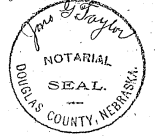


2 Affidavit
 Andrew J. Poppleton }
 to } State of Nebraska } ss
 Whom it may concern } Douglas County } I, Andrew J. Poppleton
 being first duly sworn depose and say that the Mortgage from
 Andrew J. Poppleton and Caroline L. Poppleton his wife
 ----- to William Poppleton dated November 3rd 1858
 and Recorded December 31st 1858 in Book "A" at page 266 of
 Records of Mortgages in the County Clerk's Office of Douglas
 County and State of Nebraska was duly satisfied by being actually
 paid on or before February 7th 1863 and I further say that
 on February 7th 1863 William Poppleton was unmarried that
 I am the son of said William Poppleton
 Andrew J. Poppleton
 Signed in my presence and sworn to before me this 12th
 day of June A. D. 1884

Jno G. Taylor



THE STATE OF NEBRASKA,
 DOUGLAS COUNTY.
 Entered on Numerical Index and filed for Record
 in the Register of Deeds Office of said County, the
 6th day of September 1907
 at 8²² o'clock A. M.

Frank H. Randall
Register of Deeds

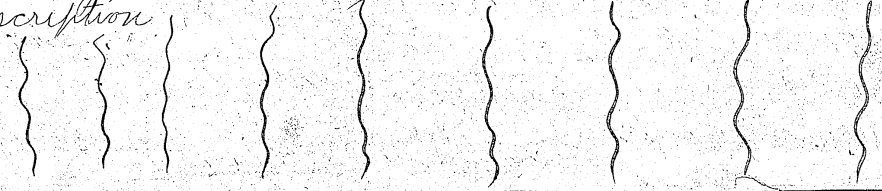
3. Decree
 District Court Douglas County
 Nebraska
 to } In District Court, First Judicial
 Standard Distilling & } District of the State of Nebraska
 Distributing Company et al. } For Douglas County.
 At the May Term of said Court, to-wit:
 On the 4th day of September, 1907 the Honorable Howard
 Kennedy one of the Judges being present and presiding
 in said Court the following proceedings were had in the case
 of Standard Distilling & Distributing Company a corporation
 Plaintiff vs Fred Albrecht, et al Defendants, as appears
 of record on folio 404 Journal 105 of said Court.
 Standard Distilling & Distributing }
 Company, a corporation, Plaintiff }
 vs }
 Fred Albrecht, Rebecca Albrecht }
 Peter E. Her John Halloran }

94-16 Decree

Willow Springs Distilling Company
and Union Pacific Railroad Company
Defendants

This cause came on to be heard on the pleadings of the plaintiff and the defendants Fred Albrecht, Rebecca Albrecht Peter E. Iler and the Union Pacific Railroad Company and the evidence--- the defendants John Halloran and Willow Springs Distilling Company having each failed to answer or demur but made default ^{default} to duly entered against each of them--- and on consideration whereof the court finds and decrees as follows, viz:--
1: That on the issues joined between the plaintiff and the defendants John Halloran and Willow Springs Distilling Company the court finds generally in favor of the plaintiff and against the defendants John Halloran and Willow Springs Distilling Company and each of them. The court further finds that in making the deed from the defendant Willow Springs Distilling Company to the defendant John Halloran, on the 24th day of June 1898 which was recorded in the office of the register of Deeds of ^{said} Douglas County on the 2nd day of September, 1898 in Book 221 of deeds commencing at page 429 and also in making a deed from the said John Halloran to Standard Distilling & Distributing Company the grantor of the plaintiff on the 29th day of June 1898 which was recorded in the office of the register of deeds of said Douglas County on the 2nd day of September 1898 in Book 221 of Deeds commencing at page 435 a mistake was made by inserting in each of said deeds the description "that part of government lot 4 in Section 23 Township 15 North Range 13 east 50 feet wide, in a north and south direction and lying between the east right of way line of the Omaha & South Western Railway and the Missouri River and immediately south of the Union Pacific Railway bridge over said river" instead of the description

