

WARRANTY DEED-INDIVIDUAL (page 1)

PROJECT: F-77-1(1010) C.N. 10582 AFE: R-256

TRACT: 26

KNOW ALL MEN BY THESE PRESENTS:

THAT Mabel Krapp McPherson

hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of **-ONE HUNDRED TWENTY FOUR AND NO/100 --(\$124.00)-- DOLLARS** 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 GAGE County, and State of Nebraska, to-wit;

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, GAGE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 2641.91 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 090 DEGREES, 09 MINUTES, 01 SECONDS LEFT, A DISTANCE OF 110.48 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 102 DEGREES, 25 MINUTES, 32 SECONDS LEFT, A DISTANCE OF 231.77 FEET TO A POINT ON THE NORTHERLY EXISTING HIGHWAY 41 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 012 DEGREES, 28 MINUTES, 01 SECONDS RIGHT, A DISTANCE OF 698.24 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 011 DEGREES, 47 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 282.52 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 013 DEGREES, 53 MINUTES, 07 SECONDS LEFT, A DISTANCE OF 1441.50 FEET ALONG SAID LINE; THENCE SOUTHERLY DEFLECTING 087 DEGREES, 44 MINUTES, 10 SECONDS LEFT, A DISTANCE OF 60.50 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 4.87 ACRES, MORE OR LESS, WHICH INCLUDES 4.74 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 SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, GAGE COUNTY, NEBRASKA:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 2641.91 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 090 DEGREES, 09 MINUTES, 01 SECONDS LEFT, A DISTANCE OF 110.48 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 102 DEGREES, 25 MINUTES, 32 SECONDS LEFT, A DISTANCE OF 390.73 FEET; THENCE WESTERLY DEFLECTING 007 DEGREES, 01 MINUTES, 17 SECONDS LEFT, A DISTANCE OF 75.75 FEET TO THE POINT OF TERMINATION; THENCE WESTERLY DEFLECTING 019 DEGREES, 35 MINUTES, 50 SECONDS RIGHT, A DISTANCE OF 1029.53 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF RESUMPTION; THENCE WESTERLY DEFLECTING 013 DEGREES, 57 MINUTES, 11 SECONDS RIGHT, A DISTANCE OF 377.40 FEET TO A POINT ON THE NORTHERLY EXISTING HIGHWAY 41 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 016 DEGREES, 09 MINUTES, 20 SECONDS LEFT, A DISTANCE OF 293.16 FEET ALONG SAID LINE TO THE POINT OF TERMINATION.

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EXCEPT, OVER ONE RESTRICTED FIELD ACCESS(ES), NOT TO EXCEED 40 FEET IN WIDTH, TO PROVIDE FOR THE MOVEMENT OF FARMING IMPLEMENTS AND CROPS SO LONG AS IT IS UDED CONSISTENT WITH NORMAL FARMING OPERATIONS OF THE GRANTOR(S) 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.

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 FIELD ACCESS(ES), 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 SHOULD THE GRANTOR(S) 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 90 DAY 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. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED ON THE EAST LINE(S) OF SAID SOUTHWEST QUARTER.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors and assigns forever.

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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.

Signed this 25th day of June A.D. 1991.

NEBRASKA DOCUMENTARY	
STAMP TAX	
Date	8-16-91
\$	Exempt-2 By JA

X Mabel Krapp McPherson

STATE OF Iowa )  
Story County) ss.

X On this 25th day of June, A.D., 1991, before me, a General Notary Public, duly commissioned and qualified, personally came Mabel Krapp McPherson



to me known to be the identical person whose name 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.

Linda Bottorff Notary Public.  
My commission expires the 13th day of Dec., 1993.

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ County) ss.

On this \_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_, before me, a General Notary Public, duly commissioned and qualified, personally came

State of Nebraska, Gage County ss. Entered in Numerical Index and filed for record the 16th day of August, 1991. at 8:00 o'clock A.M. and recorded in Book 236 of DEEDS on page 593 thru 595. *Quinn E. Adams* Register of Deeds

to me known to be the identical person whose name 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.

\_\_\_\_\_  
My commission expires the \_\_\_ day of \_\_\_\_\_, 19\_\_\_.

NUM  
ALPHA  
PAGE

FEE: \$15.50 Charge & Return to State of Nebraska, Department of Roads, Box 94759, Lincoln, Ne 68509-4759

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