

FILED SARRY CO. NE.
INSTRUMENT NUMBER
99-030111
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George J. [Signature]
REGISTER OF DEEDS

99-30111
Counter DNK
Verify S
D.E. a
Proof AK
Fee \$ 55.00
CK ☒ Cash ☐ Chg ☐

PARTIAL RELEASE AND ENCROACHMENT AGREEMENT

This Agreement ("Agreement") is made and entered into by and between WILLIAMS PIPE LINE COMPANY, a Delaware corporation (hereinafter called "WPL"), whose address is P.O. Box 21628, RES-2nd Floor, Tulsa, Oklahoma 74121-1628, and BROOK VALLEY II, LTD, a Nebraska Limited Partnership (hereinafter called "Landowner"), whose address is 6410 South 120th Plaza, Omaha, Nebraska 68137 and Sanitary and Improvement District No. 59 of Sarpy County, Nebraska, a political subdivision of the State of Nebraska (hereinafter called the "District"), whose address is 11440 West Center Road, Omaha, Nebraska 68144.

WITNESSETH:

WHEREAS, WPL is the owner of a pipeline(s) with related appurtenances (hereinafter called the "Pipelines") and a pipeline easement and right of way (hereinafter called the "Easement") on, over and through parts of the Northwest Quarter of Section 20 and the Southwest Quarter of Section 17, both in Township 14 North, Range 12 East, Sarpy County, Nebraska, by virtue of the following agreements and assignments:

Right of Way Agreement dated July 17, 1941, filed July 24, 1941 in Book 10 at Page 616 of the Miscellaneous Records of Sarpy County, Nebraska from Fred Peters and Annie Peters, his wife, to Socony Vacuum Oil Company, Incorporated.

Right of Way Agreement dated March 3, 1941, filed March 11, 1941 in Book 10 at Page 467 of the Miscellaneous Records of Sarpy County, Nebraska from Annie Peters and Fred Peters, her husband, to Socony Vacuum Oil Company, Incorporated.

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Right Of Way Agreement dated March 3, 1941, filed April 11, 1941 in Book 10 at Page 464 of the Miscellaneous Records of Sarpy County, Nebraska from Mary E. Schneekloth and Fred Schneekloth, her husband, Fred Hagedorn and Antonette E. Hagedorn, his wife, to Socony Vacuum Oil Company, Incorporated.

Assignment of Agreement filed June 14, 1960 in Book 26 at Page 126 of the Miscellaneous Records of Sarpy County, Nebraska from Socony Mobile Oil Company, Inc. to Magnolia Pipe Line Company.

Assignment of Right of way Agreement dated October 31, 1983, filed January 18, 1984 in Book 57 at Page 31 of the Miscellaneous Records of Sarpy County, Nebraska, from Mobile Pipe Line Company to Williams Pipe Line company.

Relocation and Reimbursement Agreement filed June 23, 1994 as instrument #94-14186 of the records of Sarpy County, Nebraska,

Collectively hereinafter called the "Right of Way Agreements"

WHEREAS, Landowner represents and warrants that it is the current owner of the following described tract of land (hereinafter called "Owner's Land");

Commencing at the Southeast Corner of said the NW/4 of Section 20-T14N-R12E, Sarpy County, Nebraska; thence S89°54'13"W (assuming the East line of said NW/4 to bear North and South) 33.00 feet on the South line of said NW/4 to the point of beginning; thence North 22°17'06 feet on the West line of 114" Street and on a line 33.00 feet West of and parallel with the East line of said NW/4 to a point on the Easterly extension of the South line of Lot 4, Brook Valley II Business Park (Lots 1 thru 22, inclusive), a subdivision as surveyed, platted and recorded in said Sarpy County, Nebraska; thence on the outer boundary of said Brook Valley II Business Park (Lots 1 thru 22, inclusive) on the following described ten courses; thence West 314.00 feet; thence North 60.00 feet; thence West 300.00; thence South 275.00 feet; thence West 53.00 feet; thence South 730.00 feet; thence East 323.00 feet; thence South 850.00 feet; thence West 203.00 feet thence South 422.98 feet; thence N89°54'13"E 547.00 feet on the South line of said NW/4 to the point of beginning. Also Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 19, 20, and 21 in Brook Valley II Business park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

WHEREAS, the District has been duly organized and is existing under and by virtue of the laws of the State of Nebraska, Neb. Rev. Stat. §§ 31-727 et seq. (Reissue 1993) and is

99-30111B

authorized and empowered thereunder to contract and pay for the installation of public improvements, including, but not limited to, streets, sewers, electricity, and natural gas.

WHEREAS, Landowner and District desire that WPL relocate a portion of the Pipelines and amend the Right of Way Agreements in the following described manner to facilitate the future development of Owner's Land, and WPL is willing to do so under the following described conditions.

NOW, THEREFORE, in reliance on the aforesaid representations and warranties of ownership and in consideration of the conveyances, promises and the mutual covenants herein contained, the Right of Way Agreements are modified as hereinafter described:

1. Effective as of the date hereof, all pipelines, valves, cables, conduits, cathodic protection equipment and other appurtenances of WPL heretofore or hereafter constructed on Owner's Land by authority of the Right of Way Agreements and this Agreement shall be confined within a tract of land (hereinafter called the "Easement Strip") extending across Owner's Land being more particularly described as follows:

A 100.00 wide foot pipeline easement being part of the fractional part of the NW/4 of Section 20-T14N-R12E and the SW/4 of Section 17-T14N-R12E, both in Sarpy County, Nebraska.

See Exhibit 'A' attached hereto and made a part hereof.

It is strictly understood Exhibit 'A' defines the Easement Strip after the relocation of the Pipelines. Prior to relocation of the Pipelines Landowner and District consent to the operation and maintenance of the Pipelines as presently located. It is strictly understood that nothing herein contained shall in anywise diminish WPL's right, title and interest, in and to the Easement Strip described in Exhibit 'A'.

2. WPL for itself, its future successors and assigns, hereby releases all of its right, title and interest acquired by virtue of the Right of Way Agreements in that portion of Owner's Land, and no other described real estate, not included in the Easement Strip.
3. For and in consideration of the benefits derived herefrom and other valuable consideration paid to Landowner, the receipt and sufficiency of which are hereby acknowledged, Landowner grants, sells and conveys to WPL the fee, uninterrupted, perpetual and commercial right, privilege and easement to lay, construct, maintain, inspect, operate, repair, replace, change the size of, protect and remove (a) existing and future pipelines for the transportation of liquids, gases or other materials which can

99-30111C

be transported through a pipeline, with fittings, valves, cathodic protection equipment and related appurtenances, and (b) existing and future lines, cables, conduits and related equipment and appurtenances for telecommunications or other purposes, whether or not related to pipelines (all the foregoing being sometimes hereinafter collectively called "WPL's Lines") over, through, under and across the Easement Strip, together with the right of ingress and egress across Owner's Land for all purposes incident to the exercise of the aforesaid rights, the right to environmentally remediate Owner's Land if a discharge should occur from WPL's Lines and the right to place on Owner's Land incidental equipment to facilitate the exercise of the aforesaid rights. No additional compensation shall be payable to Landowner for the aforesaid rights or any damage resulting to the property of Landowner, its successors or assigns, except where expressly provided for in the Right of Way Agreement; provided, however, WPL shall have the right to keep the Easement Strip clear of obstructions, structures, trees, undergrowth, brush, ornamental or other vegetation. To the extent reasonably practical, WPL agrees to use the public streets within the subdivision to access the Pipelines.

4. Landowner and District shall not erect, construct or create any building, house, improvement, trees, structure or obstruction of any kind either on, above or below the surface of the ground on the Easement Strip, or change the grade thereof, or cause or permit such construction work or acts to be done by others, without the express written permission of WPL, except as specifically permitted as follows:

- 4.1 Only four-foot tall or shorter picket or chain link fences shall be permitted to run parallel with the Pipelines as long as they are a minimum of ten feet from the Pipelines. Four-foot tall or shorter Picket or chain link fences may be allowed to cross over the Pipelines as long as they extend ten feet beyond the Pipelines. Fence posts shall not be permitted directly above the Pipelines. Privacy fences are strictly prohibited.

- 4.2 Parking lots shall be permitted providing a minimum of 4 foot of cover is maintained over the Pipelines. At WPL's option, a close interval cathodic protection survey will be performed prior to the parking lot being installed to evaluate the integrity of the pipeline coating. The charges of said cathodic protection survey shall be paid in advance by Landowner.

- 4.3 WPL's representative shall be contacted a minimum of forty-eight (48) hours prior to construction of fences and parking lots by phoning WPL's Coordinator of Operations & Maintenance, Dan Egner, at 402-342-5476 (Office) or 402-677-2996 (cell phone) or Nebraska One-Call at 800-331-5666 or such other

99.30111D

representatives that WPL may from time-to-time appoint. The presence of WPL's representative or any instructions given by such representative shall not relieve Landowner and District of any liability under the Right of Way Agreement and this Agreement.

5. WPL consents, subject to the hereinafter described conditions, to the construction by District of four streets (named Centennial Road, Portal Road, Cary Street and Virginia Street) that shall cross the Pipelines at right angles. WPL further consents, subject to the hereinafter described conditions, to the construction by District and Landowner of (a) sanitary sewer lines and storm sewer lines; (b) cable television, telecommunication lines and natural gas utility lines, and (c) underground electric power-line crossing WPL's pipeline(s) (collectively the "Utility Lines) within and across that portion of the Easement Strip which lies within Owner's Land, provided that District agrees to the following conditions:

5.1 District and Landowner agree to perform any grading so that a minimum of 36" of cover exists over Pipelines, except at street crossings where a minimum of four feet (4') and a maximum of eight feet (8') of cover shall be provided and maintained between the bottom of the Streets' surface and the top of the Pipelines. No sub-cutting by machinery shall be allowed within two feet (2') of the Pipelines. Hand digging shall be required if excavation is necessary within two feet (2') of the Pipelines. No rocks, dirt clods, clay clumps, debris or any other type of fill determined by WPL's on site representative to be unsuitable shall be used as fill over and around the Pipelines.

5.2 Underground Utility Lines shall be constructed in a manner which will provide a minimum clearance of two feet (2') between the Utility Lines and the Pipelines. Utility Lines shall not be permitted to run parallel with the Pipelines on the Easement without the written permission of WPL. Underground fiber optic cable, long distance carrier telephone, and electrical cable shall be cased and concrete coated when crossing WPL's Pipelines and a warning tape shall be placed over the concrete coating. The tape shall extend 20 feet on each side of the Pipelines. Utility poles and guys shall not be placed within 15 feet of the Pipelines.

The covenants contained in this Agreement shall constitute covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, their personal representatives, heirs, successors and assigns. WPL shall have the right to assign the rights granted herein or in the aforementioned Right of Way Agreement in whole or in part. WPL executes this Agreement solely on its own behalf. WPL does not represent, through this

99-3011/E

Agreement or otherwise, any other entity other than WPL and its future successors and assigns.

It is further understood and agreed that WPL is hereby released from the covenants contained in the aforesaid Right of Way Agreement as to the lands herein released from the burdens thereof.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year below our signatures indicated.

WILLIAMS PIPE LINE COMPANY

By Bryan E. Young
Bryan E. Young
Manager, Real Estate Services
Attorney-In-Fact

Date 6-28-99

-WPL

BROOK VALLEY II, A NEBRASKA LIMITED
PARTNERSHIP
BY: PRIME REALTY, INC. A NEBRASKA
CORPORATION, ITS GENERAL PARTNER

By James V. McCart
James V. McCart
President

Date 4/24/99

- LANDOWNER

99.30111 F

ATTEST:

SANITARY AND IMPROVEMENT DISTRICT NO. 59
OF SARPY COUNTY, NEBRASKA

William J. Wiedemeyer
William J. Wiedemeyer
CLERK OF SAID DISTRICT

By *Ronald K. Parks*
Ronald K. Parks
CHAIRMAN OF THE BOARD OF TRUSTEES

Date 5-18-99

- DISTRICT

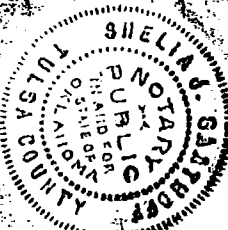
STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 28 day of June, 1999, personally appeared Bryan E. Young, who being by me duly sworn, did say that he is the Attorney-in-Fact for Williams Pipe Line Company, a Delaware corporation, and that the seal affixed to this instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said Bryan E. Young acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

My Commission Expires: 11/23/2002

Shelia B. Sarpy
Shelia B. Sarpy
Notary Public



c:\data\encl\enclments\Brook Valley

Tract 115-SA-24 & 26

13:706, Brook Valley B.P.

99.301113

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

Before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 26 day of APRIL, 1999, personally appeared James V. McCart, who being by me duly sworn, did say that he is the President of Prime Realty, Inc., a Nebraska corporation, General Partner of BROOK VALLEY II, LTD, a Nebraska Limited Partnership and said James V. McCart acknowledged said instrument to be the free act and deed of said BROOK VALLEY II, LTD, a Nebraska Limited Partnership.

In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Joseph C. Franco
Notary Public



My Commission Expires: JANUARY 20, 2002
STATE OF Nebraska)
) SS
COUNTY OF Douglas)

Before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 18 day of May, 1999, personally appeared Ronald K. Parks, who being by me duly sworn, did say that he is the Chairman of the Board of Trustees of Sanitary and Improvement District No. 59 of Sarpy County, Nebraska, a political subdivision of the State of Nebraska, and William J. Wiedemeyer, Clerk of said District 59 and that said instrument was signed on behalf of said District No. 59, and said Ronald K. Parks and William J. Wiedemeyer acknowledged said instrument to be the free act and deed of said District No. 59.

In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.



