

STATE OF NEBRASKA

WASHINGTON COUNTY

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*This is just a sample to type all the easements etc.*

TITLE REPORT 20-12

*Commercial Federal Bank - 11/15/93*

WASHINGTON COUNTY ABSTRACT & TITLE COMPANY, duly registered under the

laws of the State of Nebraska to carry on the business of compiling abstracts of title herein, hereby certifies that it has searched the records of the County Clerk, ex-officio Register of Deeds, Washington County, Nebraska, as to the following described real estate, to-wit:

SUBJECT PROPERTY:

Lot 14 Revised, a replat of Lot 14 and part of Lot 13, Bur-Ridge-Run, a subdivision in Section 31, Township 18 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska.

ADMINISTRATIVE ADJUSTMENT REPLAT recorded in Book 218, Pages 318-319 was filed July 15, 1993. Copy attached for your review.

GRANTEE ON LAST DEED OF RECORD:

Calvin E. McWilliams and Shari A. McWilliams, husband and wife as joint tenants. (Survivorship Warranty Deed recorded in Book 216, Pages 618-619, dated May 28, 1993, filed June 3, 1993)

SUBJECT TO THE FOLLOWING INSTRUMENTS INDEXED AND RECORDED AGAINST SUBJECT PROPERTY AS OF THE DATE OF THIS TITLE REPORT ONLY:

- a) DEED OF TRUST recorded in Book 292, Pages 724-729, dated November 23, 1998, filed November 30, 1998, given by Calvin E. McWilliams and Shari A. McWilliams, husband and wife, to Commercial Federal Bank, Trustee, and Commercial Federal Mortgage Corp., Beneficiary, in the principal sum of \$139,300.00.
- b) ANY and all easements, restrictions, conditions shown on FINAL PLAT OF BUR-RIDGE RUN recorded in Plat Book 2, Pages 361-368, filed October 15, 1982 and ADMINISTRATIVE ADJUSTMENT REPLAT recorded in Book 218, Pages 318-319, filed July 15, 1993. *to only affect L13:14*
- c) RIGHT OF WAY AGREEMENT recorded in Book J, Page 133, dated February 5, 1941, filed April 2, 1941, given by Joe Lazure and May Allen Lazure, husband and wife, to Socony-Vacuum Oil Company, Incorporated, its successors and assigns. *(S W S E 40 S)*
- ASSIGNMENT recorded in Book Q, Pages 349-355, dated November 30, 1959, filed January 14, 1960, wherein Socony Mobil Oil Company, (formerly Socony-Vacuum Oil Company, Inc.) assigns Right of Way in Book J, Page 133 to Magnolia Pipe Line Company, its successors and assigns.
- ASSIGNMENT OF RIGHT OF WAY recorded in Book 143, Pages 758-765, dated October 31, 1983, filed December 29, 1983, Mobil Pipe Line Company assigns Right of Way in Book J, Page 133 to Williams Pipe Line Company, its successors and assigns.
- d) MINING OIL & GAS LEASE recorded in Book J, Page 511, dated July 23, 1943, filed August 13, 1943, Mrs. Joe Lazure or Mae Allen Lazure to Consumer's Syndicate Ltd.
- ASSIGNMENT OF OIL & GAS LEASE recorded in Book L, Page 512, dated May 2, 1952, filed May 2, 1952, May Allen Lazure assigns Mining Oil & Gas Lease in Book J, Page 511 to Duane K. Brundage and Clarence Brundage, Jr.
- e) RIGHT OF WAY AGREEMENT recorded in Book K, Page 391, dated October 16, 1945, filed October 31, 1945, May Allen Lazure, a widow, to Great Lakes Pipe Line Company, its successors and assigns. *W13:36, E13:36*
- f) ELEVATED CROSSING AGREEMENT recorded in Book L, Page 109, dated August 20, 1948, filed August 27, 1948, Phil Boyd to Great Lakes Pipe Line Company, its successors and assigns.
- g) CONVEYANCE & ASSIGNMENT recorded in Book R, Pages 467-475, dated March 15, 1966, filed April 4, 1966, wherein Great Lakes Pipe Line Company assigns Right of Way Agreement in Book K, Page 391 and Elevated Crossing Agreement in Book L, Page 109, among others, to Williams Brothers Pipe Line Company.
- h) TRANSMISSION LINE EASEMENT recorded in Book S, Pages 181-182, dated August 14, 1967, filed August 23, 1967, Ruby Brundage and C. Brundage, Sr., to Omaha Public Power District, its successors and assigns.
- i) OIL & GAS LEASE recorded in Book U, Pages 505-506, dated January 14, 1971, filed January 21, 1971, Clarence Brundage, Jr. & wife and Duane K. Brundage, single, to W.B. Smethers.

