

2018-07790

\$ Ex-2

04/16/2018 10:12:22 AM

Lloyd J. Dowling

By: amber

REGISTER OF DEEDS



DEED

COUNTER	<u>ah</u>	C.E.	<u>ah</u>
VERIFY	<u>ah</u>	D.E.	<u>ah</u>
PROOF	<u>ah</u>		
FEES \$	<u>28.00</u>		
CHECK#			
CHG	<u>DOR</u>	CASH	
REFUND		CREDIT	
SHORT		NCR	

**QUITCLAIM DEED - STATE**

Return to:  
 Todd Wicken  
 Nebraska Department of Transportation, ROW Division  
 PO Box 94759  
 Lincoln, NE 68509

*PLR*

**PROJECT: 370-7(123)**

**TRACT: 1**

Kyle Schneweis, 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 (2016 Reissue), and for and in consideration of the sum of Six Thousand One Hundred Seventy-Five and no/100 Dollars - **(\$6,175.00)** in hand paid, does hereby grant, bargain, sell, convey, remise, release and forever quitclaim unto **DOWD GRAIN COMPANY, Inc., A NEBRASKA CORPORATION**, 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:

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S03°00'52"E (ASSUMED BEARING) 1203.27 FEET ON THE WEST LINE OF SAID NORTHWEST QUARTER TO THE SOUTHWEST CORNER OF A TRACT DESCRIBED IN "QUITCLAIM DEED - STATE" RECORDED AS INSTRUMENT NUMBER 2002-21276 OF THE SARPY COUNTY RECORDS, HEREINAFTER REFERRED TO AS "STATE TRACT" AND THE POINT OF BEGINNING;

THENCE CONTINUING S03°00'52"E, 32.45 FEET ON THE WEST LINE OF SAID NORTHWEST QUARTER

THENCE NORTHEASTERLY ON A LINE 100 FEET NORTHWESTERLY OF AND CONCENTRIC WITH THE NORTHWEST LINE OF LOT 1, COMMERCE BUSINESS CENTRE REPLAT 5, A SUBDIVISION IN SAID SARPY COUNTY, ON A 550.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N26°31'34"E, CHORD DISTANCE 94.36 FEET, AN ARC DISTANCE OF 94.47 FEET;

THENCE N31°26'51"E, 444.62 FEET ON A LINE 100 FEET NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWEST LINE OF LOT 1, SAID COMMERCE BUSINESS CENTRE REPLAT 5;

THENCE NORTHEASTERLY ON A LINE 100.00 FEET NORTHWESTERLY OF AN CONCENTRIC

WITH THE NORTH LINE OF LOT 1, SAID BUSINESS CENTRE REPLAT 5 ON A 550.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N39°06'02"E, CHORD DISTANCE, 148.64 FEET, AN ARC DISTANCE OF 149.10 FEET TO A SOUTHWEST CORNER OF LOT 1, COMMERCE BUSINESS CENTRE REPLAT SIX, A SUBDIVISION IN SARPY COUNTY; THENCE N58°39'59"W, 31.37 FEET ON THE SOUTHWESTERLY LINE OF LOT 1 SAID BUSINESS CENTRE REPLAT SIX TO A SOUTHWEST CORNER THEREOF; THENCE S31°20'01"W, 659/13 FEET ON THE SOUTHEAST LINE OF SAID "STATE TRACT" TO THE POINT OF BEGINNING, CONTAINING 8,437 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

In accordance with Article III, Section 20 of the Constitution of the State of Nebraska, the State of Nebraska, Department of Transportation 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 Transportation 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.

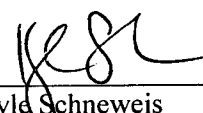
The State reserves to itself a permanent easement over which the various impacts, including but not limited to, noise, air, light and dust, associated with vehicular traffic on the highway may be disbursed.

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 2<sup>nd</sup> day of April, 2018