Carol A. Gilpin Notary Public
My Commission Expires: _____

99.30111H

EXHIBIT A - PAGE 1

THAT PART OF THE EAST 1/2 OF THE NW 1/4 OF SECTION 20, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, TOGETHER WITH PART OF LOT 4, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SAID SARPY COUNTY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID NW 1/4;

THENCE S89°54'13"W (ASSUMED BEARING) 50.00 FEET ON THE SOUTH LINE OF SAID NW 1/4 TO THE POINT OF BEGINNING;

THENCE CONTINUING S89°54'13"W 150.00 FEET ON THE SOUTH LINE OF SAID NW 1/4;

THENCE NORTH 100.00 FEET ON A LINE 200.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW 1/4;

THENCE N89°54'13"E 50.00 FEET ON A LINE 100.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW 1/4;

THENCE NORTH 2284.26 FEET ON A LINE 150.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW 1/4 TO THE NORTH LINE OF SAID LOT 4;

THENCE EAST 65.00 FEET ON THE NORTH LINE OF SAID LOT 4;

THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID LOT 4 ON A 35.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S45°00'00"E, CHORD DISTANCE 49.50 FEET, AN ARC DISTANCE OF 54.98 FEET;

THENCE SOUTH 2349.09 FEET ON A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW 1/4 TO THE POINT OF BEGINNING.

THAT PART OF LOTS 1, 2 AND 3, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID LOT 3;

THENCE N81°15'27"E (ASSUMED BEARING) 17.84 FEET ON THE NORTHERLY LINE OF SAID LOT 3, TO THE POINT OF BEGINNING;

EXHIBIT A - PAGE 2

99.30111I

THENCE CONTINUING N81°15'27"E 68.70 FEET ON THE
NORTHERLY LINE OF SAID LOT 3;

THENCE SOUTHEASTERLY ON THE NORTHERLY LINES OF SAID
LOTS 2 AND 3, ON A 2201.85 FOOT RADIUS CURVE TO
THE RIGHT, CHORD BEARING S88°59'48"E CHORD DISTANCE
745.43, AN ARC DISTANCE OF 749.04 FEET;

THENCE S79°15'05"E 82.14 FEET ON THE NORTHERLY LINE
OF SAID LOT 2 TO THE NE CORNER THEREOF;

THENCE S22°19'32"E 238.10 FEET ON THE EASTERLY LINES
OF SAID LOTS 1 AND 2;

THENCE SOUTH 80.00 FEET ON THE EASTERLY LINE OF
SAID LOT 1;

THENCE SOUTHWESTERLY ON THE SOUTHERLY LINE OF SAID
LOT 1 ON A 35.00 FOOT RADIUS CURVE TO THE RIGHT,
CHORD BEARING S45°00'00"W CHORD DISTANCE 49.50 FEET,
AN ARC DISTANCE OF 54.98 FEET;

THENCE WEST 65.00 FEET ON THE SOUTH LINE OF SAID
LOT 1;

THENCE NORTH 95.27 FEET ON A LINE 100.00 FEET WEST
OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1;

THENCE N22°19'32"W 164.16 FEET ON A LINE 100.00 FEET
WESTERLY OF AND PARALLEL WITH THE EASTERLY LINES OF
SAID LOTS 1 AND 2;

THENCE N79°15'05"W 27.93 FEET ON A LINE 100.00 FEET
SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE
OF SAID LOT 2;

THENCE NORTHWESTERLY ON A LINE 100.00 FEET
SOUTHERLY OF AND CONCENTRIC WITH THE NORTHERLY
LINES OF SAID LOTS 1 AND 2 ON A 2101.85 FOOT RADIUS
CURVE TO THE LEFT, CHORD BEARING N89°00'34"W, CHORD
DISTANCE 712.49 FEET, AN ARC DISTANCE OF 715.94 FEET;

THENCE N42°52'13"W 120.80 FEET ON A NON-TANGENT
LINE TO THE POINT OF BEGINNING.

96-01-16

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION AUTHORIZING VACATION OF PART OF RIGHT OF
WAY OF GILES ROAD BETWEEN 114TH AND 118TH STREETS

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722 (Reissue 1993), this County Board of Commissioners has deemed that the public interest requires vacation of that part of the right of way of Giles Road between 114th Street and 118th Street; and,

WHEREAS, pursuant to that same statute, the County Surveyor has been directed to study the use being made of said road and report said study to this Board; and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1724 (Reissue 1993), this Board has received said report from the Sarpy County Surveyor within thirty (30) days of the directive, and said report contains the study made and the County Surveyor's recommendation as to the vacation thereof as required by Neb. Rev. Stat. §39-1722 (Reissue 1993) and recommends said vacation; and,

WHEREAS, said part of the right of way of Giles Road between 114th and 118th Streets lies within the zoning jurisdiction of the City of LaVista, and the resolution of the City Council approving the vacation of said part of the right of way of Giles Road between 114th Street and 118th Street is attached herewith and incorporated herein by reference as required by Neb. Rev. Stat. §39-1722 (Reissue

1993); and,

WHEREAS, on the 9th day of January, 1996, a Public Hearing on the vacation was held as required by Neb. Rev. Stat. §39-1724 (Reissue 1993); after the publication, service of notice on adjacent landowners and the City of La Vista, all as required by Neb. Rev. Stat. §39-1724 (Reissue 1993);

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. §39-1722, *et seq* (Reissue 1993) that part of the right of way of Giles Road between 114th and 118th Streets in Sarpy County, Nebraska, and more particularly known as:

A tract of land in the Southwest 1/4 of Section 17, T14N, R12E, of the 6th PM, Sarpy County, Nebraska, more particularly described as follows:

Commencing at the South 1/4 of said Section 17, thence North (an assumed bearing) along the East line of said Southwest 1/4 for 125.1 feet to the North right-of-way of the abandoned Missouri Pacific Railroad which is the South Right of Way of Giles Road, being the Point of Beginning; Thence N84°30'11"W along said right of way for 140.1 feet to a point of curvature; thence along a 2025.86 feet radius curve to the left (chord bearing S81°43'29"W, chord distance of 964.55 feet) for 973.9 feet to the south line of said Southwest 1/4; thence S90°00'00"W along the said south line for 161.53 feet to the north right-of-way line of Giles Road; thence along a 2091.86 feet curve to the right (chord bearing N79°41'21"E, chord distance of 1140.84 feet) for 1155.48 feet to a point-of-tangency; thence S84°30'11"E for 133.75 feet to the east line of said Southwest 1/4; thence South along said east line for 66.30 feet to the point-of-beginning and containing 1.82 acres more or less.

96 - C1516 B

is herewith vacated is vacated in its entirety.

BE IT FURTHER RESOLVED THAT, pursuant to Neb. Rev. Stat. 39-1725 (Reissue 1993), the title to this vacated road shall be vested in the County of Sarpy, a body politic and corporate of the State of Nebraska.

DATED this 16th day of January, 1996.

Moved by Ken Woodle seconded by Angelo Meyer, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Angelo Meyer

none

Kurt

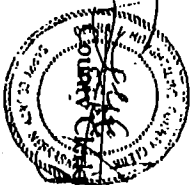
Dee Day

Frank Williams

ABSTAIN:

Ken Woodle

none



Resolution is given

96-01546
25 JUN 09 PM 9:02
[Signature]

County W
Verify W
D.E. W
Procl W
Fee \$ NO CLAUSE
Ck ☐
Cash ☐
Cng ☐

THIS PAGE WAS ADDED FOR RECORDERS INFORMATION

EASEMENT

Doc. No. 2.96(1)
RN# 0500

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, the undersigned owner(s) of one real estate hereinafter described, his/her heirs, executors, administrators, successors and assigns, hereinafter called "Grantor," hereby Grant and convey to OMAHA PUBLIC POWER DISTRICT, its successors and assigns, hereinafter called "District," a right-of-way with the perpetual right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate thereon, electric transmission lines consisting of poles, pole foundations, towers, lower foundations, down guys, anchors, insulators, wires, underground cables, supports and other necessary fixtures and equipment over, above, along, under, in and across the following described real estate situated in Sarpy County, State of Nebraska, to wit:

Tax Lot Two (2), being a part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORD 3-4-74 at 8:04 P.M. IN BOOK 47 OF Maps & Plans
PAGE 104 Paul & Hilda's REGISTER OF DEEDS, SARPY COUNTY, NEB. 6-25

the area of the above described real estate to be covered by this easement shall be as follows: The West Twenty feet (20') of the East Fifty-three feet (53') of Tax Lot Two (2), being a part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township Fourteen (14) North, Range Twelve (12), East of the 6th P.M., Sarpy County, Nebraska.

1. District shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
2. District shall have the right to trim or remove all trees and brush on said right-of-way as may be necessary to efficiently exercise any of the hereinbefore granted rights. Together with the express provision that any and all trees which, in falling, would come within 15 feet of the nearest electric line conductor may be topped or removed. All refuse from such tree cutting or trimming shall be disposed of by the District.
3. District hereby agrees to pay the Grantor or Lessee, as their interests may appear, for all damages to growing crops, fences and buildings on said land which may be caused by the exercise of the hereinbefore granted rights.
4. Grantor may cultivate, use and enjoy the land within the right-of-way provided that such use shall not, in the judgment of the District, endanger or be a hazard to or interfere with the rights hereinbefore granted, and provided further, that the Grantor shall not allow any buildings, structures, combustible material or property to remain on or be placed upon the above described easement area, or change or alter the grade of the right-of-way herein described without prior written approval from the District.
5. It is further agreed that Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her heirs, executors, administrators, successors and assigns shall warrant and defend the same and will indemnify and hold harmless the District forever against the claims of all persons whatsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

IN WITNESS WHEREOF, the parties hereto have signed their names and caused the execution of this instrument this 13 day of March, 19 74

OMAHA PUBLIC POWER DISTRICT

Assistant General Manager

ATTEST:

Assistant Secretary

B 3 3 4 7 3 0

Training Division Engineer

Engineering Dept.

Accounting Dept.

HDR, LANCO, INC.,
a corporation

BY:

Attest:

Grantor

Approved

C. E. S., Engineer

Legal Department

Sec. _____ Typ. _____

Address _____

Date

Date

Date

COPPD

47-10419

CERTIFICATE OF ACKNOWLEDGEMENT - Individual

STATE OF NEBRASKA }
COUNTY OF _____ } ss.

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____

_____ to me known personally to be the identical person(s) who signed the foregoing instrument and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

My Commission expires on the _____ day of _____, 19____.

Notary Public _____

CERTIFICATE OF ACKNOWLEDGEMENT - Corporation

STATE OF NEBRASKA }
COUNTY OF _____ } ss.

On this 13th day of FEBRUARY, 1974, before me, the undersigned, a Notary Public in and for said County and State, appeared J. G. MAYRAH and

J. J. FORTMAN to me personally known, who being by me duly sworn, did say that they are _____ President and J. G. MAYRAH Secretary respectively of

TELE. BLANCO, INC., (a Corporation), that the Seal affixed to said instrument is the Seal of said Corporation and that said instrument was signed and sealed on behalf of said Corporation and acknowledged execution thereof to be the voluntary act and deed of said Corporation, by it voluntarily executed.

WITNESS my hand and Notarial Seal the date above written.



DOROTHY M. JENSEN
GENERAL NOTARY PUBLIC, State of Neb.
My Commission Expires
January 29, 1976

My Commission expires on the 23rd day of JANUARY, 1976.

Dorothy M. Jensen
Notary Public

CONSENT BY LESSEE OR OTHER PERSON IN INTEREST TO EASEMENT FOR TRANSMISSION LINE

In consideration of the payments made and agreed to be made to or for the account of the foregoing Grantor and the division thereof according to the separate agreement of the Grantor and the undersigned to their mutual satisfaction, and in the case of a Lessee, in consideration of the terms stated above by the Grantee as to crop damage as the interest of Grantor and Lessee may appear, the undersigned, being the Lessee or otherwise in, or entitled to the, possession of the property described in the foregoing right-of-way easement, hereby consent(s) to the survey for and construction of the electric transmission line or lines across the property therein described, in accordance with the terms of the said right-of-way easement, and insofar as the interest of the undersigned is affected by the said electric transmission line or lines, the undersigned does hereby waive any and all objections thereto and does hereby consent to all the terms of said right-of-way easement, and hereby expressly subordinates such interest to the rights granted to the Grantee by such right-of-way easement.

IN WITNESS WHEREOF, the said undersigned has executed this instrument or caused the due execution thereof this _____ day of _____, 19____.

STATE OF NEBRASKA }
COUNTY OF _____ } ss.

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____

_____ to me known personally to be the identical person(s) who signed the foregoing instrument and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

My Commission expires on the _____ day of _____, 19____.

Notary Public _____

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2011-11107

04/29/2011 3:24:58 PM

REGISTER OF DEEDS



COUNTER *44* C.E. *44*
VERIFY *44* *44*
PROOF *44*
FEES \$ *50.50*
CHECK#
CHQ *COL* CASH
REFUND
SHORT



**THIS PAGE ADDED
FOR RECORDING
INFORMATION.**

**DOCUMENT STARTS ON
NEXT PAGE.**

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, STE 1109

PAPILLION, NE 68046-2895

402-593-5773

REC
City of La Vista

A

CERTIFICATION

STATE OF NEBRASKA)
)
COUNTY OF SARPY) SS.
)
CITY OF LA VISTA)

I, Pamela A. Buethe, the duly appointed, qualified, and acting City Clerk of the City of La Vista, Sarpy County, Nebraska, hereby officially certify:

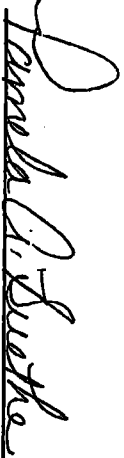
That at its April 19, 2011 meeting the City Council of the City of La Vista, Nebraska, did adopt Ordinance No. 1142 entitled:

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (BROOK VALLEY II BUSINESS PARK; TAX LOT 1A1A1A LOCATED IN THE SE ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TAX LOT 2B2 LOCATED IN THE SW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL PART OF SID #59; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

I further certify that the attached document is a true and accurate copy of said ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of La Vista hereto this 28th day of April 2011.




