

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, ~~THE ZALKIN TESTAMENTARY~~)
~~FAMILY TRUST~~, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

DOC. 901 NO. 512

PETITION TO QUIET TITLE
(Equity)

Assigned to Judge Davis

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
OCT 25 1991
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff and for its Petition states and alleges as follows:

Cl. App. Dec. _____
Cl. Dz. Dec. _____
Int. Gen. Indec. _____

1. That Plaintiff is, and at all times material was, a corporation organized and existing under and by virtue of the laws of the State of Nebraska with its principle place of business being located at 7577 Burlington, Ralston, Douglas County, Nebraska.

2. That on or about September 16, 1985, Plaintiff purchased the real property commonly known as 7577 Burlington Street, Ralston, Douglas County, Nebraska and legally described as follows:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

3. That Defendant BELGRADE COMPANY, FLEXIBLE FOAM PRODUCTS, INC., EDWARD BELGRADE, UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, N.A., SARA ZALKIN, JACK B. COHEN, HEROLD MANN, and the DOUGLAS COUNTY BANK AND TRUST are all residents of Douglas County, Nebraska, or are Corporations or trusts authorized and/or doing business in the State of Nebraska, and Plaintiff believes they are the owners, lessors, or lessees of real property in the vicinity of the real property described in paragraph 2 above.

4. That during the summer of 1989, while Plaintiff was doing construction work on said property, Plaintiff discovered that a sanitary sewer line ran in a north-south direction across

said property at approximately the middle of Lot 5:

5. That upon investigation, Plaintiff believed that the Defendant, FLEXIBLE FOAM PRODUCTS, INC., had an interest in said sewer line. That following inquiries addressed to the Defendant, FLEXIBLE FOAM PRODUCTS, INC., however, Plaintiff was advised by the Defendant, EDWARD BELGRADE, on behalf of BELGRADE COMPANY, that Flexible Foam Products, Inc., BELGRADE COMPANY, nor EDWARD BELGRADE had an interest in said sewer line. Defendant EDWARD BELGRADE further stated that he had investigated the matter and determined that the sewer line was owned and operated by the City of Ralston. Consequently, Plaintiff requested the City of Ralston to move said sewer line. Plaintiff has now been informed that the sewer line is not owned or operated by the City of Ralston.

6. Plaintiff now believes that said sewer line is now abandoned and not used by anyone.

7. That Plaintiff believes that the Defendant's, BELGRADE COMPANY, EDWARD BELGRADE, FLEXIBLE FOAM PRODUCTS, INC., UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, SARA ZALKIN, JACK B. COHEN, HEROLD MANN, and the DOUGLAS COUNTY BANK AND TRUST OF OMAHA, may claim some right, title or interest in or to the said property adverse to Plaintiff's title therein. Any such claim of Defendants is without any right whatsoever, and Defendants have no right, title or interest in or to said property, or any portion thereof.

8. That said sewer line constitutes an encumbrance and cloud upon said property not of record.

9. That said sewer line damages Plaintiff's property and if the same is not removed, will continue to cause damage to Plaintiff's property.

10. That the sewer line should be removed from Plaintiff's property.

11. That in addition to the above and foregoing, there is one grain storage bin and a portion of a grain storage bin located on the terminal right-of-way south of the West 45.1 feet of Lot 2 of the above described real property.

12. Plaintiff believes that the Defendants UNITED SEED, INC. and NEBRASKA SEED COMPANY may claim some right, title or interest in or to the said property adverse to Plaintiff's title therein. Any such claim of Defendants is without any right whatsoever, and Defendants have no right, title or interest in or to said property, or any portion thereof.

13. There may be other persons having or claiming to have some right, title or interest in or to said property whose interest does not appear on record and Plaintiff, after diligent investigation and inquiry, is unable to ascertain and does not know the names or whereabouts, if in this State, or the residence of such persons, and they are, therefore, designated herein as "all other persons, real or artificial, claiming any right, title, estate, lien or interest in or to the property" described above.