- ✓ ASSIGNMENT recorded in Book V, Page 248, dated September 7, 1971, filed September 13, 1971, wherein W.B. Smethers assigns 75% of Oil & Gas Lease in Book U, Pages 505-506 to Sundance Oil Company and 25% of Oil & Gas Lease in Book U, Pages 505-506 to William F. Elder and Helen E. Elder, as joint tenants, reserving 1/16 of 7/8 overriding royalty.
- ✓ OVERRIDING ROYALTY ASSIGNMENT recorded in Book V, Page 274, dated September 7, 1971, filed September 13, 1971, wherein W.B. Smethers assigns 1/32nd of 7/8th overriding royalty to William F. Elder and Helen E. Elder, as joint tenants.
- ✓ ASSIGNMENT OF OIL & GAS LEASES recorded in Book X, Page 29, dated December 6, 1971, filed August 14, 1973, wherein Sundance Oil Company assigns their 75% interest in Oil & Gas Lease in Book U, Pages 505-506 to ELCO Oil, Inc., reserving 1/32nd of 7/8th overriding royalty.
- ✓ RELEASE recorded in Book X, Page 35, ELCO Oil, Inc., releases their interest in Oil & Gas Lease in Book U, Pages 505-506.
- ✓ RELEASE recorded in Book X, Page 151, filed November 13, 1973, wherein W.B. Smethers releases his interest in Oil & Gas Lease in Book U, Pages 505-506.

**UNABLE TO LOCATE A RECORDED RELEASE FROM WILLIAM F. ELDER OR HELEN E. ELDER.**

- j) RIGHTS OF THE PUBLIC, State of Nebraska and the County in and to that portion of subject land taken or used for road purposes.
- k) WASHINGTON COUNTY ZONING REGULATIONS/RESOLUTIONS/ORDINANCES: Resolutions in Book N, Pages 614-631; Book N, Pages 632-639; Book R, Pages 579-591; Book U, Pages 67-142; Book W, Page 109; Book Y, Page 130A; Book 105, Pages 447-448; Book 126, Pages 122-131; Book 136, Page 200; Book 143, Page 101; Book 188, Page 539; Book 190, Pages 734-735; Book 201, Page 329. ANY AND ALL AMENDMENTS THERETO.

**TAXES:**

(Taxed as Parcel #890059598, Revised Bur-ridge Run Lot 14) 1998 and all prior taxes shown paid in full. 1999 total assessed taxes shown in the amount of \$2,684.38; 1<sup>st</sup> half due and becoming delinquent 5/1/2000; 2<sup>nd</sup> half due and becoming delinquent 9/1/2000.

**IT IS FURTHER CERTIFIED** that a search of the District Court of Washington County, Nebraska, shows no judgments against the following named person or persons, only, as of the Date of this Title Report:

Calvin E. McWilliams and Shari A. McWilliams.

This report does not guaranty against any loss, damage or claim from any Uniform Commercial Code and/or Effective Financing Statement filed with the Secretary of State, State of Nebraska, or any County Uniform Commercial Code and/or Effective Financing Statement unless filed in the Office of the Register of Deeds in Washington County, Nebraska, against the subject property as a Fixture Lien.

This report does not guaranty against any loss, damage or claim from any Federal and/or State Tax Liens filed with the Secretary of State, State of Nebraska, unless filed with the County Clerk, ex-officio Register of Deeds, in Washington County, Nebraska.

This report does not include a search of any Bankruptcy Proceedings on any party involved with subject property.