Pamela A. Buethe, CMC
City Clerk

ORDINANCE RECORD

Ms. 72.1--SERIES 8 CARRIAGE INC. GRASS

ORDINANCE NO. 1142

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (BROOK VALLEY II BUSINESS PARK; TAX LOT 1A1A1A LOCATED IN THE SE ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TAX LOT 2B2 LOCATED IN THE SW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL PART OF SID #59; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services; and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

ALL OF TAX LOT 1A1A1A LYING WITHIN THE SE ¼ OF SECTION 17, T14N, R12E, OF THE 6TH P.M., SARPY COUNTY, NEBRASKA,

TOGETHER WITH ALL OF TAX LOT 2B2 LYING WITHIN THE SW ¼ OF SAID SECTION 17,

TOGETHER WITH LOTS 1 THROUGH 7, LOTS 9, 10, 11B, 12, 13, LOTS 14A AND 14B, REPLAT OF LOT 14, LOTS 15, 16A, 16B, 17A, 17B, 18, 19, 20, LOTS 22 THROUGH 37, VACATED VIRGINIA STREET LYING WEST OF 114TH STREET AND EAST OF 117TH STREET, ~~BROOK VALLEY II BUSINESS PARK~~ A SUBDIVISION IN SARPY COUNTY, NEBRASKA,

TOGETHER WITH LOT 1, BROOK VALLEY II BUSINESS PARK REPLAT ONE, A SUBDIVISION IN SAID SARPY COUNTY,

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY II BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY II BUSINESS PARK AND SAID BROOK VALLEY BUSINESS PARK REPLATS ONE AND 2,

TOGETHER WITH ALL OF 114TH STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF 120TH STREET RIGHT-OF-WAY AT THE SOUTH LINE OF SAID BROOK VALLEY II BUSINESS PARK;

THENCE NORTHERLY ON THE EAST LINE OF 120TH STREET RIGHT-OF-WAY TO THE SOUTHERLY LINE OF GILES ROAD RIGHT-OF-WAY;

THENCE EASTERLY ON THE SOUTHERLY LINE OF GILES ROAD RIGHT-OF-WAY TO THE NORTHERLY EXTENSION OF THE EAST LINE OF 114TH STREET RIGHT-OF-WAY;

ORDINANCE RECORD

Ms. 772-6-10-2011-2 & Council Inc., Omaha

THENCE SOUTHERLY ON THE EAST LINE OF 114TH STREET RIGHT-OF-WAY TO THE
EASTERLY EXTENSION OF THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK AND
IT'S EASTERLY EXTENSION TO THE POINT OF BEGINNING,

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Brook Valley II Business Park; Tax Lot 1A1A1A located in the SE ¼ OF Section 17, T14N, R12E OF THE 6TH P.M., Sarpy County, Nebraska; Tax Lot 2B2 located in the SW ¼ OF Section 17, T14N, R12E OF THE 6TH P.M., Sarpy County, Nebraska, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 19TH DAY OF APRIL, 2011.

CITY OF LA VISTA

Douglas K. Koenig, Mayor

ATTEST:

Pamela A. Bueth
Pamela A. Bueth, CMC
City Clerk

IC:\APPS\City Hall\ORDINANCES\1142 Arrer - Brook Valley II.doc

D

CERTIFICATION

STATE OF NEBRASKA)
)
COUNTY OF SARPY) SS.
)
CITY OF LA VISTA)

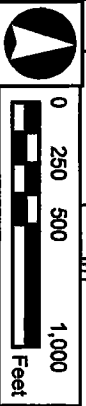
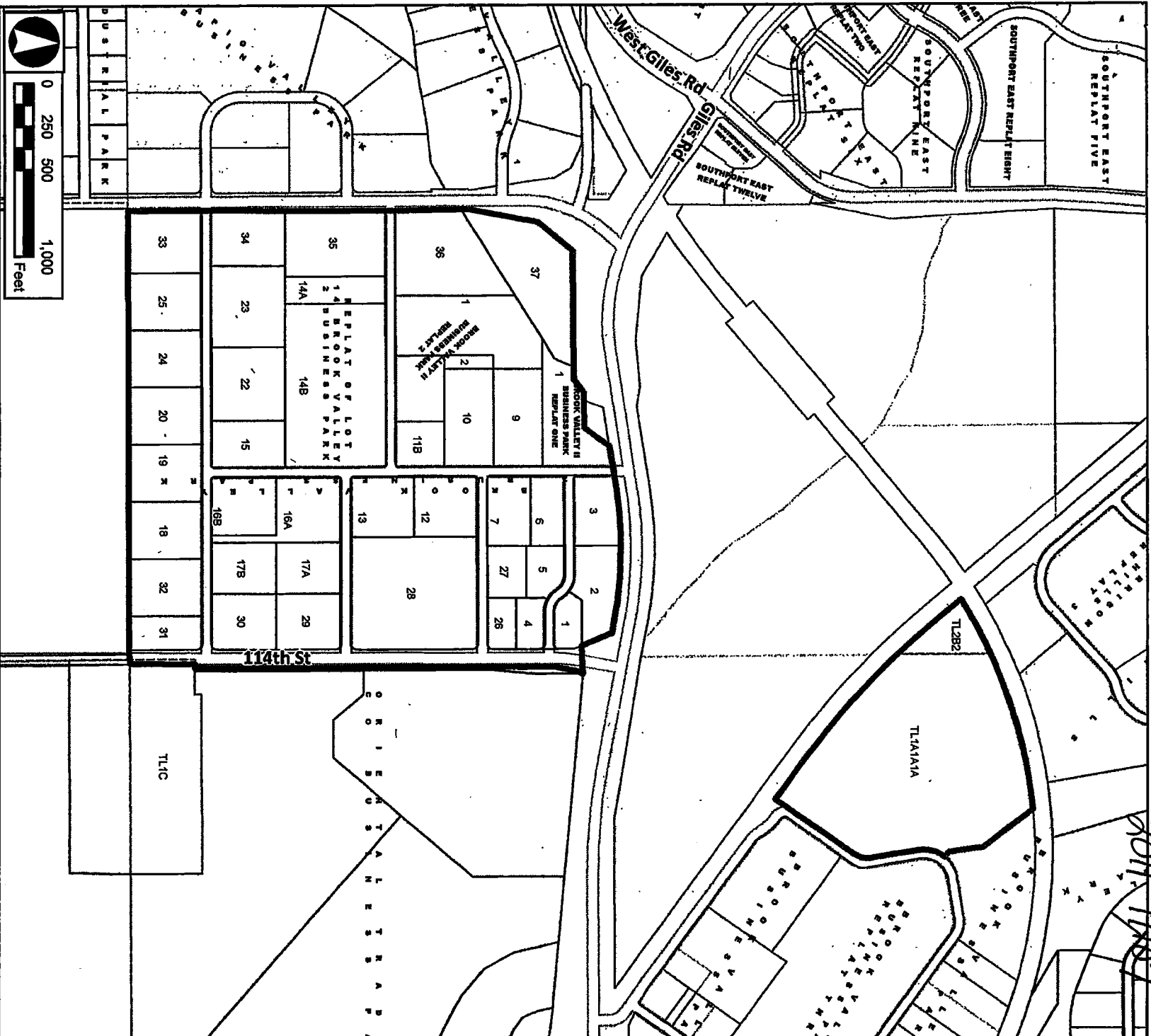
I, Pamela A. Buethe, the duly appointed, qualified, and acting Clerk of the City of La Vista, Sarpy County, Nebraska, hereby officially certify:

That the attached document is a true and accurate copy of the map outlining the area annexed into the City of La Vista which becomes effective on May 4, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of La Vista hereto this 28th day of April 2011.



Pamela A. Buethe
Pamela A. Buethe, CMC
City Clerk



Annexation Area Map

Legend

- La Vista City Limits
- Annexation Areas

Brook Valley 2, Tax Lot 1A1A1A, & Tax Lot 2B2

October 5, 2010
CAS



COUNTER 2 C.E. OS
VERIFY 11:30m P.E. OS
PROOF _____
FEES \$ 101.50
CHECK # _____ CASH _____
CHG 101.50 - ScL CREDIT _____
REFUND _____
SHORT _____ NCR _____

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2010-02853

02/02/2010 9:12:26 AM

REGISTER OF DEEDS



Lloyd J. Dowding

Booked
2/2/10 9:2325



THIS PAGE ADDED
FOR RECORDING
INFORMATION.

DOCUMENT STARTS ON
NEXT PAGE.

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, STE 1109

PAPILLION, NE 68046-2895

402-593-5773

City of La Vista
8116 Park View Blvd.
La Vista, NE 68128

A

CERTIFICATION

STATE OF NEBRASKA)
)
COUNTY OF SARPY) SS.
)
CITY OF LA VISTA)

I, Pamela A. Buette, the duly appointed, qualified, and acting City Clerk of the City of La Vista, Sarpy County, Nebraska, hereby officially certify:

That at its December 1, 2009 meeting the City Council of the City of La Vista, Nebraska, did adopt Ordinance No. 1107 entitled:

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (SID NO.59, OAKDALE PARK, BROOK VALLEY BUSINESS PARKS, AND SID NO. 214, PAPIO VALLEY 1 AND 2 BUSINESS PARKS, SUBDIVISIONS AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, AND CERTAIN ADJACENT LAND; TAX LOT 6B LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 8 LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 6C1 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 15 AND VAC ROW ADJ LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 13 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 14 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND PORTIONS OF ANY ADJOINING STREET RIGHT-OF-WAY, AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

I further certify that the attached document is a true and accurate copy of said ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of La Vista hereto this 25th day of January, 2010.



Pamela A. Buette
Pamela A. Buette, CMC
City Clerk

ORDINANCE RECORD

Ms. 722-6-Sarpy & County Inc., Omaha

8

ORDINANCE NO. 1107

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (SID NO.59, OAKDALE PARK, BROOK VALLEY BUSINESS PARKS, AND SID NO. 214, PAPIO VALLEY 1 AND 2 BUSINESS PARKS, SUBDIVISIONS AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, AND CERTAIN ADJACENT LAND; TAX LOT 6B LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 8 LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 6C1 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 15 AND VAC ROW ADJ LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 13 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 14 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND PORTIONS OF ANY ADJOINING STREET RIGHT-OF-WAY), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1, 2A, 2B, 3 THROUGH 8, 13 THROUGH 18, 19A, 21A, 21B, 22, 26, 27, 28A, AND 28B, OAKDALE PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID OAKDALE PARK;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY AND PART OF HARRISON STREET RIGHT-OF-WAY ADJOINING SAID OAKDALE PARK;

TOGETHER WITH TAX LOTS 8A1A AND 8A2, EXCEPT THAT PART TAKEN FOR 104TH STREET RIGHT-OF-WAY, TAX LOTS 8A1B, 8B, 8C1, 8C2A, 8C3A AND 8C4, ALL LYING WITHIN THE WEST 1/2 OF THE NW1/4 OF SECTION 16, T14N, R12E OF THE 6TH P.M., IN SAID SARPY COUNTY;

TOGETHER WITH PART OF GERTRUDE STREET RIGHT-OF-WAY, AND HARRISON STREET RIGHT-OF-WAY ADJOINING SAID TAX LOTS;

TOGETHER WITH THAT PART OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 16 LYING WEST OF LOT 1, AND SOUTH OF LOT 2A, SAID OAKDALE PARK;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY ADJOINING SAID PART OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 16;

ORDINANCE RECORD

Map 72 B-Ordinance & County Rec. Office

Ordinance No. 1107

TOGETHER WITH LOTS 18, 2B, 4A, 4B, 5A, 5B, 6, 12, 13B, 14, 15A, 15B, LOT 16 (REPLAT OF LOTS 16, 17, 18B, 21B, 22 AND 23); LOTS 16A, 19, 20, 21A, 24A, 24B, 25, 27, 28A1, 32, 33C, 47, 48, 49, 50A, 50B, 51, 52, 53, 54, 55A, 55B, 56B, LOT 57 AND THE NORTH 100 FEET OF LOT 56, LOTS 58, 59, 60 AND OUTLOT B, BROOK VALLEY BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY,

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY BUSINESS PARK REPLAT 1, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY; AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY BUSINESS PARK, AND SAID BROOK VALLEY BUSINESS PARK REPLATS 1 AND 2;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY AND HARRISON STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY BUSINESS PARK AND SAID BROOK VALLEY BUSINESS PARK REPLATS 1 AND 2;

TOGETHER WITH TAX LOT 1A2, LYING NORTH OF THE CHICAGO BURLINGTON & QUINCY RAILROAD WITHIN THE SE1/4 OF SECTION 17, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HARRISON STREET AND THE NORTHERLY EXTENSION OF THE WEST LINE OF 104TH STREET;

THENCE SOUTHERLY ON THE WEST LINE OF 104TH STREET TO THE EAST LINE OF THE W1/2 OF THE NW1/4 OF SAID SECTION 16;

THENCE SOUTHERLY ON THE EAST LINE OF SAID W1/2 TO THE SE CORNER THEREOF;

THENCE WESTERLY ON THE SOUTH LINE OF SAID W1/2 TO THE SW CORNER THEREOF;

THENCE WESTERLY ON THE NORTH LINE OF THE SE1/4 OF SAID SECTION 17 TO THE EASTERLY LINE OF LOT 28A1, SAID BROOK VALLEY BUSINESS PARK;

THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 28A1 TO THE NORTHERLY LINE OF SAID TAX LOT 1A2;

THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID TAX LOT 1A2 TO THE WEST LINE OF SAID 108TH STREET;

THENCE SOUTHERLY ON THE WEST LINE OF SAID 108TH STREET TO THE NORTHERLY LINE OF SAID CHICAGO BURLINGTON & QUINCY RAILROAD;

THENCE WESTERLY ON THE NORTHERLY LINE OF SAID RAILROAD TO THE SW CORNER OF OUTLOT B SAID BROOK VALLEY BUSINESS PARK;

THENCE NORTHERLY ON THE WESTERLY LINE OF SAID BROOK VALLEY BUSINESS PARK AND ITS NORTHERLY EXTENSION TO THE CENTERLINE OF HARRISON STREET; THENCE EASTERLY ON THE CENTERLINE OF HARRISON STREET TO THE POINT OF BEGINNING;

TOGETHER WITH ALL OF TAX LOT 1A1A1A, LYING WITHIN THE SE1/4 AND ALL OF TAX LOT 2B2 LYING WITHIN THE SW1/4 OF SAID SECTION 17;

TOGETHER WITH PART OF 110TH STREET RIGHT-OF-WAY ADJOINING SAID TAX LOT 1A1A1A;

TOGETHER WITH LOTS 1 THROUGH 7, LOTS 9, 10, 11B, 12, 13, LOTS 14A AND 14B, REPLAT OF LOT 14, LOTS 15, 16A, 16B, 17A, 17B, 18, 19, 20, ~~LOTS 22 THROUGH 37, VACATED VIRGINIA STREET LYING WEST OF 114TH STREET AND EAST OF 117TH STREET, BROOK VALLEY BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY;~~

TOGETHER WITH LOT 1, BROOK VALLEY II BUSINESS PARK REPLAT ONE; A SUBDIVISION IN SAID SARPY COUNTY;

