

THIS DEED, made this 30th day of November, 1965, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS, hereinafter referred to as the DEPARTMENT, and the DEPARTMENT OF ROADS, STATE OF NEBRASKA, hereinafter referred to as the STATE:

W I T N E S S E T H :

WHEREAS, the Department of Roads, State of Nebraska, has filed application under the provisions of the Act of Congress of August 27, 1958 (Title 23, United States Code, Section 317, 72 Stat. 916) for a right-of-way, including the control of access over certain lands hereinafter described, situated in Douglas County, Nebraska, and being a part of the lands of the Two Rivers Nursery property, under the control and jurisdiction of the General Services Administration; and

WHEREAS, the Federal Highway Administrator, pursuant to delegation of authority from the Secretary of Commerce, has determined that the interests in lands covered by the application are reasonably necessary for a right-of-way in connection with the construction of Nebraska Federal-aid Highway Project F-78(11); and

WHEREAS, the Administrator of General Services has authorized the Department to transfer the lands to the State.

NOW, THEREFORE, the Department as authorized by law, and in compliance with all requirements imposed by or pursuant to Part 8 of Subtitle A of Commerce and Foreign Trade Regulations (15 C.F.R., Part 8) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby appropriate, remise, release, quitclaim and convey unto the State of Nebraska the lands described in Exhibit "A" and shown on Exhibit "B", both attached hereto and made parts hereof, together with all existing, future or potential common law or statutory abutters' rights or easements of access to, from and between the right-of-way of the public identified as Nebraska Federal-aid Highway Project F-78(11) and all the adjoining property of the United States of America, as set forth in said Exhibit "A" and delineated on said Exhibit "B".

TO HAVE AND TO HOLD, the above-mentioned lands unto the State of Nebraska, for so long as such is needed for highway purposes, upon the express condition that if, at any time, the need for highway purposes

shall no longer exist, notice of the fact shall be given by the State to the Department and such lands shall immediately revert to the United States and to the control of the General Services Administration, as such control existed prior to this instrument; and subject to the covenants, conditions, restrictions and reservations herein contained as follows, which shall remain in effect for the period during which said real property and structures thereon are used for a purpose for which Federal assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State, its successors and assigns:

1. The State, in consideration of the conveyance of said lands and interests in land, does hereby covenant and agree for itself, its successors and assigns that (a) no members of the traveling public and business users of the federally-assisted highway shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in their access to and use of said highway or their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation, and vehicle servicing) constructed on, over, or under the right-of-way of the highway constructed upon the land hereby conveyed, (b) that the State shall use the said lands and interests in land so conveyed, in compliance with all other requirements imposed pursuant to said Part 8 of Subtitle A of Commerce and Foreign Trade Regulations and as said Regulations may be amended.

2. That in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have the right to re-enter said land and facilities on said land, and the above-described lands and interests in land shall thereupon revert to the United States of America and to the control of the General Services Administration, as such control existed prior to this instrument.

IN WITNESS WHEREOF, I, H. J. Morton, Assistant General Counsel, pursuant to delegations of authority from the Secretary of Commerce, the Federal Highway Administrator, and Dowell H. Anders, General Counsel, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

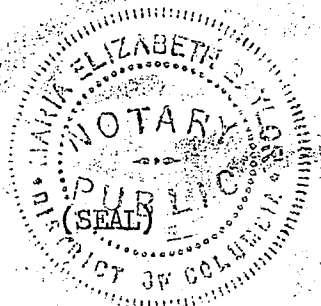
BY: *H. J. Morton*
H. J. Morton
Assistant General Counsel
for the Federal Highway Administrator

UNITED STATES OF AMERICA
DISTRICT OF COLUMBIA

I, *Maria E. Baylor*, a Notary Public in and for the District of Columbia, do hereby certify that on this the *30th* day of *November*, 1965, before me personally appeared H. J. Morton, being to me personally well known and known by me to be the Assistant General Counsel, Bureau of Public Roads, and acknowledged that the foregoing instrument bearing date of *November 30*, 1965, was executed by him in his official capacity and by authority in him vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Assistant General Counsel, Bureau of Public Roads.

Witness my hand and seal this *30th* day of *November*, 1965.

Maria E. Baylor
Notary Public



My Commission Expires *October 14, 1967*.

In compliance with the conditions set forth in the foregoing deed, the Department of Roads, State of Nebraska, certifies and, by the acceptance of this deed, accepts the right-of-way over certain lands herein described and agrees for itself, its successors and assigns forever to abide by the conditions set forth in said deed.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

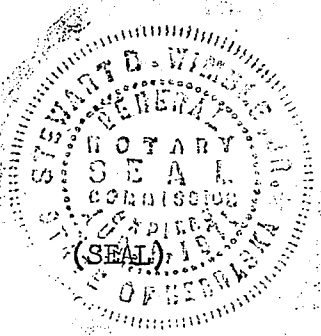
BY John W. Hossack
State Engineer

STATE OF NEBRASKA)
COUNTY OF Lancaster)

I, Stewart D. Wimble, Jr., a Notary Public in and for said State, hereby certify that John W. Hossack, whose name as State Engineer is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he in his capacity as such State Engineer executed the same voluntarily on this day .