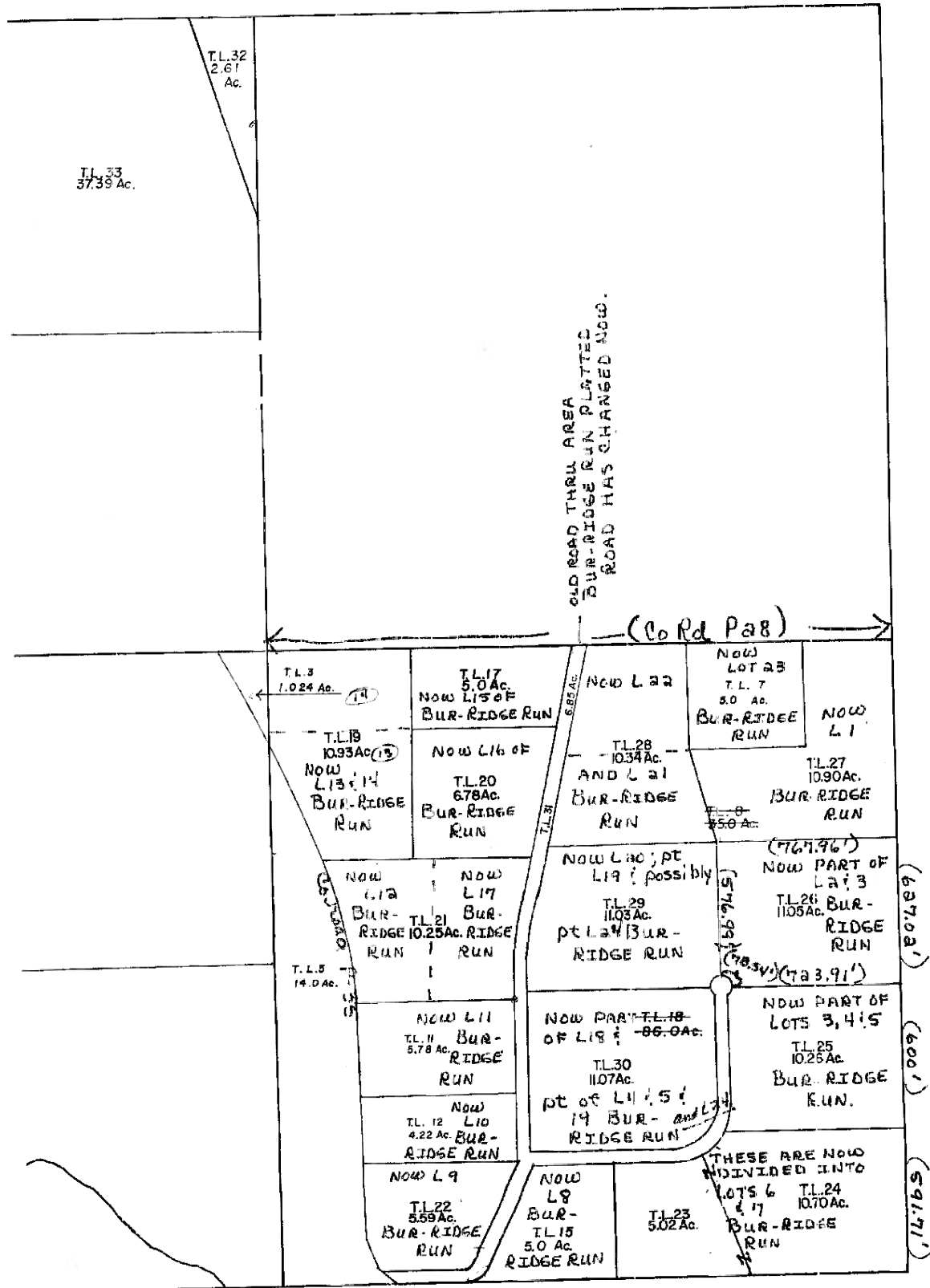
THIS report is not a Guaranty of Title, nor a statement as to the legality or sufficiency of any instrument or proceedings in the chain of title to said real estate, and the abstracter assumes liability only to the extent of the amount charged for this Title Report.

DATED this 8<sup>th</sup> day of February, 2000 at 8:00 o'clock, A.M.

WASHINGTON COUNTY ABSTRACT & TITLE COMPANY  
*Carolee A. Brenner*  
 REGISTERED ABSTRACTER

NOTE: Book 4:5  
are the same  
as this.

SECTION 31 T 18 N R 12 E



rechecked 3/6/2001 at 8:00 a.m.

done 2/9/93 at 8:00 A.M.

rechecked 10/21/94 at 8:00 a.m.