ORDINANCE RECORD

No. 723 - Approved & Enacted Nov., 1964

Ordinance No. 1107

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY II BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY II BUSINESS PARK AND SAID BROOK VALLEY II BUSINESS PARK REPLATS ONE AND 2;

TOGETHER WITH PART OF 120TH STREET RIGHT-OF-WAY AND ALL OF 114TH STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK; ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE CENTERLINE OF 120TH STREET AT THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID BROOK VALLEY II BUSINESS PARK;

THENCE NORTHERLY ON THE CENTERLINE OF 120TH STREET TO THE SOUTHERLY LINE OF GILES ROAD;

THENCE EASTERLY ON THE SOUTHERLY LINE OF GILES ROAD TO THE NORTHERLY EXTENSION OF THE EAST LINE OF 114TH STREET;

THENCE SOUTHERLY ON THE EAST LINE OF 114TH STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK TO THE POINT OF BEGINNING;

TOGETHER WITH LOTS 1 AND 2, PART OF LOT 3A, LOTS 4, 5, 6, 7A, 7B AND 8, PAPIO VALLEY I BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA; AND ALL PUBLIC STREETS LYING WITHIN SAID PAPIO VALLEY I BUSINESS PARK;

TOGETHER WITH LOTS 1 THROUGH 9, PAPIO VALLEY 2 BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID PAPIO VALLEY 2 BUSINESS PARK;

TOGETHER WITH PART OF OLD GILES ROAD RIGHT-OF-WAY AND 120TH STREET RIGHT-OF-WAY ADJOINING SAID PAPIO VALLEY I BUSINESS PARK AND SAID PAPIO VALLEY 2 BUSINESS PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF 120TH STREET AND THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID PAPIO VALLEY 2 BUSINESS PARK;

THENCE WESTERLY ON SAID SOUTH LINE AND ITS EASTERLY EXTENSION TO THE SW CORNER OF LOT 4, SAID PAPIO VALLEY 2 BUSINESS PARK;

THENCE NORTHERLY ON THE WEST LINE OF SAID PAPIO VALLEY 2 BUSINESS PARK TO THE SOUTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE SW CORNER THEREOF;

THENCE NORTHERLY ON THE WEST LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE NW CORNER THEREOF;

THENCE EASTERLY ON THE NORTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE SOUTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY;

THENCE WESTERLY ON THE SOUTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY TO THE SOUTH LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD RIGHT-OF-WAY;

THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY TO THE NORTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY;

THENCE EASTERLY ON THE NORTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY TO THE INTERSECTION OF THE NORTHERLY EXTENSION OF THE CENTERLINE OF 120TH STREET;

ORDINANCE RECORD

Ne 228 - Remond & Company Inc., Omaha

Ordinance No. 1107

THENCE SOUTHERLY ON THE CENTERLINE OF 120TH STREET TO THE POINT OF BEGINNING;

TOGETHER WITH TAX LOT 8 IN THE SE 1/4 OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 15 & VAC ROW ADJ IN THE SE 1/4 OF SECTION 18 T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 6B IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 6C1 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 13 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 14 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH RAILROAD RIGHT-OF-WAY ADJOINING SAID TAX LOTS IN SAID SECTIONS 18 AND 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH GILES ROAD RIGHT-OF-WAY, WEST GILES ROAD RIGHT-OF-WAY, AND OLD GILES ROAD RIGHT-OF-WAY IN SAID SECTIONS 18 AND 19 ADJOINING SAID TAX LOTS.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Oakdale Park, Brook Valley Business Parks, Papio Valley 1 & 2 Business Parks, various tax lots and adjoining street rights-of-way, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 1ST DAY OF DECEMBER, 2009.

CITY OF LA VISTA

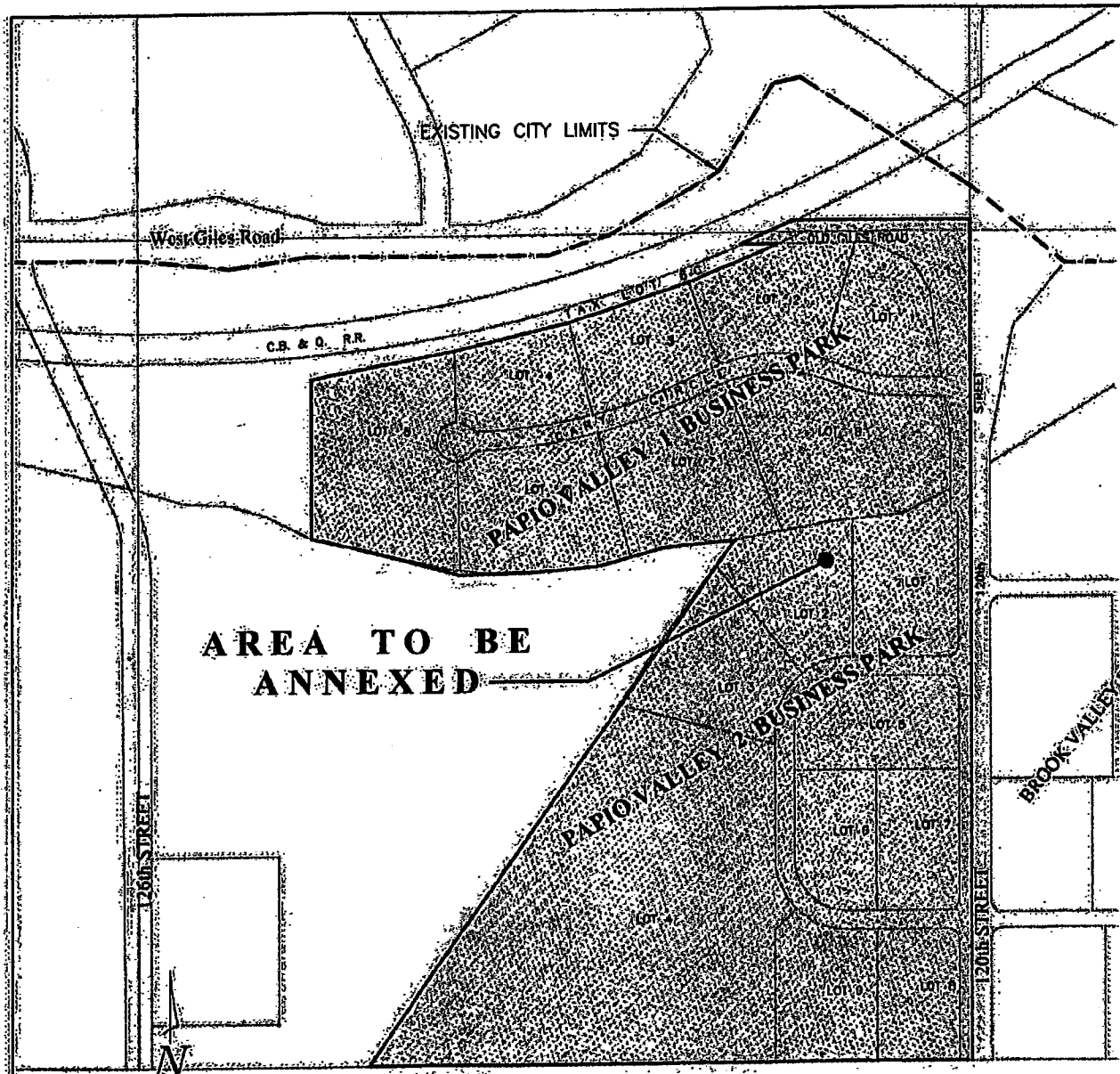

Douglas Kindig, Mayor

ATTEST:


Pamela A. Buehler, CMC
City Clerk

City of La Vista Annexation

October 2009



T&D ² THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors
10836 OLD MILL ROAD - OMAHA, NEBRASKA 68164
PHONE: 402.330.6860 FAX: 402.330.6866 EMAIL: TD2@T&D.COM
WEBSITE: WWW.TD2CO.COM

JOB #: 171-363

DWG: 171-363 ANNEXATION OCTOBER 2009.DWG

#

CERTIFICATION


STATE OF NEBRASKA)
)
COUNTY OF SARPY) SS.
)
CITY OF LA VISTA)

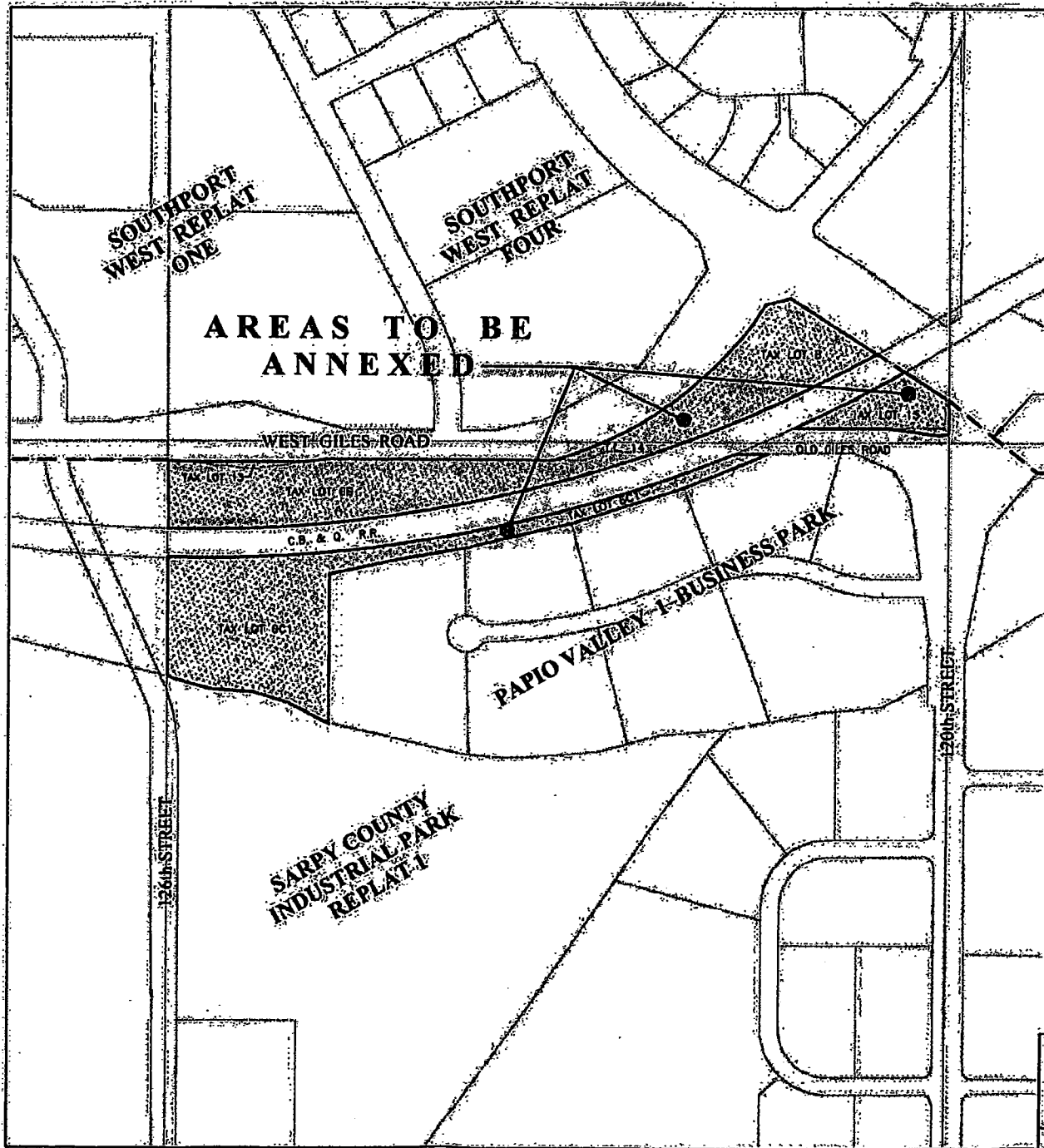
I, Pamela A. Bueth, the duly appointed, qualified, and acting Clerk of the City of La Vista, Sarpy County, Nebraska, hereby officially certify:

That the attached document is a true and accurate copy of the map outlining the areas annexed into the City of La Vista which became effective on December 11, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of La Vista hereto this 25th day of January, 2010.



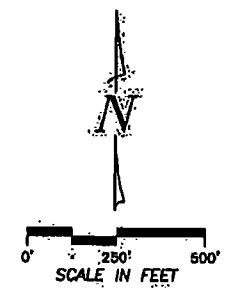

Pamela A. Bueth, CMC
City Clerk



City of La Vista Annexation

October 2009

EXISTING
CITY LIMITS



T² THOMPSON, DREESSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 10635 OLD MILL ROAD OMAHA, NEBRASKA 68154
 PHONE: 402.330.8880 FAX: 402.330.8888 EMAIL: T2DMAIL@T2DCCO.COM
 WEBSITE: WWW.T2DCCO.COM

JOB # 171-363 DWG 171-363 ANNEXATION OCTOBER 2009 OUTLOTS.DWG

2010-02853

4

46-745

EASEMENT

This indenture made this 15th day of August, 1973, by and between Charles G. Smith and Nellie M. Smith, hereinafter referred to as "Grantors" and Sanitary and Improvement District No. 55 of Sarey County, Nebraska, a Body Politic, hereinafter called "District",

WITNESSETH:

That the said Grantors in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to the Grantors in hand paid by the said District, the receipt whereof is hereby acknowledged, do hereby grant, sell, convey and confirm unto the said District and its assigns forever, the right to use, construct, build, lay, maintain, repair and reconstruct a sanitary sewer pipe for the passage of sewer water and sewage, together with all appurtenances, wires, lines, poles, structures, and other applicable equipment pertaining to any sewer, in, through, over or under the parcel of land described in Exhibit "A" which Exhibit "A" is attached hereto and incorporated herein by this reference.

No buildings, improvements, or structures shall be placed in, on, over or across said easement by the undersigned, or their successors, heirs and assigns without the express approval of the District, which approval shall not be unreasonably withheld. Any trees, grass and shrubbery placed on said easement shall be maintained by the Grantor, their heirs, successors and assigns.

The District shall cause any trench made on the aforesaid realty to be properly refilled, and shall cause grass seed to be sown over the said trench, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the District in any of said construction and work.

