

PROJECT: RF-64-7(101)

AFE: R-299

TRACT: 14

KNOW ALL MEN BY THESE PRESENTS:

THAT

EUGENE M. DONOVAN

NEBRASKA DOCUMENTARY
STAMP TAX

OCT 10 1979

\$ Ex BY mm

hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of -----
-----Eleven Thousand Nine Hundred Ten and no/100----- (\$11,910.00)----- DOLLARS
in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA the following
described real estate situated in -----Douglas----- County, and State of Nebraska, to-wit:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1598.81 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 090 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 201.01 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 000 DEGREES, 01 MINUTES RIGHT, A DISTANCE OF 128.99 FEET ALONG SAID LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 217.16 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 006 DEGREES, 47 MINUTES RIGHT, A DISTANCE OF 101.77 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 022 DEGREES, 33 MINUTES RIGHT, A DISTANCE OF 110.26 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 016 DEGREES, 42 MINUTES RIGHT, A DISTANCE OF 128.87 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 002 DEGREES, 27 MINUTES RIGHT, A DISTANCE OF 242.01 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 02 MINUTES LEFT, A DISTANCE OF 466.95 FEET ALONG SAID LINE TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTHERLY DEFLECTING 137 DEGREES, 55 MINUTES LEFT, A DISTANCE OF 634.95 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 095 DEGREES, 49 MINUTES LEFT, A DISTANCE OF 142.83 FEET; THENCE WESTERLY DEFLECTING 021 DEGREES, 18 MINUTES RIGHT, A DISTANCE OF 205.71 FEET; THENCE WESTERLY DEFLECTING 018 DEGREES, 04 MINUTES LEFT, A DISTANCE OF 209.66 FEET; THENCE NORTHWESTERLY DEFLECTING 041 DEGREES, 06 MINUTES RIGHT, A DISTANCE OF 70.67 FEET; THENCE WESTERLY DEFLECTING 036 DEGREES, 24 MINUTES LEFT, A DISTANCE OF 144.22 FEET; THENCE WESTERLY DEFLECTING 010 DEGREES, 38 MINUTES RIGHT, A DISTANCE OF 237.32 FEET TO A POINT ON THE WEST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE SOUTHERLY DEFLECTING 102 DEGREES, 57 MINUTES LEFT, A DISTANCE OF 87.33 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 4.93 ACRES, MORE OR LESS, WHICH INCLUDES 0.96 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1598.81 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 090 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 201.01 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 000 DEGREES, 01 MINUTES RIGHT, A DISTANCE OF 128.99 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 089 DEGREES, 40 MINUTES LEFT, A DISTANCE OF 87.33 FEET ALONG THE WEST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S) TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 102 DEGREES, 57 MINUTES RIGHT, A DISTANCE OF 237.32 FEET; THENCE EASTERLY DEFLECTING 010 DEGREES, 38 MINUTES LEFT, A DISTANCE OF 144.22 FEET; THENCE SOUTHEASTERLY DEFLECTING 036 DEGREES, 24 MINUTES RIGHT, A DISTANCE OF 70.67 FEET; THENCE EASTERLY DEFLECTING 041 DEGREES, 06 MINUTES LEFT, A DISTANCE OF 209.66 FEET; THENCE EASTERLY DEFLECTING 019 DEGREES, 04 MINUTES RIGHT, A DISTANCE OF 205.71 FEET; THENCE EASTERLY DEFLECTING 021 DEGREES, 18 MINUTES LEFT, A DISTANCE OF 142.83 FEET TO THE POINT OF TERMINATION; EXCEPT, OVER TWO CONDITIONAL RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 319.80 FEET AND 699.80 FEET FROM THE WEST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE PROJECT CENTERLINE.

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AND ALSO:

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTOR DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO 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 MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto The State of Nebraska and to its successors and assigns forever.

And the Grantor does hereby covenant with The State of Nebraska and with its successors and assigns that the Grantor is lawfully seized of said premises; that they are free from encumbrance; that the Grantor has good right and lawful authority to sell the same; and the Grantor does hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever.

Signed this 23 day of July A.D. 1979

x Eugene M. Donovan

STATE OF NEBRASKA

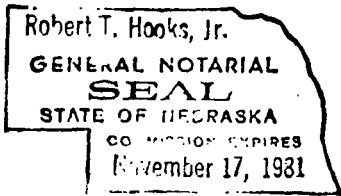
On this 23rd day of JULY, A.D. 1979, before

) ss. me, the undersigned Robert T. Hooks Jr

Douglas County)

a General Notary Public, duly commissioned and qualified, personally came

EUGENE M DONOVAN



to me known to be the identical person 5 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 last above written.

Robert T. Hooks Jr Notary Public.

My Commission expires the 17 day of NOV, 1981

STATE OF _____)

On this _____ day of _____, A.D. 19____, before

) ss. me, the undersigned _____

_____ County)

a General Notary Public, duly commissioned and qualified, personally came _____

to me known to be the identical person _____ whose name _____

affixed to the foregoing instrument as grantor and acknowledged the same to be

_____ voluntary act and deed.

WITNESS my hand and notarial Seal the day and year last above written.

_____. Notary Public.

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

34 Deed.

RECEIVED

1979 OCT 10 AM 10:50

G. HAROLD GUTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 1636
Page 16
of 16
Fee 9.25
Index 1
Stamped 1
2-15-80
2-15-80

Project RT-64-NAVAFE A-2299

Indexed General

Compared Paged

WARRANTY DEED (2 Page)

Eugene M. Donovan

TO

The State of Nebraska

STATE OF NEBRASKA

Douglas County) ss.

Entered in Numerical Index and filed for record in the office of the Register of Deeds

of said County, the _____ day of _____

at _____ o'clock and _____ minutes _____ M., and

duly recorded in Book _____ of _____

Deeds on page _____

Register of Deeds.

Wesley Lamb Deputy.

45053