## Master Search of Sec 31-18-12 (SE $\frac{1}{4}$ ) for Burr Ridge Run Subdivision

- (N $\frac{1}{2}$  SE $\frac{1}{4}$ ) ✓ Patent 8-256 (8-15-1860) U.S. to Daniel Gorman
- (S $\frac{1}{2}$  SE $\frac{1}{4}$ ) ✓ Patent 14-210 (3-26-1873) U.S. to U.P. & S.C. & PRR Co.
- (N $\frac{1}{2}$  SE $\frac{1}{4}$ ) ✓ WD 8-70 (4-8-1867) Daniel Gorman & wf. to Thos. Kennard
- " ✓ WD 8-257 (2-28-1868) Thos. Kennard & wf. to Charles Borup.
- " ✓ WD 8-305 (4-16-1868) Charles Borup & wf. to J. B. Sanchezery
- (SWSE) ✓ WD 12-321 (4-30-1875) S.C. & PRR Co. to Mo. Valley Land Co.
- (SESE) ✓ WD 14-83 (11-15-1877) S.C. & PRR Co. to U.P.R.R. Co.
- (SWSE) ✓ WD 14-172 (11-15-1877) U.P.R.R. Co. to S.C. & PRR Co.
- (SWSE) ✓ WD 14-229 (4-23-1878) S.C. & PRR Co. to Mo. Valley Land Co.
- (N $\frac{1}{2}$  SE & SESE) ✓ QCD 17-451 (4-6-1882) J. B. Sanchezery & wf. to Adolph Lazure
- (SESE) ✓ WD 22-226 (5-19-1886) U.P. Ry. Co. to Adolph Lazure
- (SWSE) ✓ WD 23-234 (4-23-1878) S.C. & PRR Co. to Mo. Valley Land Co.
- (SWSE) ✓ WD 26-347 (11-30-1887) Mo. Valley Land Co. to Adolph Lazure
- (SE $\frac{1}{4}$ ) ✓ Admin. Dec'd 55-310 (10-23-1937) James Lewis Lazure, Admin. of Adolph Lazure, Est. to Joe Lazure 5 $\frac{1}{2}$  Sec. 31 & other
- ✓ ROW Agree J-133 (copied) ⊕
- ✓ Will & Decree 59-362 (8-1-1941) Heirs of Joe Lazure, Dec'd ⊕
- (SE $\frac{1}{4}$ ) ✓ WD 58-137 (4-24-1942) James Louis Lazure & wf. to Frances, P $\frac{1}{2}$  int  
Mae Lazure - undiv.  $\frac{1}{2}$  int in 5 $\frac{1}{2}$  Sec. 31-18-12
- ✓ Oil & Gas Lease J-511 (copied) ⊕
- ✓ ROW Agreement K-391 (copied) ⊕

(SE 1/4) ✓ WD 65-556 (9-5-1947) <sup>SE 1/4 Sec. 31</sup> Mae Lazure <sup>single</sup> to Phil Boyd <sup>single</sup>  
mtg 30-79 (9-5-1947) Phil Boyd to Farmers Mut. Ins. Co. of Ne  
✓ Elevated Crossing L-109 (copied)

(ok) ✓ Agreement Affidavit L-139 - name affd. for Adolph Lazure

(W 1/2 SE) ✓ WD 66-672 (1-3-1949) Mae Lazure <sup>single</sup> to James G. Jensen  
Madolin Vasjt  
w/ w, SW 1/4 : W 1/2 SE 1/4 ex tract described in  
WD 65-556

(copied) ✓ ROW L-304 (copied) (NA)

✓ Aff L-511 - (copied) MTA of Phil Boyd.

✓ Assign of Oil : Gas Lease L-512 - (copied) yes

(SE 1/4) ✓ WD 64-545 (5-3-1952) Phil Boyd, single to Ruby G. Brundage. SE 1/4 Sec 31. (subje. to mtg 30-79)  
Rel of mtg 32-583 (5-16-1952) Farmers Mut. Ins. Co. to Phil Boyd, single

(office) ✓ ROW Agree Q-349 (Q-133)  
✓ ~~Rel. Oil Lease N-510 (Q-68)~~  
✓ Conv. : Assign of Ease R-467 (K-391; L109)  
✓ Ease S-121 - (copied) (NA)  
✓ Ease S-181 - (copied) yes (x)

E 1/2 SE 1/4 + TL 6 ✓ WD 94-131 (12-1-67)(12-18-67) Ruby & Clarence Brundage, Jr, w/ & h, to  
in Sec 31 of NE 1/4 Sec 31 Clarence Brundage, Jr & Ruana K. Brundage, as jt.