Said Grantors for themselves and their heirs, executors and administrators do hereby confirm unto the said District and its assigns that they are well seized in fee of the above described property and that they have the right to grant and convey this easement in the manner and form aforesaid. The Grantors further covenant and agree that they will and their heirs, executors and administrators shall warrant and defend this easement to the said District and its assigns against the lawful claims and demands of all persons. This easement runs with the land.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals the day and year above first written.

Charles G. Smith

Nellie M. Smith

STATE OF NEBRASKA)

COUNTY OF SAREY) ss.

I, Carl E. Leonard, 15th day of August, 1973, before me, a Notary Public in and for said State, personally came Charles G. Smith and Nellie M. Smith, husband and wife, to me personally known to be the identical persons whose names are subscribed to the foregoing easement and they acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year aforesaid.

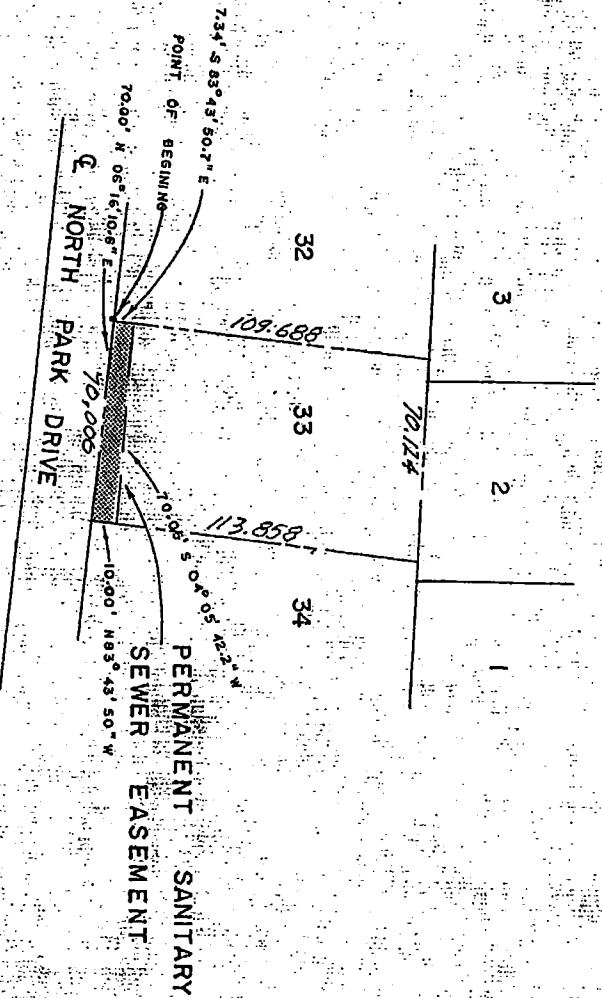
Carl E. Leonard
Notary Public

Spec #
032816

~~NORTH PARK REPLAT II
SARPY COUNTY, NEBRASKA~~

46-74577

SCALE 1" = 50'



In Lot 33, beginning at the Southeast corner of Lot 33; thence North 06°16'10.8" East a distance of 70.00 feet; thence North 83°3'15.0" West a distance of 10.00 feet; thence South 04°05'42.2" West a distance of 70.05 feet; thence South 83°43'50.7" East a distance of 7.34 feet to the point of beginning. Said area contains 0.014 acres.

GOLLEHON, SCHEMWER & ASSOCIATES, INC.
ARCHITECTS • ENGINEERS • PLANNERS

DESIGNED KWT DRAWN T.P.H. CHECKED F.A. DATE July 1978

2.1 FILED SAPPY CO. NE.

Jacob North Printing Co., Inc., Walton NE 68461

INSTRUMENT NUMBER
98-030453

98 OCT 28 PM 4:10

George S. Sapp
REGISTER OF DEEDS

NEE

OCT 28 1998

EX 28
BY *bk*

Counter *SK*

Verify *JS*

D.E. *W*

Proof *W*

Fees *no charge*

Ch ☐ Cash ☐ *charge*

98-030453

WARRANTY DEED

BROOK VALLEY 11, LTD, a Nebraska Partnership

, Grantor, whether one or more,

in consideration of TEN & no/100 DOLLARS (\$10.00) and other valuable consideration

, receipt of which is hereby acknowledged, conveys to

SAPPY COUNTY, NEBRASKA

, Grantee,

the following described real estate (as defined in Neb. Rev. Stat. 76-201) in

SAPPY

County, Nebraska:

SEE ATTACHED LEGAL DESCRIPTION

Grantor covenants (jointly and severally, if more than one) with the Grantee that Grantor:

- (1) is lawfully seised of such real estate and that it is free from encumbrances subject to easements, reservations, covenants and restrictions of record
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Executed: *OCTOBER 9*, 19 *98*

BROOK VALLEY 11, LTD
James R. Sapp, Jr., General Partner

by: *James R. Sapp, Jr., President*

State of Nebraska

County of SAPPY

The foregoing instrument was acknowledged before me on

October 9, 1998

by JAMES V. MCCART

STATE OF NEBRASKA



Eugene M. Sollenborn

County of

Filed for record and entered in Numerical Index on

at o'clock M, and recorded in Book

, Page

030453

By: County or Deputy County Clerk
Register of Deeds or Deputy Register of Deeds

98-30453A

TRACT NO. 2
TAX LOT 2, 20-14-12
BROOK VALLEY II, LTD.
6410 SOUTH 120TH PLAZA
OMAHA, NE 68137

LEGAL DESCRIPTION - ACQUISITION

That part of Tax Lot 2 in the Northwest Quarter of Section 20, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the southwest corner of the Northwest Quarter of Section 20;

Thence North 02°20'04" West (assumed bearings) for 505.36 meters (1658.01 feet) along the west line of the Northwest Quarter of Section 20 to the TRUE POINT OF

BEGINNING;

Thence North 02°20'04" West for 90.98 meters (298.48 feet) along the west line of the Northwest Quarter of Section 20 to the south line of the existing public right of way;

Thence North 87°39'56" East for 15.24 meters (50.00 feet) along the south line of the existing public right of way to the southeast corner thereof;

Thence South 02°20'04" East for 90.98 meters (298.48 feet) parallel with and 15.24 meters (50.00 feet) east of the west line of the Northwest Quarter of Section 20;

Thence South 87°39'56" West for 15.24 meters (50.00 feet) to the Point of Beginning. Contains 0.139 hectare (0.34 acre) including 0.092 hectare (0.22 acre) of existing county roadway easement.

LEGAL DESCRIPTION - PERMANENT EASEMENT

A permanent easement for the construction, operation and maintenance of drainage channels over that part of Tax Lot 2 in the Northwest Quarter of Section 20, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the southwest corner of the Northwest Quarter of Section 20;

Thence North 02°20'04" West (assumed bearings) for 542.52 meters (1779.92 feet) along the west line of the Northwest Quarter of Section 20;

Thence North 87°39'56" East for 15.24 meters (50.00 feet) to the TRUE POINT OF BEGINNING;

Thence North 02°20'04" West for 53.82 meters (176.57 feet) parallel with and 15.24 meters (50.00 feet) east of the west line of the Northwest Quarter of Section 20;

Thence South 18°16'57" East for 16.64 meters (54.59 feet);

Thence South 04°33'31" West for 38.10 meters (124.98 feet) to the Point of Beginning. Contains 0.012 hectare (0.03 acre).

July 15, 1998
LAMP, RYNEARSON & ASSOCIATES, INC.
98031 (Parcel 2, 20-14-12)

875

Political Subdivision

Project No. BR0 7077(56)

RIGHT OF WAY CONTRA

Trace No. 2

RIGHT OF WAY CONTR

Trace No. _____

9TH day of OCTOBER 1998

INTRODUCTION

8272

CARNEY CONTINUES

SARLEY COUNTY hereinafter called the **BUYER**

WITNESSETH: In consideration of the payment or payments as specified below, the OWNER hereby agrees to execute to the BUYER a Permanent

[illegible]

5th Permanent Easement, for construction purposes, will be utilized since specifically as follows: Bridge replacement

Northwest 1/4 (Tax Lot 2) As shown on approved plans and illustrated in the _____

20 Township 14N Range 12E of the 6th P.M. in SARPY County, Nebraska

Section _____

It is agreed and understood that the BUYER is hereby granted no immediate right of entry upon the premises described above. SEE ATTACHED DEED.

The BUYER agrees to purchase the above described Permanent Easement and to pay, therefore, upon the delivery of said executed Permanent Easement, if the OWNER so desires, he/she shall have the right to receive 100% of the final payment due under this easement prior to the BUYER'S payment.

[illegible]

It is understood that the elements area may be used for the temporary relocation of utilities during the construction of the project.

The above payments shall cover all damages caused by the establishment and continuation of the above project except for CROP DAMAGE, if any, which will be paid for in an amount based on the yield from the balance of the field less payments of marketing and harvesting. CROP DAMAGE shall mean damage to such crops as are required to be planted annually and which were planted at the time of the signing of this agreement and which are actually damaged due to construction of this project, but not such total damage be paid for more than one year's crop. The OWNER agrees to make a reasonable attempt to harvest any crop as far as mitigate the crop damage.

If any other party shall hold any encumbrance against the aforementioned property at the time of delivery of the Permanent Easement, such payment as are due under the contract shall be made to the DUVEN, jointly with the party or parties holding such encumbrance, unless said party or parties holding such encumbrance shall have in writing, verified by her right to receive such payment.

Expenses for partial release of mortgages will be paid by the DUVEN, if required.

This contract shall be binding on both parties as soon as it is executed by both parties but, should none of the above not cause be required, shall contract shall terminate upon the payment of \$100.00 by the BUYER to the OWNER.

This contract may be executed in more than one copy, each copy of which, however, shall serve as an original for all purposes, but all copies shall constitute but one and the same contract.

THIS IS A LEGAL AND BINDING CONTRACT - READ IT.

The responsibility of BUYER, in representing this contract has given us a copy and explained all of its provisions. A complete understanding and explanation has been given of the terminology, phrase, and statements contained in this contract. It is understood that no promise, statement, or understanding, except as set forth in this contract, will be honored by the BUYER.

BUYER	SADDY COUNTY, NEBRASKA	OWNER	PROOF QUALITY 1	YTD

By W. H. McLaughlin Christ Men. Minister
Brook Valley L. L. Co.
Prime Roadway, Inc., General

by: James M. Cast, President

—

bioRxiv preprint doi: <https://doi.org/10.1101/2018.06.06.244218>; this version posted June 11, 2018. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

Permanent Easement - Political Subdivision

DR Form 44B, Apr 80

THIS BOOK REPLACES DIFFERENTIAL 4th, 5th ed.,
PREVIOUS EDITIONS W41, and DIFFERENTIAL.

98-30454B

Dated this 9th day of October, 1998
On the above date, before me a General Notary Public duly commissioned and
qualified, personally came, James V. McCart, President
of Brook Valley II, LTD

to me known to be the identical person _____ whose name _____ 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 above written.

Notary George M. Seidl

My commission expires the _____ day of _____, 19____

STATE OF NEBRASKA

SARBY



MEMORANDA

PLEASE PRINT ALL NAMES
Exact and full name of OYRER, in name appears of record _____

If married, full name of spouse _____

If separated, show "single," "widowed," "widow" _____

If mortgage or other lien, show names of holders, amount, date and book page of record _____

If an estate, give the names of all the heirs, with the share of each. Show names of spouses of those married _____

Name of executor or administrator _____

If any of the owners or heirs are minors, give their names and ages _____

Name of guardian _____

TENANT - Exact and full name, Rent Agent(s) _____

REMARKS

98-30454C
TRACT NO. 2
TAX LOT 2, 20-14-12
BROOK VALLEY II, LTD.
6410 SOUTH 120TH PLAZA
OMAHA, NE 68137

LEGAL DESCRIPTION - ACQUISITION

That part of Tax Lot 2 in the Northwest Quarter of Section 20, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the southwest corner of the Northwest Quarter of Section 20;

Thence North 02°20'04" West (assumed bearings) for 505.36 meters (1658.01 feet)

along the west line of the Northwest Quarter of Section 20 to the TRUE POINT OF

BEGINNING;

Thence North 02°20'04" West for 90.98 meters (298.48 feet) along the west line of the Northwest Quarter of Section 20 to the south line of the existing public right of way;

Thence North 87°39'56" East for 15.24 meters (50.00 feet) along the south line of the existing public right of way to the southeast corner thereof;

Thence South 02°20'04" East for 90.98 meters (298.48 feet) parallel with and 15.24

meters (50.00 feet) east of the west line of the Northwest Quarter of Section 20;

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Contains 0.139 hectare (0.34 acre) including 0.092 hectare (0.22 acre) of existing county roadway easement.

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along the west line of the Northwest Quarter of Section 20;

Thence North 87°39'56" East for 15.24 meters (50.00 feet) to the TRUE POINT OF BEGINNING;

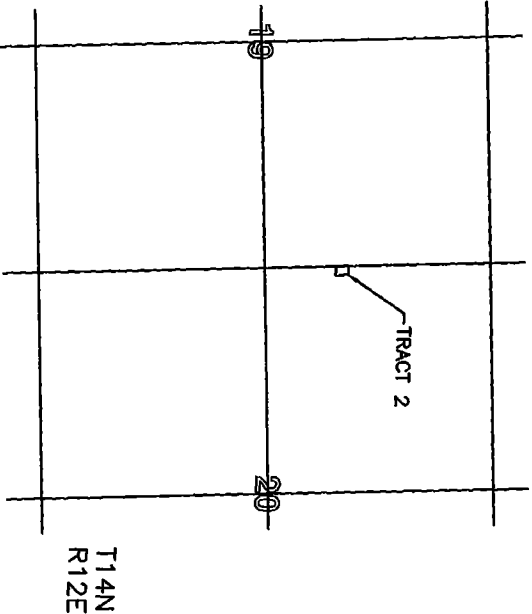
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Thence South 18°16'57" East for 16.64 meters (54.59 feet);

Thence South 04°33'31" West for 38.10 meters (124.98 feet) to the Point of Beginning.

Contains 0.012 hectare (0.03 acre).