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"that part of Government
 lot 4 in section 23 in township 15 north of range 13 east
 of the 6th P. M. in Douglas County, Nebraska, lying and
 being between the east line of the right of way of the
 Omaha & South Western Railway Company on the west
 and the Missouri River on the east and extending from
 the south line of the right of way of the Union Pacific
 Railroad Company on the north to the south line of said
 section 23" and it is considered by the court here that equity
 and good conscience require that each of said deeds
 should be reformed and corrected by substituting therein
 "That part of Government lot 4 in section 23 in township
 15 north of range 13 east of the 6th P. M. in Douglas
 County Nebraska, lying and being between the east line
 of the right of way of the Omaha & South Western Railway
 Company on the west and the Missouri River on the
 east and extending from the south line of the right of
 way of ^{the Union Pacific Railroad Company on the north} the south line of said section 23 for and
 instead of" that part of Government lot 4 in section 23
 Township 15 North, Range 13 east 50 feet wide in a
 north and south direction and lying between the east
 right of way line of the Omaha & South Western Railway
 and the Missouri River and immediately south of
 the Union Pacific Railway bridge over said river in
 each of said deeds and that the title to the tract of land which
 will be conveyed by each of the said deeds as thus corrected
 be confirmed and established to the plaintiff so far as may
 be consistent with the legal rights of other persons not parties
 hereunto And it is ordered and decreed that the defendants
 John Halloran and Willow Springs Distilling Company
 be perpetually enjoined from claiming, possessing, conveying
 or in any other manner interfering with the contracts so
 truly described as aforesaid and for the purpose of enabling
 each party to be quieted and to have their several rights
 appear on the public records that the said defendants
 John Halloran and Willow Springs Distilling Company
 execute deeds of release accordingly within twenty days
 from the entry of this decree and that in default thereof
 that this decree shall have the same force and effect

as would said deed if executed as herein ordered.

2: The Court further finds that the plaintiff and its grantors have used the tract of ground above described in paragraph 1, or some parts thereof ever since the year 1873 as location for wells consisting of iron pipes driven on said tract at such angle as to reach gravel beds beneath the Missouri River on the east and connected at their upper ends with underground pipes leading to its pumping station in its distillery on the west and through which wells and connecting pipes the plaintiff and its grantors have pumped water for use in said distillery and the plaintiff is now so using several of said wells and the same are necessary in the operation of its said distillery.

It is therefore ordered, adjudged and decreed by the court that the defendants Fred Albrecht Rebecca Albrecht and Peter E. Clew and each of them and their respective agents and attorneys be and they are hereby perpetually enjoined from hindering or in any manner disturbing or interfering with the plaintiff in its use, repair and enjoyment of said wells now being used by it or with its drawing and removal of the pipes of the said wells theretofore used by it or its grantors (provided however that the findings and judgment herein shall not effect the question between the plaintiff and defendant Peter E. Clew of the ownership, possession use or right to use two certain six inch wells alleged by the defendant in his answer herein to have been constructed in 1908 as the consideration of the same in this case has been withdrawn by stipulation of said parties.)

3. That on the consideration of the pleadings and evidence and by the consent in open court made by the plaintiff and the said several answering defendants the court finds and decrees that the tract of ground above described in paragraph 1 hereof is owned in fee as follows viz:

That the plaintiff is the owner in fee and entitled to the possession of that part thereof bounded and described as follows: commencing at a point in said east line of the right of way of the Omaha & South western Railway Company 180 feet south of the center line of the bridge of the defendant Union Pacific Railway Company on the

^{north} running thence in an easterly direction parallel with
 the center line of said bridge 66 feet to a point 1 foot west
 of the west bank of the Missouri River, thence in a south
 easterly direction 1 foot west of the west bank of said
 river 89 $\frac{1}{2}$ feet to a point 91 feet east of said east right
 of way line measured on a line parallel to the center line
 of said bridge, thence in a westerly direction parallel with
 the center line of said bridge 91 feet to a point in said east
 right of way line thence along said right of way line 81.2
 feet to the place of beginning and it is adjudged ordered
 and decreed by the court that the title and right of possession
 to said tract of land be and the same hereby is quieted and
 confirmed in the plaintiff free and clear of any right, title
 or interest of either of said defendants; that the defendants
 Fred Albrecht and Rebecca Albrecht are the owners in
 fee of -- that part thereof bounded and described as
 follows commencing at a point in said east right
 of way line 260 feet south of the center line of said bridge
 being the south west corner of the tract of land heretofore
 quieted and confirmed in the plaintiff running thence
 in an easterly direction parallel to ^{the center} line of said
 bridge 91 feet to a point 1 foot west ^{of the west} bank of the
 Missouri River thence in a south easterly direction 1
 foot west of the west bank of said river to a point
 in the south line of said Section 23 100 feet east of
 said east right of way line, ^{thence west along said section line} to a point in the said east
 right of way line, thence north west along said east right
 of way line to the place of beginning and it is adjudged
 ordered and decreed by the court that the title and right
 of possession to said tract of land be and the same
 hereby is quieted and confirmed in the defendants Fred
 Albrecht and Rebecca Albrecht free and clear of any right
 title or interest of the plaintiff or either of the other defendants
 that the defendant Union Pacific Railroad Company is
 the owner in fee and entitled to the possession of that part
 thereof bounded and described as follows: commencing at
 a point in said east right of way line at the center line
 of said bridge of the Union Pacific Railroad Company
 running thence in a southerly direction along said east
 right of way line to a point therein 180 feet south of the
 center line of said bridge thence in an easterly ^{direction} parallel.