✓ ✓ Oil : Gas lease U-505 } (copied) yes  
✓ ✓ " " " U-543 } (NA)  
✓ ✓ Assign V-225 (U-543) } (NA)  
✓ ✓ " V-248 (U-505) } (copied) yes



✓ Querriding Receipt Agreement V-251 (U-543) NA }  
✓ " " " " V-274 (U-505) yes } copied

copied ✓ Sale Cont. 99-501 3-31-72; 3-31-72 by & between Clarence Brundage, Jr & Eula and Duane K. Brundage, Sellers to Wayne E. & Joanne C. Hoskins Buyers - E 1/2 SE 1/4 & TL 6 Sec 31

✓ Aff W-1 - copied

✓ WD 99-503 3-27-72; 3-31-72; Clarence Brundage, Jr & Eula, h & wif & Duane K. Brundage, single to Clarence Brundage, Jr & Duane K. Brundage, as ten. in common NE 1/4, TL 6 & E 1/2 SE 1/4 Sec 31 & other

copied ✓ Assign 100-34 / 11-1-72; 11-2-72; Wayne E & Joanne C. Hoskins, h & wif assign to Karl Kehm all their j & rights, tit & int E 1/2 SE 1/4 & TL 6 Sec 31

copied ✓ QCD 100-342 11-1-72; 11-2-72; Wayne E. & Joanne C. Hoskins, h & wif. to Karl Kehm TL 6 & E 1/2 SE 1/4 Sec 31

✓ Assign X-29 (U-541 U-539 U-543 U-505) yes

✓ Rel X-35 (U-505) yes

✓ Rel X-108 (U-543) NA

✓ " X-151 (U-505) yes

} copied

✓ WD 101-639 11-9-73; 11-15-73; Clarence Brundage, Jr - Eula, h & wif and Duane K. Brundage, single to Karl Kehm III & H. Suzanne, as jt TL 7 Sec 31; 5 acres

W729

Intg 61-568

✓ QCD 102-21 11-9-73; 1-24-74; Karl Kehm & Virginia W. Kehm h & wif to Karl Kehm III & H. Suzanne, h & wif TL 7 Sec 31; 5 ac

✓ Fixture 1-201 - copied T67

copied ✓ WD 103-1787 3-27-72; 5-28-75. Clarence Brundage Jr & Eula, h & wif and Duane Brundage, single to Wayne E. & Joanne C. Hoskins, h & wif TL 6 Sec 31 subj. to public hwy. & ease of record

✓ Preliminary Plat 2-15 thru 19, filed 6-23-75, a subdivision of Bee-Ridge Run. of TL 8 & 10 & SE 1/4 SE 1/4 Sec 31-18-12, WCV.

- ✓ WD 105-37 (5-17-1975) Karl Kiehm, Jr. : wif to Rolland M. Cape : wif. (TL9) NA no mention of roadway easement thru TL31
- ✓ ~~Mtg 105-117 (TL11) NA~~
- ✓ ~~Mtg 108-447 (TL11) NA~~
- ✓ ~~Mtg 109-743 (TL7) NA~~
- ✓ ~~Rec of Fixture 1-242 (1-201)~~
- ✓ ~~Rec 110-22 (61-568) (4-23-1977)~~
- ✓ L.C. 113-84 (LOT 8 Bur-Ridge Run) (8-23-1977) NA Karl Kiehm : wif to Urbanovsky
- ✓ Agreement For Sale 114-482 (TL17) NA Karl Kiehm : wif to James G. Weidner
- ✓ ~~Sat. Mtg 117-632 (108-447)~~
- ✓ ~~Mtg 117-634 (TL11) NA (5-14-1979) \* and roadway Easement thru TL31~~
- ✓ Agreement For Sale 123-26 (TL23) NA Karl Kiehm : wif to Howard E. Reed : wif
- ✓ SWD 124-546 (TL11:12) NA (8-31-1979) Rolland M. Cape : wif to Robert L. Epperson : wif
- ✓ ~~Mtg 124-547 (TL11:12) NA~~
- ✓ ~~Rec Mtg 124-585 (117-634)~~
- ✓ ~~Sat. 124-587 (108-447)~~
- ✓ WD 124-765 (9-27-1979) James G. Jensen : wif to Madolin V. Jensen copied
- ✓ Oil : Gas Lease 125-288 RE: TL 2,4,5 31-18-12 NA
- ✓ ~~Sat. Mtg 127-313 (105-117) TL11:2~~
- ✓ Assign of Oil : Gas Lease 128-3:4 (125-288) NA office
- ✓ Agreement For Sale 129-372 (pt TL24) NA (9-4-1980) Karl Kiehm : wif to Howard E. Reed : wif
- ✓ J TWD 132-460 (TL22) NA (5-7-1981) Karl Kiehm : wif to Jerry S. Schneider : wif
- ✓ ~~Mtg 132-461 (TL22) NA~~
- ✓ ~~Ease 132-698 (TL22) NA~~
- ✓ ~~Wood of Trust 133-327 (TL22) NA~~
- ✓ J TWD 135-136 (TL22) NA (2-23-1982) Schneider's to Albert C. Newell
- ✓ ~~Mtg 135-137 (TL22) NA~~