July 15, 1998
LAMP, RYNPEARSON & ASSOCIATES, INC.
98031 (Parcel 2, 20-14-12)






[illegible]

PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY

STATE OF NEBRASKA
 DEPARTMENT OF ROADS
 RIGHT OF WAY DIVISION
 LINCOLN, NEBRASKA

TRACT NO. 2
 LOCATION
 PROJECT NO. BRO-7077(56)
 CONTROL NO. 21872

SCALE 1:50

PREV. R.O.W. 
 NEW R.O.W. 
 EXISTING EASE. 
 PERM. EASE. 
 CONTROLLED ACCESS 

0.139 Hectare (0.34 Ac)
 0.012 Hectare (0.03 Ac)

DATE
 DRAWN BY
 CHECKED BY
 COMPUTED BY

09/18/98
 CLN
 RDP
 RDP

*M*_{et}

Q8-30455

Counter 22

D.E. OS

Fee \$ No charge
☐ OK ☐ Cash ☐ Chg ☐

10

**DOCUMENT STARTS ON
NEXT PAGE.**

**HARPY COUNTY REGISTER OF DEEDS
1210 GOLDEN GATE DRIVE, #1109
PAPILLION, NE 68046-2895
402-593-5773**

030455

98-30455A

- SADY COUNTRY**
Political Sub-Division
RIGHT OF WAY CONTRACT

Trace No. 1

SARPY COUNTY, hereinafter called the BUYER,

WITNESSETH: In consideration of the payments or payments as specified below, the Owner hereby agrees to execute to the Buyer, a deed, which will be prepared and furnished by the Buyer, to certain real estate described from the centerline of the proposed highway as follows:

[illegible]

and as shown on approved plans and situated in the Northwest 1/4 (Tax Lot 2)
 of Section 20 Township 14N Range 12E
 County Nebraska.

SEE ATTACHED LEGAL DESCRIPTION

It is agreed and understood that the Buyer is hereby granted an immediate right of entry upon the premises described above.

The Buyer agrees to purchase the above described real estate and to pay therefor upon delivery of and executed deed. If the Owner so desires he/she shall have the right to receive 100% of the final payments due under this contract prior to vacating the premises being acquired.

Approximately	at \$	per	Sta.	to Sta.	\$
Approximately	at \$	per	Sta.	to Sta.	\$
Approximately	at \$	per	Sta.	to Sta.	\$
Moving and replacing approximately			rods of fence at \$	per rod	\$
Moving and replacing approximately			rods of fence at \$	per rod	\$
0.12 Ac. of Right-of-Way					\$ 1,000.00

******* TOTAL \$ 1,000.00 *******

The above payments shall cover all damages caused by the establishment and construction of the above project except for CROP DAMAGE, if any, which will be paid for in the amount based on the yield from the balance of the field less expenses of marketing and harvesting. CROP DAMAGE shall mean damage to such crops as are required to be planted and which were planted at the time of the signing of this contract and which are actually damaged due to construction of this project.

If any other party shall hold any encumbrance against the aforementioned property at the time of delivery of the deed, such payments as are due under this contract shall be made to the Owner jointly with the party or parties holding such encumbrance, unless said party, or parties holding such encumbrance, shall have in writing waived his/her right to receive such payment.

Expenses for partial release of mortgages will be paid by the Buyer, if required.

This contract shall be binding on both parties as soon as it is executed by both parties but, should none of the above real estate be required, this contract shall terminate upon the payment of \$10,000 by the Buyer to the Owner.

THIS IS A LEGAL AND BINDING CONTRACT - READ IT.

The representative of the Buyer, presenting this contract has given me a copy and explained all of its provisions. A complete understanding and explanation has been given of the terminology, phrases, and statements contained in this contract. It is understood that no promises, verbal agreements or understanding except as set forth in this contract will be honored by the Buyer.

SARPY COUNTY HIGHWAY DEPT.

OWNER
BROOK VALLEY II, LTD
Phone 223-7191
Carmel Partners

By S. M. Golehon
E. M. Golehon, Chief Dep. Surveyor

Date 10-9-58

Right of Way Contract - Political Sub-Division

98-30455B

Dated this 9th day of OCTOBER, 1998.
On the above date, before me a General Notary Public duly commissioned and qualified, personally came James V. McCart, President of Brook Valley II, LTD

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.

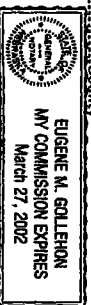
WITNESS my hand and Notarial Seal the day and year above written.

Notary Eugene M. Gollerhon

My commission expires the day of 19

STATE OF NEBRASKA

SARPY County ss.



MEMORANDA

Dated this day of 19

On the above date, 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 above written.

Notary

My commission expires the day of 19

STATE OF

County ss.

PLEASE PRINT ALL NAMES

Exact and full name of OWNER, as same appears of record

If married, full name of spouse

If unmarried, show "single," "widower," "widow"

If mortgage or other liens, show names of holders, amounts, dates and book page of record

If an estate, give the names of all the heirs, with the share of each. Show names of spouses of those married

Name of executor or administrator

If any of the owners or heirs are minors, give their names and ages

Name of guardian

TENANT - Exact and full names, Rent Agreement

REMARKS

98-30455C

TRACT NO. 2
TAX LOT 2, 20-14-12
BROOK VALLEY II, LTD.
6410 SOUTH 120TH PLAZA
OMAHA, NE 68137

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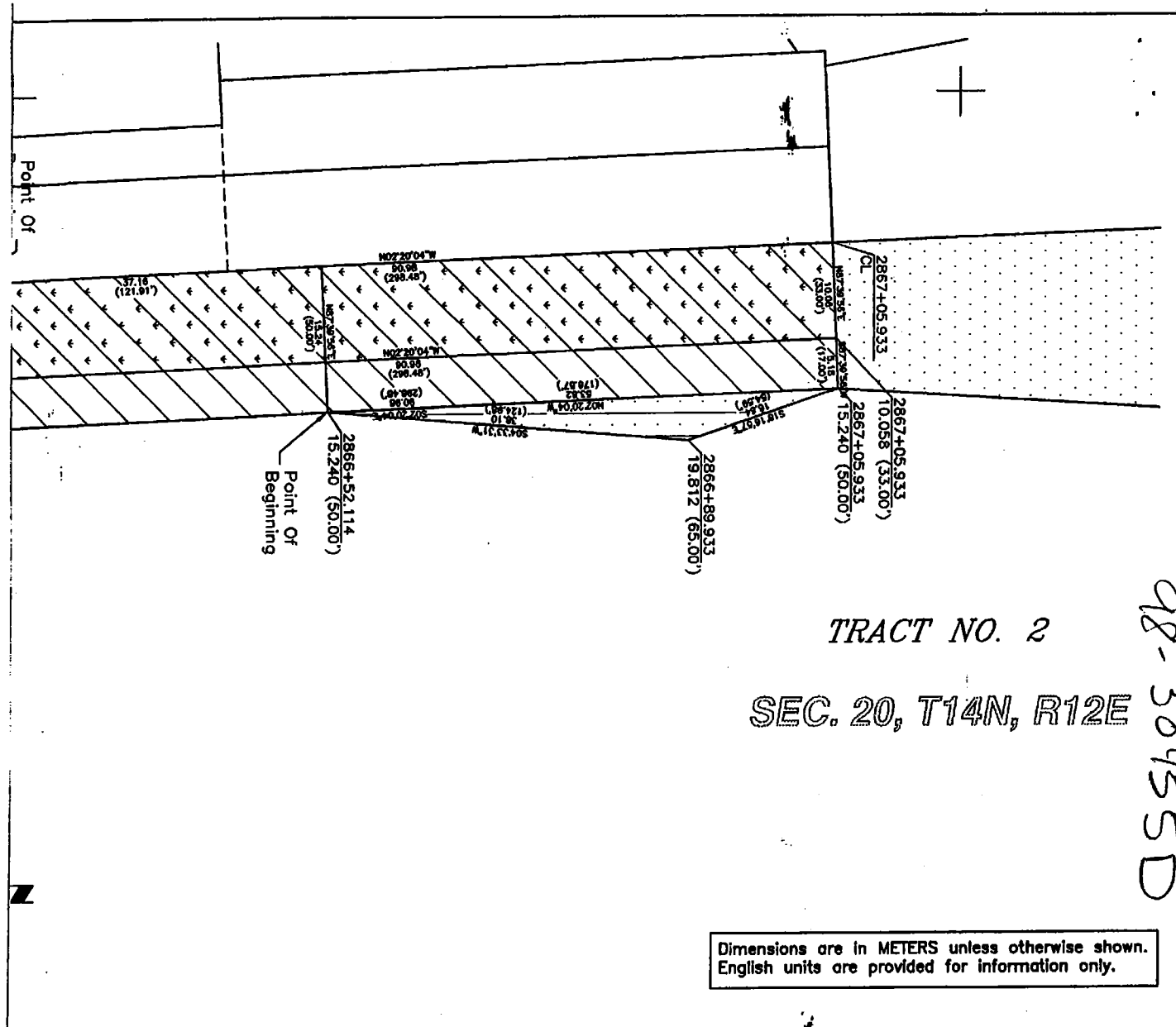
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Thence South 04°33'31" West for 38.10 meters (124.98 feet) to the Point of Beginning. Contains 0.012 hectare (0.03 acre).

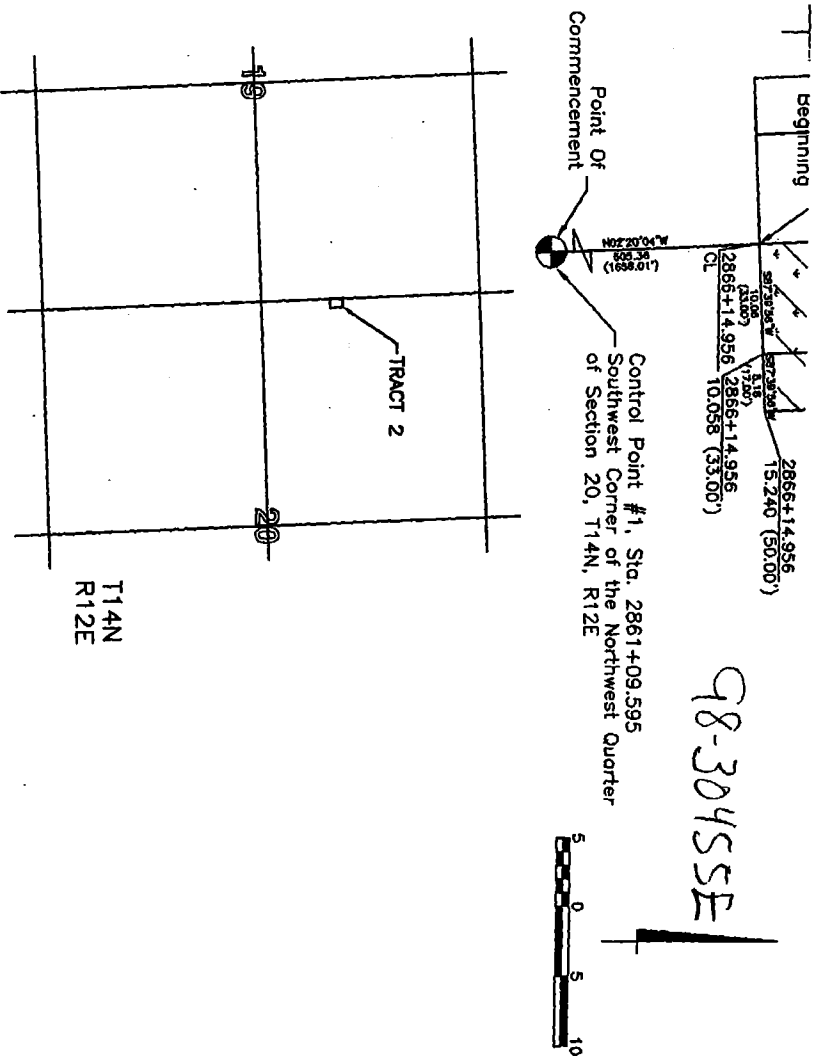
July 15, 1998
LAMP, RYNEARSON & ASSOCIATES, INC.
98031 (Parcel 2, 20-14-12)



TRACT NO. 2

SEC. 20, T14N, R12E

98-30455D



PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY

STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION
LINCOLN, NEBRASKA

TRACT NO. 2
LOCATION
PROJECT NO. BRO-7077(56)
CONTROL NO. 21872

SCALE 1:50

PREV. R.O.W.
NEW R.O.W.
EXISTING EASE.
PERM. EASE.
CONTROLLED ACCESS

0.139 Hectare (0.34 Ac)
0.012 Hectare (0.03 Ac)

DATE
DRAWN BY CLN
CHECKED BY RDP
COMPUTED BY RDP

09/18/98

M. A. H.

93-32937

IN THE COUNTY COURT OF SARPY COUNTY NEBRASKA

93-032937

THE COUNTY OF SARPY, NEBRASKA,
a body politic and corporate,

DOC. M4

PAGE 67 OCT 18 11:09

Condemnor,

vs.

RETURN OF APPRAISERS

LAURETTA V. RICE
MABEL OTTE
HARLAN C. OTTE
MILDRED M. OTTE
MARION E. LISK
EDWARD R. SCHEWE
LARRY A. LARSEN
MILLARD WAREHOUSE DENISON
STANDARD IRON WORKS, a Nebraska
General Partnership
E. EUGENE KIRSCH
DORIS LARSON, ACTING
SARPY COUNTY TREASURER,

Condemnees.

FILED
CLERK
JUL 23 1992
CHECKED
FEE \$ 7.00

FILED
SARPY COUNTY COURT
JUL 23 1992 PM 12:04

TO THE COUNTY JUDGE OF SARPY COUNTY, NEBRASKA:

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by Patrick Thomas, Sheriff of Sarpy County, Nebraska, on the ___ day of ___, 1992, and after having taken and filed the "Oath of Appraisers" that we did carefully inspect and view the property of the condemnees alleged damaged thereby and did hear all parties interested therein in reference to the amount of damages sustained or will sustain by such appropriation of the property herein described for County Highway purposes and also damage to such property of the condemnees as in our opinion was damaged by the appropriation of property herein described:

NOW, THEREFORE, we, as appraisers aforesaid, do hereby find and appraise the damages that will be suffered by reason of the appropriation of title to the said property or any interest therein described for County highway purposes by the County of Sarpy, as follows:

032937

MCH

93-32937A

STATE OF NEBRASKA) SS
COUNTY OF SARPY)

Case No. M4-67

I, the Judge of the County Court in and for said county, do hereby certify that I have compared the foregoing copies (18) (pages), with the original thereof now remaining on file and of record in this Court, and that the same is a correct transcript therefrom, and of the whole of such original:

Dated, 12/23/53



[Signature]
County Judge

[Signature]
Clerk of County Court

93-32937B

TO:

Tract No. 1
LAURETTA V. RICE, widow, owner \$ 23,285.⁰⁰

Tract No. 2
MABEL D. OTTE, MARION E. LISKA
HARLAN C. OTTE and MILDRED OTTE,
husband and wife, owners \$ 21,045.⁰⁰

Tract No. 4
EDWARD R. SCHEWE and LARRY A. LARSEN,
tenants in common, owners \$ 219,875.⁰⁰

Tract No. 5
E. EUGENE KIRSCH, owner \$ 12,850.⁰⁰

Tract No. 10
MILLARD WAREHOUSE DENISON,
a Nebraska Partnership, owner \$ 27,835.⁰⁰

Tracts No. 12A and 12B
EDWARD R. SCHEWE, et al., owners \$ 1,575.⁰⁰

Tracts No. 14
STANDARD IRON WORKS, a Nebraska
General Partnership, owner \$ 4,050.⁰⁰

All of which is hereby respectfully submitted.

