

201500550

Page 1 of 5

FILED
OTOE COUNTY, NE
FEE \$ 34.00

2015 MAR 23 PM 1 12

Grant Reed
REGISTER OF DEEDS

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Return to: Julie Westergren
Nebraska Dept. of Roads, R.O.W. Division
1500 Highway 2, Box 94759
Lincoln, NE 68509-4759

WARRANTY DEED – INDIVIDUAL (page 1)

PROJECT: 75-2(1040)

C.N.: 10800B

TRACT: 8

KNOW ALL MEN BY THESE PRESENTS:

THAT **VFMall Realty Management Nebraska LLC, a Nebraska Limited Liability Company**

hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of **ONE AND NO/100----(\$1.00)---DOLLAR AND OTHER VALUABLE CONSIDERATION** in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, the following described real estate situated in **OTOE** County, and State of Nebraska, to-wit;

A TRACT OF LAND LOCATED IN PART OF LOT A IN THE H AND E SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 8 NORTH, RANGE 14 EAST OF THE SIXTH PRINCIPAL MERIDIAN, OTOE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1021.98 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 31 MINUTES, 53 SECONDS LEFT, A DISTANCE OF 189.95 FEET TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE NORTHERLY DEFLECTING 089 DEGREES, 35 MINUTES, 57 SECONDS LEFT, A DISTANCE OF 103.51 FEET; THENCE NORTHWESTERLY DEFLECTING 023 DEGREES, 56 MINUTES, 54 SECONDS LEFT, A

201500550

WARRANTY DEED – INDIVIDUAL (page 2)

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DISTANCE OF 117.50 FEET; THENCE NORTHERLY DEFLECTING 023 DEGREES, 18 MINUTES, 14 SECONDS RIGHT, A DISTANCE OF 579.45 FEET; THENCE NORTHEASTERLY DEFLECTING 046 DEGREES, 04 MINUTES, 05 SECONDS RIGHT, A DISTANCE OF 33.09 FEET; THENCE EASTERLY DEFLECTING 042 DEGREES, 48 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 345.76 FEET; THENCE EASTERLY DEFLECTING 013 DEGREES, 41 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 422.34 FEET TO A POINT ON THE SOUTHERLY EXISTING HIGHWAY 2 RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 008 DEGREES, 06 MINUTES, 33 SECONDS LEFT, A DISTANCE OF 174.39 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 022 DEGREES, 33 MINUTES, 56 SECONDS RIGHT, A DISTANCE OF 124.73 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE NORTHERLY DEFLECTING 089 DEGREES, 51 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 32.99 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 090 DEGREES, 08 MINUTES, 07 SECONDS LEFT, A DISTANCE OF 1211.68 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 7.15 ACRES, MORE OR LESS, WHICH INCLUDES 5.77 ACRES, MORE OR LESS, PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

AND ALSO:

A TRACT OF LAND LOCATED IN PART OF LOT A IN THE H AND E SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 8 NORTH, RANGE 14 EAST OF THE SIXTH PRINCIPAL MERIDIAN, OTOE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE EASTERLY A DISTANCE OF 1318.68 FEET ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 08 MINUTES, 07 SECONDS RIGHT, A DISTANCE OF 246.13 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER QUARTER SECTION ALONG SAID LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 112.85 FEET ALONG SAID LINE TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE WESTERLY DEFLECTING 089 DEGREES, 51 MINUTES, 16 SECONDS RIGHT, A DISTANCE OF 94.78 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 087 DEGREES, 42 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 131.08 FEET TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE EASTERLY DEFLECTING 103 DEGREES, 06 MINUTES, 04 SECONDS RIGHT, A DISTANCE OF 84.26 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 003 DEGREES, 14 MINUTES, 29 SECONDS LEFT, A DISTANCE OF 17.71 FEET ALONG SAID LINE TO A POINT ON THE EAST LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 0.27 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF LOT A IN THE H AND E SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 8 NORTH, RANGE 14 EAST OF THE SIXTH PRINCIPAL MERIDIAN, OTOE COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE SOUTHERLY A DISTANCE OF 1021.98 FEET ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 31 MINUTES, 53 SECONDS LEFT, A DISTANCE OF 189.95 FEET TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S) TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 089 DEGREES, 35 MINUTES, 57 SECONDS LEFT, A DISTANCE OF 103.51 FEET; THENCE NORTHWESTERLY DEFLECTING 023 DEGREES, 56 MINUTES, 54 SECONDS LEFT, A DISTANCE OF 117.50 FEET;

201500550

WARRANTY DEED – INDIVIDUAL (page 3)**PROJECT: 75-2(1040)****C.N.: 10800B****TRACT: 8**

THENCE NORTHERLY DEFLECTING 023 DEGREES, 18 MINUTES, 14 SECONDS RIGHT, A DISTANCE OF 579.45 FEET; THENCE NORTHEASTERLY DEFLECTING 046 DEGREES, 04 MINUTES, 05 SECONDS RIGHT, A DISTANCE OF 33.09 FEET; THENCE EASTERLY DEFLECTING 042 DEGREES, 48 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 345.76 FEET; THENCE EASTERLY DEFLECTING 013 DEGREES, 41 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 422.34 FEET TO A POINT ON THE SOUTHERLY EXISTING HIGHWAY 2 RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 008 DEGREES, 06 MINUTES, 33 SECONDS LEFT, A DISTANCE OF 174.39 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 022 DEGREES, 33 MINUTES, 56 SECONDS RIGHT, A DISTANCE OF 124.73 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S) TO THE POINT OF TERMINATION.