no mention of roadway easement thru TL31

no mention of roadway easement thru TL31

copied

no mention of roadway easement thru TL31

WD 240-447 Bur-Ridge L7

legal on this appears to be describing what is now LOT 7 Bur-Ridge.

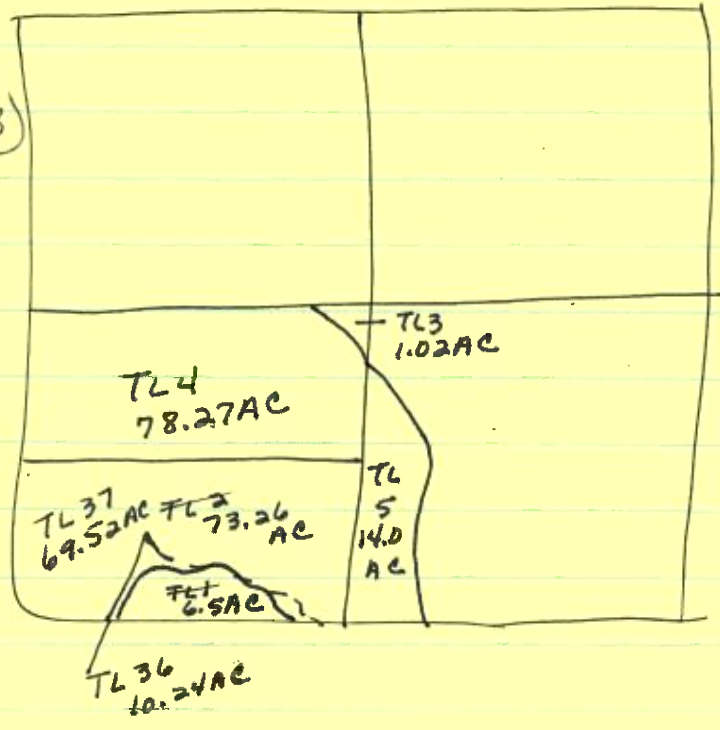


- ✓ Reel 135-148 (132-461) TL 22
- ✓ Deed of Rec. 135-183 (133-327) TL 22
- ✓ Final Plat Burr. Ridge Run 2-352 (3-10-1982) (filing voided) *see below*
- ✓ Final Plat Burr. Ridge Run 2-361 (10-15-1982) *no mention of roadway easement thru TL 31*
- ✓ WD 141-432 (4-10-1978) (TL 17) NA *Karl Kehm: w/ to James J. Weibelert*
- ✓ Mtg 143-50 (TL 11, 12) NA
- ✓ Assign of ROW 143-758 (9-133, 132) copied
- ✓ Reel 172-472 (135-137) TL 22
- ✓ Reel 179-48 (143-50) TL 11, 12
- ✓ " 184-281 (124-547) " "
- ✓ " 184-444 (124-547) correction (TL 11, 12)
- ✓ Cert 187-353 Estate of Madalen V. Jensen  
(TL 4, 5, 37) *SW 1/4 SE 1/4 SW 1/4* NA
- ✓ Deed of Dist. 188-848 (TL 4, 5, 37) NA
- ✓ Assign of Mtg 201-241 (109-743) TL 7 NA
- ✓ *Reel 234-297 (109-743) TL 7 NA*
- ✓ All WC 2.

Add:

Reel 234-297  
(109-743)

BOOK 4





Will & Decree 59-362

Mae Lazure - wife; devise & bequeath  
all rents, income & profits of entire  
estate during natural lifetime

Mae Lazure & brother James Louis Lazure,  
<sup>act jointly without bond</sup>  
executrix & executor empower them  
to sell & convey any & all real estate  
of which I die seized of.

Any & all residue & remainder of estate which  
may remain after death of wife, I  
devise & bequeath all to brother James L.  
Lazure forever in fee simple.