DATED this 23RD day of July, 1992.

[Signature]
[Signature]
[Signature]
APPRAISERS

SUBSCRIBED and SWORN to before me this 23RD day of July, 1992.



[Signature]
Notary Public

Exhibit 'A':
TRACT 1

93-32937C

PIECE

A TRACT OF LAND LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST, ALONG THE SOUTH LINE OF SAID QUARTER SECTION A DISTANCE OF 1554.23 FEET TO A POINT ON THE NORTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE ALONG A 5389.28 FOOT RADIUS CURVE TO THE RIGHT FOR A DISTANCE OF 71.02 FEET; THENCE NORTH 72 DEGREES, 03 MINUTES, 43 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 157.06 FEET; THENCE NORTH 87 DEGREES, 18 MINUTES, 11 SECONDS EAST, A DISTANCE OF 1603.91 FEET; THENCE NORTH 78 DEGREES, 38 MINUTES, 42 SECONDS EAST, FOR A DISTANCE OF 166.07 FEET TO A POINT OF THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 32 MINUTES, 43 SECONDS EAST, ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 105.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.10 ACRES, MORE OR LESS, WHICH INCLUDES 1.21 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST, ALONG THE SOUTH LINE OF SAID QUARTER SECTION A DISTANCE OF 1839.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST, ALONG THE SOUTH LINE OF SAID QUARTER SECTION A DISTANCE OF 479.71 FEET; THENCE NORTH 02 DEGREES, 41 MINUTES, 49 SECONDS WEST A DISTANCE OF 60.00 FEET; THENCE NORTH 87 DEGREES, 18 MINUTES, 11 SECONDS EAST, A DISTANCE OF 320.37 FEET TO A POINT ON THE SOUTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTH 72 DEGREES, 03 MINUTES, 43 SECONDS EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 170.25 TO THE POINT OF BEGINNING, CONTAINING 0.55

ACRES, MORE OR LESS, WHICH INCLUDES 0.33 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

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.

Exhibit 'A'

Exhibit 'B':
TRACT 2

93-32937D

OTTE

A TRACT OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 14 MINUTES, 02 MINUTES EAST, ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 65.00 FEET; THENCE SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST, A DISTANCE OF 913.37 FEET; THENCE SOUTH 02 DEGREES, 41 MINUTES, 49 SECONDS EAST, A DISTANCE OF 122.59 FEET TO A POINT ON THE NORTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE ON A 4659.25 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 15.70 FEET; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE ON A 5389.28 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 651.96 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 18 MINUTES, 11 SECONDS EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION A DISTANCE OF 1554.23 FEET TO THE POINT OF BEGINNING CONTAINING 2.85 ACRES, MORE OR LESS, WHICH INCLUDES 1.15 ACRE, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REEERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION A DISTANCE OF 1839.32 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 72 DEGREES, 03 MINUTES, 43 SECONDS EAST ALONG THE SOUTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE A DISTANCE OF 170.25 FEET; THENCE SOUTH 87 DEGREES, 18 MINUTES, 11 SECONDS WEST, A DISTANCE OF 704.53 FEET; THENCE NORTH 64 DEGREES, 57 MINUTES, 30 SECONDS EAST, A DISTANCE OF 71.02 FEET; THENCE NORTH 02 DEGREES, 41 MINUTES, 49 SECONDS WEST, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 18 MINUTES, 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID QUARTER SECTION A DISTANCE OF 479.52 FEET TO THE POINT OF BEGINNING, CONTAINING 0.79

ACRES, MORE OR LESS, WHICH INCLUDES 0.40 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

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.

Exhibit 'B'

Exhibit 'C':

93-32937E

TRACT 4

SCHEWE, et al.

A TRACT OF LAND LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 16 MINUTES, 34 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 617.60 FEET TO A POINT ON THE SOUTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ON 4759.45 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 177.90 FEET; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ON A 5727.09 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 521.22 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 32 MINUTES, 44 SECONDS EAST, A DISTANCE OF 324.66 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 2.18 ACRES, MORE OR LESS, WHICH INCLUDES 0.65 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 02 DEGREES, 32 MINUTES, 44 SECONDS WEST, A DISTANCE OF 143.49 FEET ALONG THE EAST WEST LINE OF SAID QUARTER SECTION, TO THE POINT OF BEGINNING; THENCE NORTH 59 DEGREES, 58 MINUTES, 15 SECONDS WEST, A DISTANCE OF 174.73 TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE SOUTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE).

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Exhibit 'C'

93-32937F

WARRANTY DEED POLITICAL SUB-DIVISION (Individual-Page 2)
PROJECT: RS-BRS-RRS-3790(1) C.N. 20682 TRACT: 4

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 16 MINUTES, 34 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 881.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 16 MINUTES, 34 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 1768.44 FEET TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 02 DEGREES, 32 MINUTES, 43 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER SECTION, A DISTANCE OF 105.00 FEET; THENCE NORTH 77 DEGREES, 21 MINUTES, 06 SECONDS EAST, A DISTANCE OF 290.11 FEET; THENCE SOUTH 78 DEGREES, 18 MINUTES, 11 SECONDS EAST, A DISTANCE OF 361.39 FEET; THENCE NORTH 87 DEGREES, 16 MINUTES, 34 SECONDS EAST, A DISTANCE OF 494.09 FEET; THENCE NORTH 74 DEGREES, 57 MINUTES, 39 SECONDS EAST, A DISTANCE OF 187.71 FEET; THENCE NORTH 56 DEGREES, 46 MINUTES, 05 SECONDS EAST, A DISTANCE OF 369.45 FEET; THENCE NORTH 30 DEGREES, 52 MINUTES, 10 SECONDS EAST, A DISTANCE OF 406.58 FEET; THENCE NORTH 20 DEGREES, 24 MINUTES, 06 SECONDS WEST, A DISTANCE OF 100.73 FEET; THENCE NORTH 46 DEGREES, 46 MINUTES, 09 SECONDS WEST, A DISTANCE OF 87.60 FEET; THENCE NORTHWESTERLY ON A 1542.41 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 740.42 FEET TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE NORTH 87 DEGREES, 15 MINUTES, 22 SECONDS EAST ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 247.93 FEET; THENCE SOUTHEASTERLY ALONG A 1332.41 RADIUS CURVE TO THE LEFT A DISTANCE OF 331.05 FEET; THENCE SOUTH 61 DEGREES, 17 MINUTES, 08 SECONDS EAST, A DISTANCE OF 285.21 FEET; THENCE SOUTH 59 DEGREES, 58 MINUTES, 15 SECONDS EAST FOR A DISTANCE OF 163.03 FEET; THENCE NORTH 40 DEGREES, 01 MINUTES, 45 SECONDS EAST, A DISTANCE OF 559.83; THENCE NORTHEASTERLY ALONG A 427.47 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 89.65 FEET TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE NORTH 87 DEGREES, 15 MINUTES, 22 SECONDS EAST, ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 109.37 FEET TO THE NORTHEAST CORNER OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE SOUTH 02 DEGREES, 32 MINUTES, 44 SECONDS EAST, A DISTANCE OF 85.11 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 27 MINUTES, 16 SECONDS WEST, A DISTANCE OF 45.16 FEET; THENCE SOUTHWESTERLY ALONG A 527.47 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 70.31 FEET; THENCE SOUTH 40 DEGREES, 01 MINUTES, 45 SECONDS WEST, A DISTANCE OF 486.35 FEET; THENCE SOUTH 59 DEGREES, 58 MINUTES, 15 SECONDS EAST, A DISTANCE OF 456.97; THENCE SOUTH 68 DEGREES, 31 MINUTES, 27 SECONDS EAST, A DISTANCE OF 36.13 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 32 MINUTES, 44 SECONDS EAST, ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 122.92 FEET TO A POINT ON THE NORTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTHWESTERLY ALONG A 5627.09 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 573.20 FEET; THENCE SOUTHWESTERLY ALONG A 4659.25 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 415.95 FEET TO THE POINT OF BEGINNING, CONTAINING 21.80 ACRES, MORE OR LESS, WHICH INCLUDES 1.51 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

Exhibit 'C'

93-32937 G

WARRANTY DEED POLITICAL SUB-DIVISION (Individual-Page 3)
PROJECT: RS-BRS-RRS-3790(1) C.N. 20682 TRACT: 4

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 02 DEGREES, 32 MINUTES, 43 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER SECTION, A DISTANCE OF 105.00 FEET; THENCE NORTH 77 DEGREES, 21 MINUTES, 06 SECONDS EAST, A DISTANCE OF 290.11 FEET; THENCE SOUTH 78 DEGREES, 18 MINUTES, 11 SECONDS EAST, A DISTANCE OF 361.39 FEET; THENCE NORTH 87 DEGREES, 16 MINUTES, 34 SECONDS EAST, A DISTANCE OF 400.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES, 16 MINUTES, 34 SECONDS EAST, A DISTANCE OF 93.39 FEET; THENCE NORTH 74 DEGREES, 57 MINUTES, 39 SECONDS EAST, A DISTANCE OF 187.71 FEET; THENCE NORTH 56 DEGREES, 46 MINUTES, 05 SECONDS EAST, A DISTANCE OF 369.45 FEET; THENCE NORTH 30 DEGREES, 52 MINUTES, 10 SECONDS EAST, A DISTANCE OF 406.58 FEET; THENCE NORTH 20 DEGREES, 24 MINUTES, 06 SECONDS WEST, A DISTANCE OF 100.73 FEET; THENCE NORTH 46 DEGREES, 46 MINUTES, 09 SECONDS WEST, A DISTANCE OF 87.60 FEET; THENCE NORTHWESTERLY ON A 1542.41 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 740.42 FEET TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S)); THENCE NORTH 87 DEGREES, 15 MINUTES, 22 SECONDS EAST ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 247.93 FEET TO THE POINT OF RESUMPTION; THENCE SOUTHEASTERLY ALONG A 1332.41 RADIUS CURVE TO THE LEFT A DISTANCE OF 331.05 FEET; THENCE SOUTH 61 DEGREES, 17 MINUTES, 08 SECONDS EAST, A DISTANCE OF 285.21 FEET; THENCE SOUTH 59 DEGREES, 58 MINUTES, 15 SECONDS EAST FOR A DISTANCE OF 163.03 FEET; THENCE NORTH 40 DEGREES, 01 MINUTES, 45 SECONDS EAST, A DISTANCE OF 559.83; THENCE NORTHEASTERLY ALONG A 427.47 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 89.65 FEET TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S)); THENCE NORTH 87 DEGREES, 15 MINUTES, 22 SECONDS EAST, ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 109.37 FEET TO THE NORTHEAST CORNER OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE SOUTH 02 DEGREES, 32 MINUTES, 44 SECONDS EAST, A DISTANCE OF 85.11 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 27 MINUTES, 16 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF RESUMPTION; THENCE CONTINUING SOUTH 87 DEGREES, 27 MINUTES, 16 SECONDS WEST, A DISTANCE OF 12.16 FEET; THENCE SOUTHWESTERLY ALONG A 527.47 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 70.31 FEET; THENCE SOUTH 40 DEGREES, 01 MINUTES, 45 SECONDS WEST, A DISTANCE OF 486.35 FEET; THENCE SOUTH 59 DEGREES, 58 MINUTES, 15 SECONDS EAST, A DISTANCE OF 456.97; THENCE SOUTH 68 DEGREES, 31 MINUTES, 27 SECONDS EAST, A DISTANCE OF 36.13 FEET TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 32 MINUTES, 44 SECONDS EAST, ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 122.92 FEET TO A POINT ON THE NORTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTHWESTERLY ALONG A 5627.09 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 282.06 FEET TO THE POINT OF RESUMPTION; THENCE NORTH 59 DEGREES, 58 MINUTES, 15 SECONDS WEST, A DISTANCE OF 353.45 FEET; THENCE SOUTH 75 DEGREES, 01 MINUTES, 45 SECONDS WEST, A DISTANCE OF 84.85 FEET; THENCE SOUTH 30 DEGREES, 01 MINUTES, 45 SECONDS WEST, A DISTANCE OF 327.19 FEET; THENCE SOUTH 57 DEGREES, 39 MINUTES, 30 SECONDS WEST FOR 399.25 FEET TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION).

Exhibit 'C'

93-32937H

WARRANTY DEED POLITICAL SUB-DIVISION (Individual-Page 4)
PROJECT: RS-BRS-RRS-3790(1) C.N. 20682 TRACT: 4

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.

Exhibit 'C'

Exhibit C

93-32937II

TRACT 10

SCHWE, et al.

