



BK 1821 PG 234



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That part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter, all in Section 23, Township 15 North, Range 12 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, described as follows:

Commencing at a point on the North line of the Southwest Quarter of the Northeast Quarter of said Section 23, distant 40 feet West, measured at right angles, from the center line of the main track of the Chicago and Northwestern Railway Company, as said main track was located and established on March 9, 1962; thence Southeasterly parallel with the center line of said main track a distance of 69.90 feet to the Southerly line of Dodge Street, for the point of beginning of the land herein to be described; thence continue Southeasterly parallel with said center line of the main track a distance of 359.92 feet; thence Southeasterly in a straight line to a point distant 81 feet Southwesterly, measured at right angles, from said center line of the main track and distant 698 feet Southeasterly as measured along the center line of said main track from its intersection with said North line of the Southwest Quarter of the Northeast Quarter; thence South easterly parallel with said center line of the main track a distance of 120 feet, more or less, to a line drawn Southwesterly from and at right angles to the center line of said main track at a point distant 818 feet Southeasterly, as measured along the center line of said main track from its intersection with the North line of the Southwest Quarter of the Northeast Quarter; thence Southwesterly along said line drawn at right angles to the center line of the main track a distance of 340 feet, more or less, to the center line of Little Papillion Creek; thence Northwesterly along the center line of said Little Papillion Creek, following the meander thereof, to a point on said Southerly line of Dodge Street; thence Easterly along said Southerly line of Dodge Street to the point of beginning, EXCEPTING THEREFROM, the Easterly 43 feet of said above described premises, AND EXCEPTING THEREFROM, that portion taken for flood control in Return of Appraisers filed in Book 470 at Page 55 and described as follows: Beginning at a point on the South line of Dodge Street, 206.87 feet West of and 60.0 feet South of the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 23; thence Southeast on a curve to the left whose radius is 763.94 feet with a degree of curve of 7°30' for an arc length of 569.53 feet; thence S45°55'58" E for a distance of 290.44 feet to a point of curve; thence Southeast along a curve to the right whose radius is 279.49 feet with a degree of curve of 20°30' for an arc length of 89.0 feet to a point 298.28 feet from the centerline of the Chicago and Northwestern Railway Company Railroad main track on the South line of the property which is a line described as being perpendicular to the center line of the C. & N.W. main track at a point 818.0 feet Southeast of the point of intersection of the centerline of Dodge Street and the centerline of said main track as measured along the centerline of track; thence South-west along the above described South property line for a distance of 115.0 feet more or less to the centerline of the Little Papillion Creek; thence Northwest along said center of creek for a distance of 990.0 feet more or less to a point on the South line of Dodge Street; thence East along the South line of Dodge Street for a distance of 78.0 feet more or less to the point of beginning, EXCEPTING THEREFROM, that portion conveyed to McDonald's in deed filed Sept. 21, 1982 in Book 1692 at Page 457 and described as follows: Beginning at a point on the South Right-of-Way Line of Dodge Street, 206.87 feet West of and 60.0 feet South of the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 23; thence South-east on a 763.94 foot radius curve to the left (chord bearing S9°57'53"E for 179.50 feet) for an arc distance of 179.92 feet; thence N87°00'08"E for 320.17 feet to the Westerly Right-of-Way Line of 77th Street; thence N32°45'10"W along said Westerly R.O.W. for 200.00 feet to the South R.O.W. of Dodge Street; thence S88°04'30"W along said South R.O.W. for 242.73 feet to the point of beginning.

10. Subject to terms, conditions, restrictions and an easement to maintain, operate, replace and reconstruct the existing sewer line over, across and upon subject property as contained in Warranty Deed dated March 9, 1962, filed April 16, 1962, Book 1146 Page 55, Deed Records, Douglas County, Nebraska.
11. Subject to the right of the County of Douglas, Nebraska, to temporarily suspend for the purpose of performing maintenance work on the Little Papio Creek Channel, that certain Beneficial ingress and egress easement granted by the County in favor of McCann Concrete Company, its successors and assigns, over a tract of land being 12 Feet wide and lying West of subject property, said easement also grants the right to park automobiles and/or trucks on said easementway, as set forth in instrument filed April 28, 1970, Book 488 Page 661, Miscellaneous Records, Douglas County, Nebraska.
12. Subject to the condition and restriction that subject property will not be used for a restaurant or food service establishment deriving 50 percent or more of its gross annual sales from the sale of hamburgers, including, but not limited to Hardees, Wendy's, Burger Chef and Burger King, for a period of 20 years from July 16, 1982 as set forth in Declaration of Restrictive Covenants filed September 21, 1982, Book 677 Page 387, Miscellaneous Records, Douglas County, Nebraska.

EXHIBIT B