with ^{the} center line of said bridge 66 feet, thence in a south easterly direction along the east line of the tracts of land hereinbefore decreed and confirmed in the plaintiff and the defendants Fred Albrecht and Rebecca Albrecht to a point in the south line of section 23 1 foot west of the west bank of the Missouri River, thence east along said section line to the Missouri River, thence in a north westerly direction along the west bank of the Missouri River to the center line of said bridge of the Union Pacific Railroad Company thence west along said center line to the place of beginning and it is adjudged ordered and decreed by the court that the title and right of possession to said tract of land be and the same hereby is quieted and confirmed in the defendant Union Pacific Railroad Company free and clear of any right title or interest of the plaintiff or either of the other defendants.

4. That on the issues made by the pleadings herein between the defendant Peter E. Ilev and the plaintiff and other answering defendants the court finds generally against the defendant Peter E. Ilev except that as to the issues between the plaintiff and the defendant Ilev respecting the ownership possession, use or right to use two certain six inch wells alleged by the defendant Ilev in his answer to have been constructed in 1902 the plaintiff and the said Ilev have by stipulation filed herein withdrawn the same from the consideration of the court in this case and no findings or decree is made herein respecting the same.

5. It is further adjudged, ordered and decreed by the court that the plaintiff and the defendants Albrechts and Union Pacific Railroad Company each pay one third of the costs made in this action and that execution is awarded therefor.

By the Court
Howard Kennedy
Judge

Sept. 4, 1907

State of Nebraska }
 Douglas County } I Frank A. Broadwell Clerk of the District
 Court in and for Douglas County in the Fourth Judicial District
 of Nebraska hereby certify that the above and foregoing is a true
 and correct copy of the Decree in the case of Standard Distilling
 & Distributing Company Plaintiff against Fred Albrecht
 Rebecca Albrecht, et al defendant as the same appears from
 the original thereof now on file in the Office of the Clerk of
 said Court

Witness my hand and the seal of said Court hereto affixed
 at Omaha this 6th day of September A.D. 1907

Frank A. Broadwell Clerk
 By A. M. Gallagher Deputy



THE STATE OF NEBRASKA,
 DOUGLAS COUNTY.
 Entered on Numerical Index and filed for Record
 in the Register of Deeds Office of said County, the
 14th day of September 1907
 at 2:22 o'clock P.M.

Frank H. Beards
 Register of Deeds.

COMPARED

1 Assignment of Lease
 William H. Elbourn

to Henry L. Gubb. This memorandum of agreement made
 and entered into --- this 2nd day of September
 1907 by and between William H. Elbourn party of the first part
 and Henry L. Gubb. party of the second part, Witnesseth:--

That Whereas William H. Elbourn now owns and holds a
 lease upon the East 26⁷/₁₀ acres of the South 46⁷/₁₀ acres of the
 South Half of the Southeast Quarter of Section 28 and also
 on the North Half of the Northeast Quarter of Section 33 all
 in Township 16 Range 13 East in Douglas County Nebraska
 except as to ten acres covered by said lease which the said
 Elbourn has sublet to A. J. Gibson the said lease so held by
 the said Elbourn being recorded in Miscellaneous Records
 at Book 23 Page 66 of the Records of Douglas County Nebraska
 and has fenced the same and

Whereas the said Elbourn also owns a lease on Out lots or
 Blocks 244 and 245 in the City of Florence Douglas County
 Nebraska and has erected a house barn and corncrib upon
 said property and has dug a well and placed a pump fence
 and chicken house and other improvements upon said property
 and has insured the said various improvements against
 fire: and