofore conveyed by The Union Land Company to Union Pacific Railroad Company by Warranty Deed dated May 25, 1942;

Thence North along the West line of said fifteenth described strip of land heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942, which is a straight line parallel with and 8.5 feet distant West, measured at right angles, from the center line of the main spur tract of said Railroad Company as now constructed and operated, a distance of 54.2 feet to the most Southerly corner of that certain triangular parcel of land heretofore conveyed by The Union Land Company to Union Pacific Railroad Company by Warranty Deed dated September 28, 1953;

Thence Northerly along the Westerly boundary line of said triangular parcel of land heretofore conveyed, which is a straight line forming an angle of  $4^{\circ} 59' 24''$ , more or less, from North to West with the last Described line produced, a distance of 172.4 feet, more or less, to the Northwest corner of said triangular parcel;

Thence East along the North boundary line of said triangular parcel, which is in a straight line that forms an angle of 89.57 feet from North to East with the West line of said Lot 5, a distance of 15.0 feet to a point in said West line of fifteenth described strip of land heretofore conveyed to Union Pacific Railroad Company by said deed May 25, 1942;

Thence North along the West line of said Fifteenth described strip of land heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942, which is straight line parallel with and 8.5 feet distant West, measured at right angles, from said center line of main spur tract, a distance of 156.9 feet, more or less, to the most Southerly corner of that certain seventeenth described strip of land of irregular width, heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942;

Thence West, at right angles, along the Southerly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific a distance of 1.0 foot;

Thence Northerly along the Southwesterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific, which is a line curving to the left, having a radius of 452.21 feet, and which is tangent at its point of beginning to a straight line draw at right angles to the last described line at the end thereof, a distance of 64.25 feet;

**Thence continuing Northerly along the Southwesterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific, which is straight line tangent to the end of the last described curve, a distance of 33.3 feet;**

**Thence continuing Northerly, Northwesterly and Westerly along the Southwesterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific, which is a tangent curve to the left having a radius of 372.72 feet, a distance of 428.0 feet, more or less, to a point 40.0 feet distant easement, measured at right angles, from the West line of said Lot 5;**

**Thence South along a straight line parallel with and 40.0 feet distant East, measured at right angles, from said West line of Lot 5, a distance of 784.0 feet, more or less, to the point of beginning.**

**Also an irregular parcel of land situated in said Lot 5, of Section 27, in Douglas County, Nebraska, bounded and described as follows:**

**Beginning at a point in the Southwesterly boundary line of that certain sixteenth described strip of land 19.0 feet wide heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942, that is 40.0 feet distant East measured at right angles, from the West line of said Lot 5, said point being 865.1 feet, more or less, distant North from said North line of Read Street 60 feet wide, measured along a straight line parallel with and 40.0 feet distant East, measured at right angles, from said West line of Lot 5;**

**Thence Southeasterly along the Southwesterly boundary line of said sixteenth described strip of land heretofore conveyed to Union Pacific which is a straight line forming an angle of 53.41 feet from South to East with said straight line parallel with the West line of Lot 5, a distance of 113.9 feet, more or less, to the beginning of a curve;**

**Thence continuing Southeasterly along the Southwesterly boundary line of said sixteenth described strip of land heretofore conveyed to Union Pacific which is a tangent curve to the right having a radius of 449.78 feet, a distance of 213.5 feet, more or less, to a point in the Northeasterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific;**

**Thence Northwesterly along the Northeasterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific which is a line curving to the left, having a radius of 391.72 feet and which is tangent at its point of beginning to a straight line forming an angle of 5° 54' 08" from Northwest to West with a straight line draw tangent to the end of the last described curve, a distance of 153.05 feet to a point of compound curve;**

**Thence continuing Northwesterly along the Northeasterly boundary line of said Seventeenth described strip of land heretofore conveyed to Union Pacific, which is a curve to the left having a radius of 651.96 feet and which is tangent at its point of beginning to a straight line drawn tangent to the end of the last described curve, a distance of 95.3 feet;**

**Thence continuing Northwesterly along the Northeasterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific which is a straight line tangent to the end of the last described curve, a distance of 9.1 feet;**

**Thence continuing Northwesterly along the Northeasterly boundary line of said seventeenth described strip of land heretofore conveyed to Union Pacific, which is a tangent curve to the left having a radius of 288.25 feet, a distance of 36.2 feet, more or less, to a point 40.0 feet distant East, measured at right angles from said West line of Lot 5;**

**Thence North along a straight line parallel with and 40.0 feet distant East from the West line of Lot 5, a distance of 51.6 feet, more or less, to the point of beginning.**

**Also, an irregular tract of land situated in said Lot 5, of Section 27, in Douglas County, Nebraska, bounded and described as follows:**

**Beginning at a point in the Northeasterly boundary line of said sixteenth described strip of land 19.0 feet wide heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942, that is 40.0 feet distant East, measured at right angles, from the West line of said Lot 5, said point being 888.7 feet, more or less, distant North from said North line of Read Street 60 feet wide, measured along a straight line parallel with and 40.0 feet distant East, measured at right angles, from said West line of Lot 5;**

**Thence Southeasterly along the Northeasterly boundary line of said sixteenth described strip of land heretofore conveyed to Union Pacific which is a straight line forming an angle of 53.41 feet from South to East with said straight line parallel with the West line of Lot 5, a distance of 127.82 feet; Thence continuing Southeasterly and Southerly along the Northeasterly boundary line of said sixteenth described strip of land heretofore conveyed to Union Pacific, which is a tangent curve to the right, having a radius of 468.78 feet, a distance of 438.9 feet, more or less, to a point in the North boundary line of said fifteenth described strip of land 30.0 feet wide heretofore conveyed to Union Pacific Railroad Company by said deed dated May 25, 1942;**

**Thence East at right angles along the North boundary line of said fifteenth described strip of land heretofore conveyed to Union Pacific a distance of 12.0 feet to a point in the Westerly boundary line of that certain tract of land heretofore conveyed by The Union Land Company to Continental Grain Company by Warranty Deed dated May 24, 1948;**

**Thence North along the West boundary line of said tract of land heretofore conveyed to Continental Grain Company a distance of 188.6 feet, more or less, to the most Northerly corner of said tract, which is also the most Westerly corner of that certain parcel of land heretofore conveyed by The Union Land Company to Continental Grain Company by Warranty Deed dated July 16, 1953;**

**Thence Northeasterly along the Northwesterly boundary line of said parcel of land heretofore conveyed to Continental Grain Company by deed dated July 16, 1953, which is a straight line forming an angle of approximately 50° 32' 30" from North to East with the last described line produced a distance of 186.0 feet, more or less, to the present water line of the Missouri River;**

**Thence Northwesterly along the present water line of the Missouri River a distance of 560.0 feet, more or less, to a point thereon that is 40.00 feet distant East, measured at right angles, from said West line of Lot 5;**

**Thence South along a straight line parallel with and 40.0 feet distant East, measured at right angles, from said West line of Lot 5, a distance of 167.0 feet, more or less, to the point of beginning;**

**Except that part conveyed to the City of Omaha, Nebraska by Warranty Deed filed October 8, 2004, as Instrument No. 2004133090;**

**Except oil, gas and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said oil, gas and other minerals.**

**Parcel II:**

**A non-exclusive Easement for the benefit of Parcel I as created by Deed dated August 31, 1961 and filed November 7, 1961 in Book 1132 at Page 6.**