The control of access rights for one (1) unrestricted street connecting to Highway 2 granted in the Quitclaim Deed filed of record in Book 169 of Deeds of Page 339 of the real estate records in the office of the Register of Deeds of Otoe County is hereby revoked in whole and the street access will be closed as part of the project.

The controlled access rights allowing the northernmost break in the controlled access previously acquired by the State in the Return of Appraisers recorded in Book 49 of Miscellaneous, Page 73, and as revised by the Warranty Deed recorded in Book 202 of Deeds, Page 339, remains unchanged except as described below:

- (1) The controlled access line located along the existing western and northern boundaries of grantors property is moved to the new western and northern boundary line of grantors property established in this proceeding.
- (2) The two existing breaks in the controlled access line abutting grantors property are hereby closed, and after the new access described herein is constructed the existing driveways will be obliterated and removed by the State.
- (3) Indirect access to the subject property will be constructed as a part of the project from Highway 2 and Highway 75 at the locations described as follows:

ACCESS TO SAID PROPERTY WILL BE PROVIDED OVER NEW COUNTY ROAD J AND A FRONTAGE ROAD TO BE CONSTRUCTED BY THE STATE OF NEBRASKA AS SHOWN IN THE PLANS FOR PROJECT 75-2(1040). SAID FRONTAGE ROAD WILL ENTER THE OWNERS PROPERTY OVER THE SOUTH LINE OF SAID PROPERTY 578 FEET, MORE OR LESS, EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 21, CONNECTING TO NEW COUNTY ROAD J WHICH WILL CONNECT TO HIGHWAY 75 1413.90 FEET, MORE OF LESS, SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 21 AS MEASURED ALONG THE CENTERLINE OF SAID HIGHWAY 75.

AND ALSO

201500550

WARRANTY DEED – INDIVIDUAL (page 4)

PROJECT: 75-2(1040)

C.N.: 10800B

TRACT: 8

ACCESS TO SAID PROPERTY WILL BE PROVIDED OVER A FRONTAGE ROAD ENTERING THE OWNERS PROPERTY OVER THE EAST LINE OF SAID TRACT AND CONNECTING TO THE OWNERS EXISTING DRIVE. THE CENTERLINE OF SAID ACCESS WILL BE LOCATED SOUTHERLY APPROXIMATELY 298.59 FEET FROM THE NORTH LINE OF SAID SECTION 21 AS MEASURED ALONG THE NORTH-SOUTH ONE SIXTEENTH SECTION LINE OF THE NORTHWEST QUARTER OF SECTION 21. THE FRONTAGE ROAD WILL BE CONSTRUCTED AND CONNECT TO NEW COUNTY ROAD J AT THE NORTHWEST CORNER OF NEW COUNTY ROAD J IN THE NORTHWEST QUARTER OF SECTION 21 AND NEW COUNTY ROAD J WILL CONNECT TO HIGHWAY 2 TO THE EAST AT 3RD STREET. THE FRONTAGE ROAD AND NEW COUNTY ROAD J WILL BE CONSTRUCTED BY THE STATE OF NEBRASKA AS PART OF PROJECT 75-2(1040), AS SHOWN ON THE PLANS FOR PROJECT 75-2(1040) AND AS SHOWN ON THE ATTACHED PLAT.

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 Tenements, Hereditaments and Appurtenances thereunto belonging, unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors and assigns forever.

And the Grantor does hereby covenant with THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, 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.

201500550

PROJECT: 75-2(1040) **WARRANTY DEED – INDIVIDUAL (page 5)** TRACT: 8
C.N.: 10800B

Duly executed this 5 day of Feb, A.D. 20 15.

VFMall Realty Management Nebraska LLC, a Nebraska Limited Liability Company



Acknowledging Member, Agent or Manager

Mehram Kohansieh (Mike Kohan)
(print or type name of Acknowledging Member, Agent or Manager)

STATE OF New York
Queens)ss.
County)

The foregoing instrument was acknowledge before me this 5th day of February, 2015,
by Mehram Kohansieh
(name of acknowledging member, agent or manager)
member, agent or manager on behalf of VF Mall Realty Management Nebraska LLC,
(name of limited liability company)
a limited liability company.

WITNESS my hand and notarial seal the day and year last above written


Notary Public.
PABLO D. VILLALBA
Notary Public, State of New York
Qualified in Queens County
Reg. No. 01VI6284085
My Commission Expires 06-17-2017

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