

2016-10836

05/16/2016 1:25:30 PM

Wayne J. Dowling

EX-2

By: jsatterfie

REGISTER OF DEEDS



DEED

COUNTER JD C.E. JD
VERIFY JD D.E. JD
PROOF an
FEES \$ 22.00
CHECK # _____
CHG DOR CASH _____
REFUND _____ CREDIT _____
SHORT _____ MCR _____

QUITCLAIM DEED - STATE

RJR

Return to: Todd Wicken
Nebraska Dept. of Roads, ROW Division
PO Box 94759
Lincoln, NE 68509

PROJECT: I-80-9(808)

TRACT: 2

Kyle Schneweis, P.E., DIRECTOR, in the name of the STATE OF NEBRASKA and for said State of Nebraska, under the provisions of Section 39-1326 R.R.S of Nebraska, 1943, and for and in consideration of the sum of Ninety Six Thousand and no/100 -(\$96,000.00)-- in hand paid, does hereby grant, bargain, sell, convey, remise, release and forever quitclaim unto **DOWD GRAIN COMPANY, INC.**, hereinafter known as the Grantee, whether one or more, the following described real estate situated in Sarpy County and State of Nebraska and subject to any and all existing restrictions and/or easements:

A tract of land located in the Northeast Quarter lying south and east of Interstate 80 and Highway 370 in Section 34, Township 14 North, Range 11 East of the Sixth Principal Meridian, Sarpy County, Nebraska, described as follows:

Referring to the Northeast corner of said Quarter Section; Thence S00°25'57"E (assumed bearing) a distance of 617.26 feet along the east line of said Quarter Section; Thence S68°43'47"W, a distance of 215.18 feet; Thence southwesterly on a 1,045.92 foot radius curve to the left, chord bearing S61°53'09"W, a distance of 72.85 feet, an arc distance of 72.87 feet to the most northerly corner of a tract of land described as "Tract 2" in a Quitclaim Deed recorded as Instrument Number 2002-21117 of the Sarpy County Records hereinafter referred to as "Tract 2"; Thence S33°53'19"W, a distance of 1047.88 feet on the Southeast line of "Tract 2"; Thence S36°05'18"W, a distance of 118.00 feet on the Southeast line of said "Tract 2" to the Point of Beginning; Thence continuing S36°05'18"W, a distance of 1208.71 feet on the Southeast line of said "Tract 2" to the South line of said Northeast Quarter; Thence S89°45'00"W, a distance of 42.26 feet on the South line of said Northeast Quarter; Thence N28°23'28"E, a distance of 171.77 feet; Thence N31°23'22"E, a distance of 60.00 feet; Thence N28°57'50"E, a distance of 66.00 feet; Thence N30°55'20"E, a distance of 83.00 feet; Thence N32°54'25"E, a distance of 93.00 feet; Thence N33°47'36"E, a distance of 250.00 feet; Thence N34°04'35"E, a distance of 190.00 feet; Thence N53°12'10"E, a distance of 338.00 feet to the point of beginning, containing 1.95 Acres, more or less.

There will be no ingress or egress over the above described tract of land to or from Interstate 80. The intent being to deny entry to or exit from said Interstate 80.

AND ALSO:

A tract of land located in the Northeast Quarter lying south and east of Interstate 80 and Highway 370 in Section 34, Township 14 North, Range 11 East of the Sixth Principal Meridian, Sarpy County, Nebraska, described as follows:

Referring to the Northeast corner of said Northeast Quarter; Thence S00°25'57"E (assumed bearing) a distance of 617.26 feet along the east line of said Quarter Section; Thence S68°43'47"W, a distance of 215.18 feet; Thence southwesterly on a 1,045.92 foot radius curve to the left, chord bearing S61°53'09"W, a distance of 72.85 feet, an arc distance of 72.87 feet to the most northerly corner of a tract of land described as "Tract 2" in a Quitclaim Deed recorded as Instrument Number 2002-21117 of the Sarpy County Records hereinafter referred to as "Tract 2" and the Point of Beginning; Thence S57°33'11"W, a distance of 82.00 feet; Thence S50°59'08"W, a distance of 155.00 feet; Thence S44°08'04"W, a distance of 96.00 feet; Thence S28°56'42"W, a distance of 196.00 feet; Thence S18°27'30"W, a distance of 295.66 feet to the Southeast line of said "Tract 2"; Thence N33°53'19"E, a distance of 798.00 feet on the Southeast line of said "Tract 2" to the point of beginning, containing 1.05 acres, more or less.

There will be no ingress or egress over the above described tract of land to or from Interstate 80. the intent being to deny entry to or exit from said Interstate 80.

In accordance with Article III, Section 20 of the Constitution of the State of Nebraska, the State of Nebraska, Department of Roads does hereby retain and reserve to itself all salt springs, coal, oil, gas, natural resources or other mineral rights it may have in or on the above described real property.

The Grantees, for themselves, their heirs, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby further covenant and agree "as a covenant running with the land", that the land herein contained shall not be used for the storage, processing, sorting, transfer or any other use related to or connected with scrap material of any nature or kind; or any other use which would cause an unsightly or obnoxious appearance upon the premises herein conveyed.

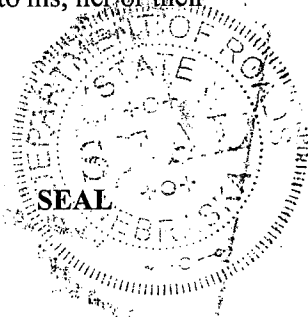
The State of Nebraska, Department of Roads reserves an easement for the operation, maintenance and use of any and all existing utilities which are located over, under or upon the above described tract. In the event that there are no existing utilities located in, on or across the property conveyed herein, this easement will be null and void.

The State reserves to itself a permanent easement over which the various impacts, including but not limited to, noise, air, light and dust, associated with vehicular traffic on the highway may be disbursed.

That to insure the observance of the above covenants, the State shall have the right to prevent the breach thereof by an injunction, mandatory or otherwise, and to recover whatever damages may have been suffered from any such breach, together with attorney fees and expenses incurred thereby.

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 his, her or their heirs, successors and assigns forever.

Duly executed this 18 day of April, 2016



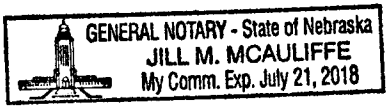
Pete Ricketts
Pete Ricketts - Governor

KSC
Kyle Schneweis, P.E.
Director
State of Nebraska, Department of Roads

STATE OF NEBRASKA)
)ss
LANCASTER COUNTY)

On this 18th day of April, A.D., 2016, before me, a General Notary Public, duly commissioned and qualified, personally came Kyle Schneweis, P.E., Director of the State of Nebraska, Department of Roads, 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 Notary Seal the day and year last above written.



Jill M. McAuliffe
Notary Public

My commission expires the 21st day of July, A.D. 2018