Given under my hand and seal of office this 9 day of December, 1965.

Stewart D. Wimble Jr.
Notary Public



My Commission Expires Aug. 1, 1971

PROJECT F-78 (11)
UNITED STATES OF AMERICA
NEBRASKA RURAL REHABILITATION CORPORATION
DOUGLAS COUNTY, NEBRASKA

TRACT 1001

A tract of land located in the Southeast Quarter of Section 29, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

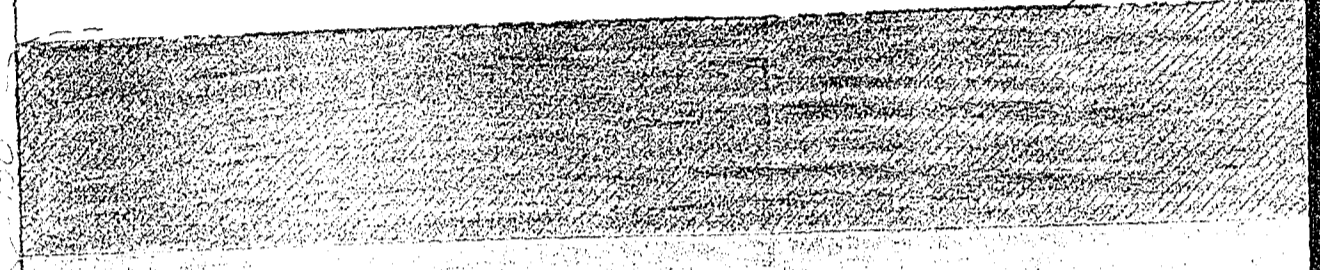
Beginning at the southeast corner of said Section 29; thence westerly on the South line of the Southeast Quarter of said Section 29 a distance of 2,663.9 feet to the southwest corner of said Southeast Quarter; thence northerly on the West line of said Southeast Quarter a distance of 200.0 feet; thence easterly on a line 200.0 feet northerly from and parallel to said South line a distance of 2,663.9 feet to a point on the East line of said Southeast Quarter; thence southerly on said East line a distance of 200.0 feet to the point of beginning, containing 12.12 acres, more or less, which includes 3.06 acres, more or less, previously occupied as a public highway, the remaining 9.06 acres, more or less, being the additional acreage to be secured.

There will be no ingress or egress from the above described tract onto the remainder of said Southeast Quarter, except over the existing public road along the East line of said Southeast Quarter.

F-78(1)
TRACT 1
USA

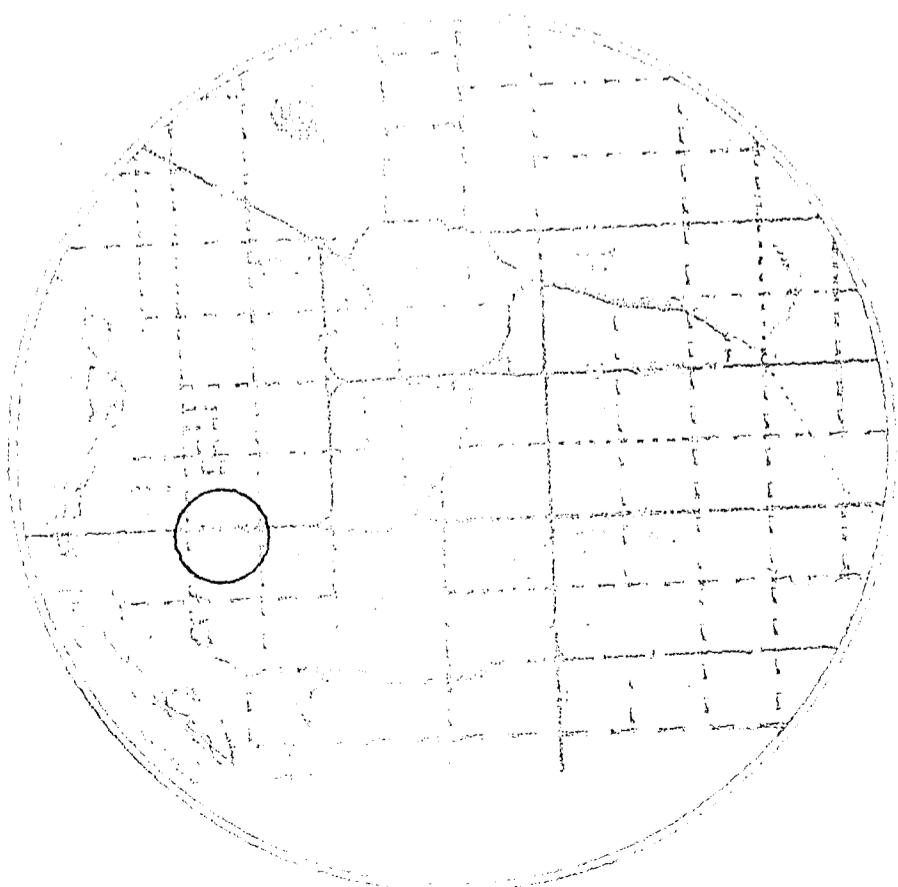
NEBRASKA RURAL REHAB.
SE 4 SEC 29-7
PREP. RD.
RD. TO BE