A TRACT OF LAND LOCATED IN PART OF TAX LOT 2 IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST QUARTER OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 30 MINUTES, 43 SECONDS EAST, A DISTANCE OF 1570.82 FEET, ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 29 MINUTES, 17 SECONDS EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 43 SECONDS WEST, A DISTANCE OF 459.60 FEET; THENCE SOUTH 49 DEGREES, 32 MINUTES, 20 SECONDS WEST, A DISTANCE OF 92.64 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 43 SECONDS WEST, A DISTANCE OF 746.65 FEET; THENCE SOUTH 37 DEGREES, 05 MINUTES, 57 SECONDS WEST, A DISTANCE OF 260.01 FEET; THENCE SOUTH 08 DEGREES, 35 MINUTES, 46 SECONDS WEST, A DISTANCE OF 404.09 FEET; THENCE SOUTH 87 DEGREES, 39 MINUTES, 56 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH 02 DEGREES, 20 MINUTES, 04 SECONDS WEST, A DISTANCE OF 686.80 FEET, ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING, CONTAINING 4.36 ACRES, MORE OR LESS, WHICH INCLUDES 1.69 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF TAX LOT 2 IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST QUARTER OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 20 MINUTES, 04 SECONDS EAST, A DISTANCE OF 686.80 FEET, ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 39 MINUTES, 56 SECONDS EAST, A DISTANCE OF 50.00 FEET; THENCE NORTH 08 DEGREES, 35 MINUTES, 46 SECONDS EAST, A DISTANCE OF 404.09 FEET; THENCE NORTH 37 DEGREES, 05 MINUTES, 57 SECONDS EAST, A DISTANCE OF 260.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES, 30 MINUTES, 43 SECONDS EAST, A DISTANCE OF 746.65 FEET; THENCE NORTH 49 DEGREES, 32 MINUTES, 20 SECONDS EAST, A DISTANCE OF 146.27 FEET, TO THE POINT OF TERMINATION (SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF SAID QUARTER SECTION).

10:1:1:4

93-329375

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF TAX LOT 2 IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

FEERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 14 MINUTES, 07 SECONDS EAST, A DISTANCE OF 40.83 FEET, ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02 DEGREES, 14 MINUTES, 07 SECONDS EAST, A DISTANCE OF 177.44 FEET, ALONG SAID LINE; THENCE SOUTH 87 DEGREES, 45 MINUTES, 53 SECONDS WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 02 DEGREES, 14 MINUTES, 07 SECONDS WEST, A DISTANCE OF 115.00 FEET; THENCE NORTH 24 DEGREES, 33 MINUTES, 39 SECONDS WEST, A DISTANCE OF 75.31 FEET TO A POINT ON THE SOUTHERLY EXISTING OLD MISSOURI PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES, 59 MINUTES, 03 SECONDS EAST, A DISTANCE OF 78.94 FEET ALONG THE SOUTHERLY EXISTING OLD MISSOURI PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 0.23 ACRES, MORE OR LESS, WHICH INCLUDES 0.14 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS ~~OR EGRESS~~ OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID TAX LOT 2.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR ITS 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 ITS 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 Grantee and to its successors and assigns forever.

Exhibit 'C'

Exhibit 'C':

93-32937K

TRACT 12A & B

SCHEME

A TRACT OF LAND LOCATED IN PART OF SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 30 MINUTES, 43 SECONDS WEST, A DISTANCE OF 92.24 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 24 DEGREES, 33 MINUTES, 39 SECONDS WEST, A DISTANCE OF 76.92 FEET ALONG THE NORTHERLY EXISTING OLD MISSOURI PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTH 86 DEGREES, 59 MINUTES, 03 SECONDS EAST, A DISTANCE OF 121.63 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 34 MINUTES, 17 SECONDS EAST, A DISTANCE OF 59.62 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING, CONTAINING 0.16 ACRES, MORE OR LESS, WHICH INCLUDES 0.05 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION.

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 14 MINUTES, 07 SECONDS EAST, A DISTANCE OF 40.83 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO A POINT ON THE SOUTHERLY EXISTING OLD MISSOURI PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTH 86 DEGREES, 59 MINUTES, 03 SECONDS WEST, A DISTANCE OF 78.94 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 24 DEGREES, 33 MINUTES, 39 SECONDS WEST, A DISTANCE OF 35.89 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 30 MINUTES, 43 SECONDS EAST, A DISTANCE OF 92.24 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF POINT OF BEGINNING, CONTAINING 0.07 ACRES, MORE OR LESS, WHICH INCLUDES 0.03 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS COUNTY ROAD.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION.

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.

Exhibit 'C':

93-32937 E

TRACT 14

SCHWE, et al

A TRACT OF LAND LOCATED IN PART OF TAX LOT 1B IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 30 MINUTES, 46 SECONDS WEST, A DISTANCE OF 334.51 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 30 MINUTES, 46 SECONDS WEST, A DISTANCE OF 67.84 FEET ALONG SAID LINE TO A POINT ON THE NORTHEASTERLY EXISTING UNION PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTH 56 DEGREES, 21 MINUTES, 35 SECONDS WEST, A DISTANCE OF 458.50 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 33 DEGREES, 38 MINUTES, 25 SECONDS EAST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 56 DEGREES, 21 MINUTES, 35 SECONDS EAST, A DISTANCE OF 513.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.45 ACRES, MORE OR LESS, WHICH INCLUDES 0.05 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS COUNTY ROAD.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR ITS 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 ITS 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 Grantee and to its successors and assigns forever.

Exhibit 'C'

Exhibit 'D' 93-32937 NA

TRACT 5

KIRSCH

A TRACT OF LAND LOCATED IN PART OF TAX LOT 6A IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES, 20 MINUTES, 04 SECONDS EAST, A DISTANCE OF 686.80 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES, 39 MINUTES, 56 SECONDS WEST, A DISTANCE OF 60.00 FEET; THENCE NORTH 10 DEGREES, 17 MINUTES, 01 SECONDS WEST, A DISTANCE OF 501.15 FEET; THENCE NORTH 32 DEGREES, 05 MINUTES, 58 SECONDS WEST, A DISTANCE OF 106.51 FEET; THENCE NORTH 67 DEGREES, 30 MINUTES, 10 SECONDS WEST, A DISTANCE OF 149.65 FEET; THENCE SOUTH 87 DEGREES, 16 MINUTES, 34 SECONDS WEST, ALONG A LINE 33.00 FEET SOUTH FROM AND PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 376.25 FEET TO A POINT ON THE SOUTHERLY EXISTING BURLINGTON NORTHERN RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ON A 4759.25 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 83.66 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 87 DEGREES, 16 MINUTES, 34 SECONDS EAST, A LONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 617.60 FEET TO THE POINT OF BEGINNING, CONTAINING 2.27 ACRES, MORE OR LESS, WHICH INCLUDES 0.99 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS COUNTY ROAD.

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 Grantee and to its successors and assigns forever.

Exhibit 'D'

90-02579

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that SARPY R & R CO., a corporation organized and existing under and by virtue of the laws of the State of Nebraska, for and in consideration of the sum of ELEVEN THOUSAND and no/100-----DOLLARS

in hand paid does hereby quitclaim and transfer to _____, Grantee(s) of the County of SARPY and State of Nebraska all its right, title and interest in and to the following described premises situated in Sarpy County, and State of Nebraska, to-wit:

EDWARD R. SCHEWE

SEE ATTACHED LEGAL DESCRIPTION

subject to all reservations, restrictions, easements and covenants of record.

TO HAVE AND TO HOLD the said premises above described, together with all the tenements, hereditaments and appurtenances thereunto belonging unto the said Grantee(s).

And the Grantor herein for itself or its successors, does hereby agree to and with the said Grantee(s) and his, her or their heirs and assigns, that neither it nor any person(s) in its name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

IN TESTIMONY WHEREOF, the said Grantor has caused these presents to be executed by its President and its corporate seal to be affixed hereunto this 26 day of February, 1990.



Secretary

Shirley A. Hill

SARPY R & R CO.

BY *Don & P. Hill*, President

STATE OF NEBRASKA

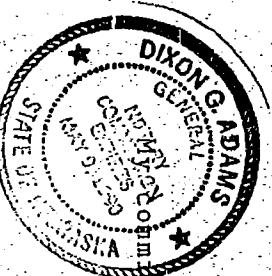
COUNTY OF SARPY

SS:

NOTED
FILED
GRANTED
RECORDED
FEB 27 1990

On this 26 day of February, 1990, before me, the undersigned, a Notary Public in and for said county, personally came LOUIS G. RIHA, President of the SARPY R & R CO. (a corporation) to me personally known to be the President and the identical person whose name is affixed to the above conveyance, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the corporate seal of the said corporation was thereto affixed by its authority.

Witness my hand and notarial seal at Papillion, Nebraska, in said county the day and year last above written.



NOTARY PUBLIC

Dixon G. Adams

FILED FOR RECORD 2-27-90 IN 1135A INST. # 90-02579

02579

Don & P. Hill

REGISTER OF DEEDS, SARPY COUNTY, NE

90-025791A

SW 1/4 SECTION 14 N 12 E

SILES ROAD

Point of Beginning

123.8
North

120TH STREET

NW 1/4 SECTION 20 T 14 N R 12 E

66'

ARC = 1345.4

ARC = 1790

ARC = 1457

Northwesterly
155.2

41.3
South

145.4
South

1438.2
1511.2
600 ft
100'

50'

N

1" = 400'

66'

114TH STREET

20

H.B.C. L.L.C.



CARRELL & ASSOCIATES, INC.

LAND SURVEYORS & CONSULTANTS

1128 "O" STREET

OMAHA, NEBRASKA 68137

(402) 331-2333

LEGAL DESCRIPTION

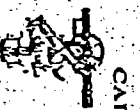
10-02579B

3279AC

MARCH 6, 1989

THAT PART OF ABANDONED MISSOURI PACIFIC RAILROAD LYING IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST AND THE NORTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 20 AND THE NORTHERLY RIGHT OF WAY LINE OF ABANDONED MISSOURI PACIFIC RAILROAD; THENCE NORTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED MISSOURI PACIFIC RAILROAD A DISTANCE OF 1438.2 FEET TO A POINT OF CURVATURE; THENCE NORTH AND EAST ALONG A 1959.86 FOOT RADIUS CURVE TO THE RIGHT AND ALONG SAID NORTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 660.3 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 20 A DISTANCE OF 199 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF ABANDONED MISSOURI PACIFIC RAILROAD; SAID POINT BEING ON A CURVE SAID CURVE BEING NON TANGENT TO SAID LINE; THENCE NORTH AND EAST ALONG A 2025.86 FOOT RADIUS CURVE TO THE RIGHT AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED MISSOURI PACIFIC RAILROAD AN ARC DISTANCE OF 973.9 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 140.1 FEET TO A POINT OF INTERSECTION WITH THE NORTH SOUTH CENTERLINE OF SECTION 17 T14N R12E; THENCE SOUTH ALONG SAID NORTH SOUTH CENTERLINE OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST A DISTANCE OF 125.4 FEET TO THE $\frac{1}{4}$ CORNER COMMON TO SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST AND SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST; THENCE SOUTH ALONG THE NORTH SOUTH CENTERLINE OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST A DISTANCE OF 41.3 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF ABANDONED MISSOURI PACIFIC RAILROAD; THENCE NORTHWESTERLY ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID ABANDONED MISSOURI PACIFIC RAILROAD A DISTANCE OF 155.2 FEET TO A POINT OF CURVATURE THENCE SOUTH AND WEST ALONG A 1859.86 FOOT RADIUS CURVE TO THE LEFT AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 1345.4 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY ROW LINE OF ABANDONED MISSOURI PACIFIC RAILROAD A DISTANCE OF 1511.2 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE NW $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST; THENCE NORTH ALONG THE WEST LINE OF SAID NORTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 12 EAST A DISTANCE OF 123.8 FEET TO THE POINT OF BEGINNING.

CONTAINS: 367,197 SQUARE FEET OR 8.4 ACRES MORE OR LESS.



CARRUBELL & ASSOCIATES, INC.

LAND SURVEYORS & CONSULTANTS
1128 "D" STREET
OMAHA, NEBRASKA 68137
(402) 331-2003

PARCEL #1 NE $\frac{1}{4}$ 20-14-12

STAMP TAX

SEP 15 1986

BY 11/2/80

Corporation

“Grantee”

[illegible]

ACIDS _____
ALKALIS _____
GASES _____
SOLIDS _____
LIQUIDS _____
METALS _____
NON-METALS _____
PLANTS _____
ANIMALS _____
HUMAN BEINGS _____
OTHER _____

otherwise inure to the benefit of Grantor.

whether currently existing or arising in the future.

19 Dec

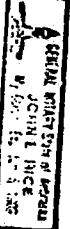
CEITECH DEVELOPMENT COMPANY

By: Devin H. Trull, Vice President

COUNTRY OF

“**Mathematics**”

Witness my hand and notarial seal on _____, 19__.



Public utility commission

[illegible]

МАГІСТРАНТ МНД
А МААХР

I

46-754

AFFIDAVIT OF POSSESSION

STATE OF NEBRASKA)
) ss.
COUNTY OF)

Herman Labs and May E. Labs, being both duly sworn,
depose and state that they are the owners of record of the
following described real estate:

Tax Lot 2, being all that part of the
Northwest Quarter (NW $\frac{1}{4}$), not included in
school lot or railroad right of way, in
Section 20-14-12, subject to easement of
public highways

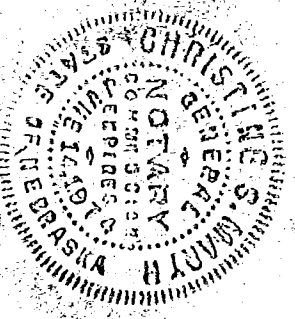
and that they are now in possession thereof.

Herman Labs
Herman Labs

May E. Labs
May E. Labs

SWORN to before me this 16th day of December, 1973.

Leota D. Maults
Notary Public



My Commission Expires:

December 14, 1974

FILED FOR RECORD 12-12-73 AT 3:00 P.M. IN BOOK 46 OF New Rec.
PAGE 754 Carl & Hilda REGISTER OF DEEDS, SARP COUNTY, NEB. 325

Dec 7
032902



NEWARK, N.J. 07102

[illegible]

ACCOUNT REPORT OF NORTH
STATE OF CALIFORNIA) SS
COUNTY OF)
THE)

STANLEY C. OTNER
1000 16th St. N.E.
Washington, D.C. 20002
202/692-1899

ACTING ASSISTANT ATTORNEY GENERAL
STATE OF MISSISSIPPI

THESE PASSPORTS OR VISA'S SHOWN IN PREVIOUS PART OF THE DOCUMENT

RADARS - 2201.85'
 CHORD BEARING - S88°58'46"E
 CHORD DISTANCE - 745.45'
 ARC DISTANCE - 749.04'

GENEPLANE		CURVE		INFORMATION	
CURVE NO.	DATA	TARGET	LENGTH	FOCUS	
1 AND 2	56'00'00"	68.57'	127.05'	125.51'	