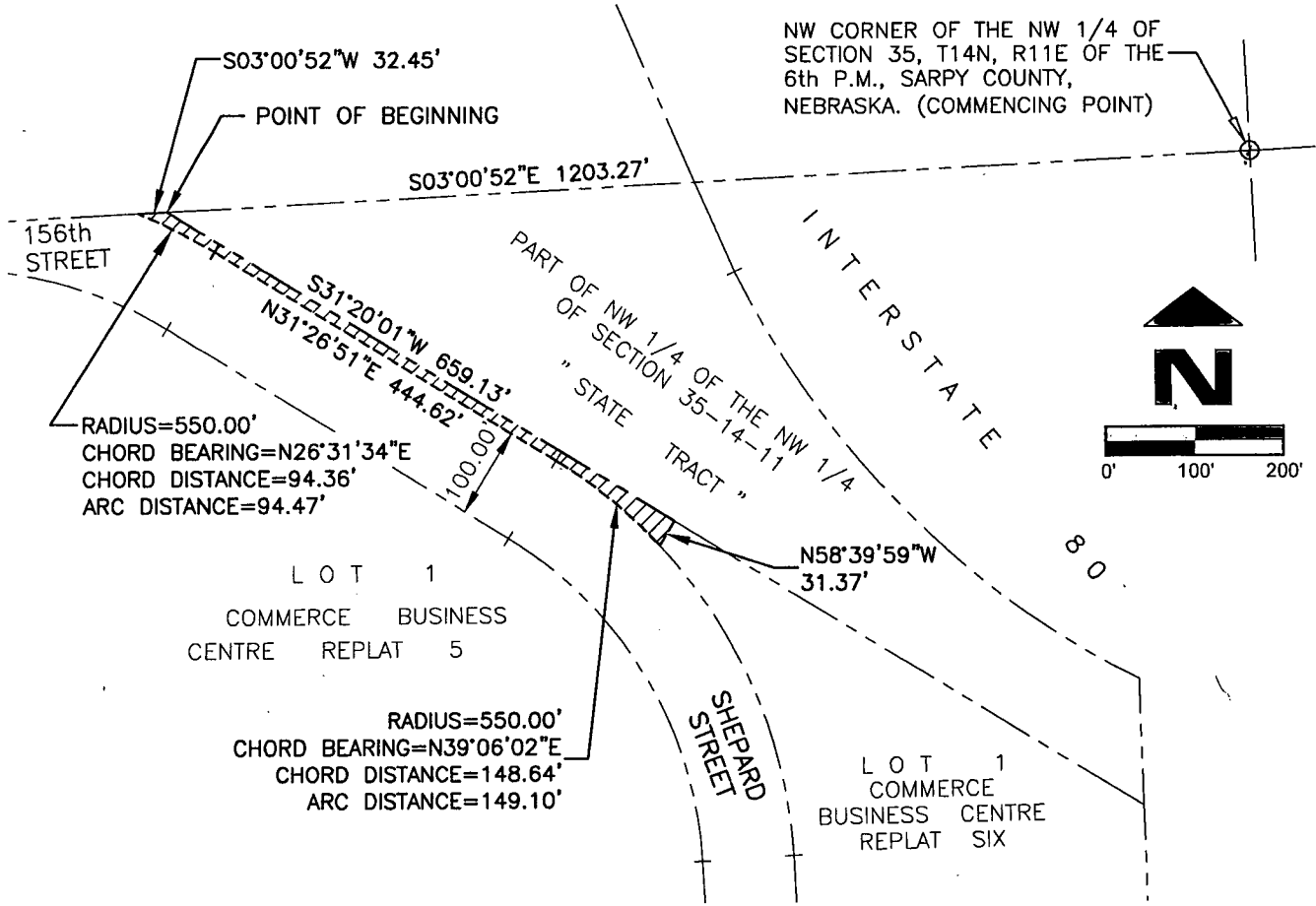
  
Pete Ricketts - Governor

  
Kyle Schneeweis  
Director  
Nebraska Department of Transportation





2018-07790 C



### LEGAL DESCRIPTION

THAT PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 35, T14N, R11E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NW 1/4; THENCE S03°00'52"E (ASSUMED BEARING) 1203.27 FEET ON THE WEST LINE OF SAID NW 1/4 TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN "QUITCLAIM DEED - STATE" RECORDED AS INSTRUMENT NUMBER 2002-21276 OF THE SARPY COUNTY RECORDS, HEREINAFTER REFERRED TO AS "STATE TRACT" AND THE POINT OF BEGINNING;

THENCE CONTINUING S03°00'52"E 32.45 FEET ON THE WEST LINE OF SAID NW 1/4;

THENCE NORTHEASTERLY ON A LINE 100.00 FEET NORTHWESTERLY OF AND CONCENTRIC WITH THE NORTHWEST LINE OF LOT 1, COMMERCE BUSINESS CENTRE REPLAT 5, A SUBDIVISION IN SAID SARPY COUNTY, ON A 550.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N26°31'34"E, CHORD DISTANCE 94.36 FEET AN ARC DISTANCE OF 94.47 FEET;

THENCE N31°26'51"E 444.62 FEET ON A LINE 100.00 FEET NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWEST LINE OF LOT 1, SAID COMMERCE BUSINESS CENTRE REPLAT 5;

THENCE NORTHEASTERLY ON A LINE 100.00 FEET NORTHWESTERLY OF AND CONCENTRIC WITH THE NORTHWEST LINE OF LOT 1, SAID COMMERCE BUSINESS CENTRE REPLAT 5 ON A 550.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N39°06'02"E, CHORD DISTANCE 148.64 FEET AN ARC DISTANCE OF 149.10 FEET TO A SOUTHWEST CORNER OF LOT 1, COMMERCE BUSINESS CENTRE REPLAT SIX, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE N58°39'59"W 31.37 FEET ON THE SOUTHWESTERLY LINE OF LOT 1, SAID COMMERCE BUSINESS CENTRE REPLAT SIX TO A SOUTHWEST CORNER THEREOF;

THENCE S31°20'01"W 659.13 FEET ON THE SOUTHEAST LINE OF SAID "STATE TRACT" TO THE POINT OF BEGINNING.

CONTAINING 8,437 SQUARE FEET OR 0.19 ACRES MORE OR LESS.

	Job Number: 1237-116-EX thompson, dreessen & dorner, inc. 10836 Old Mill Rd Omaha, NE 68154 p.402.330.8860 f.402.330.5866 td2co.com	Date: 10/30/2017 Drawn By: RJR Reviewed By: DHN Revision Date:	<h2>BUY BACK EXHIBIT</h2> <hr/> <h3>DOWD GRAIN</h3>	Book Page