1/2 SECTION LINE



C.H. 7

E PROJECT SN-78(2)



MAP
DOUGLAS COUNTY

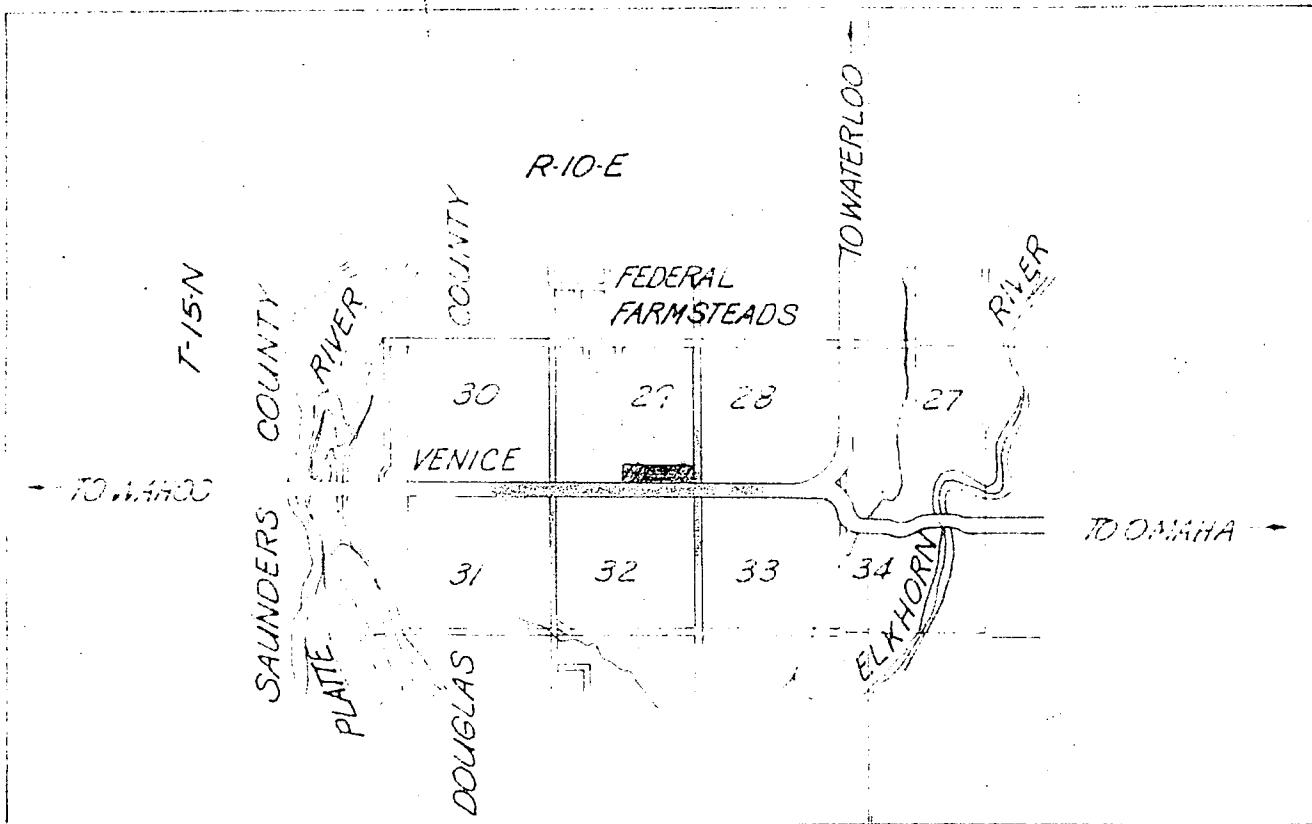
F-78(11)
TRACT 100T
U.S.A.

NEBRASKA RURAL REHABILITATION CORPORATION
SE⁴ SEC. 29-T15N-R10E
PREV. R.O.W. 3.06 AC. [REDACTED]
R.O.W. TO BE ACQUIRED 9.06 AC. [REDACTED]

C.A. f

2663.9'

2663.9'



C.A.P

SECTION LINE

200'

SECTION LINE

STA. 143+20.9
SEC. COR. ON E



NEBRASKA
PROJECT SITE

STATE INDEX

STATE OF NEBRASKA
DEPARTMENT OF ROADS

LAND TO BE ACQUIRED FROM
TWO RIVERS NURSERY

DOUGLAS COUNTY
NEBRASKA

CONTROLLED ACCESS

DRAWN BY: JN 4-65
4-DBI W.T. 4-65