14. The claims of the various Defendants with respect to any right, title or interest in or to the said property constitute a cloud upon the title of Plaintiff, but whatever right, title or

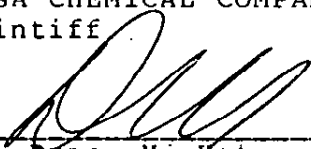
interest any of said Defendants may have in or to said property has been barred by lapse of time and operation of law and Plaintiff is entitled to have its title quieted against all such purported claims of the Defendants:

15. That Plaintiff has no adequate remedy at all.

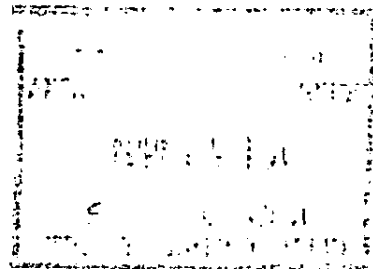
WHEREFORE, Plaintiff, Omega Chemical Company, prays that title to the property described in paragraph 2 above be quieted and confirmed in Plaintiff as an absolute title in fee simple; that Defendants and each of them be forever barred and estopped from having or claiming any right, title or interest therein, and that Plaintiff be afforded such other and further relief as the Court may deem just and proper under the circumstances.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

By


Duane M. Katz #12148
11590 West Dodge Road
Omaha, Nebraska 68154
402/496-1010
Its Attorney

Omega.Pet



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

OCT 25 1991

RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)

DOC. 901

NO. 512

v.)

ANSWER AND COUNTERCLAIM

BELGRADE COMPANY, a Nebraska)
 corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as the West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises,)
)
 Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendants, EDWARD BELGRADE, JACK B. COHEN and HAROLD MANN, as Trustees of the Eli Zalkin Testamentary Trust, and for their answer, state and allege as follows:

1. Admit that portion of Paragraph 3 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann,

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MAY 15 1957
U.S. AIR FORCE
1957
MAY 15 1957
U.S. AIR FORCE

residents of Douglas County, Nebraska, but denies the remainder of said paragraph.

2. Admits that portion of Paragraph 7 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann claim some right, title or interest in or to the subject property adverse to Plaintiff's title therein, but denies the remainder of said paragraph.

3. Generally denies each and every other allegation contained in said Petition, except those which constitute admissions against the interests of the Plaintiff.

WHEREFORE, the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, having fully answered the Petition of the Plaintiff, prays that the same be dismissed with prejudice at Plaintiff's cost.

COUNTERCLAIM

COMES NOW the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, and for their counterclaim against the Plaintiff, state and allege as follows:

I.

That the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, are and at all material times herein were, residents of Douglas County, Nebraska, and are Trustees of the Eli Zalkin Testamentary Trust.

II.

That since May 5, 1961, the Eli Zalkin Testamentary Trust, and/or its predecessors in interest, has been part owner of certain real property located in the City of Ralston, Douglas County, Nebraska, and more fully described as:

All of Block, 37, including vacated alley in Block 37 and a tract of land being a portion of Mechanic Street vacated, lying between Block 37 and Block 38, and a portion of Block 38, being described as follows, to-wit: commencing at the Northeast corner of Lot 1, Block 37, and proceeding in a northerly direction along the west right-of-way line of 75th Street to the Northwest corner of Lot 40, Block 38; thence West along the South line of vacated alley lying in Block 38 a distance of 200 feet, thence in a Southwesterly direction a distance of 251.1 feet to the Northeast corner of Lot 16, Block 37, thence in an easterly direction, and including vacated Mechanic Street lying therein to the point of beginning at the Northeast corner of Lot 1, Block 37, all in the Townsite of Ralston, Douglas County, Nebraska.

III.

That upon information belief, the Plaintiff is the owner of the property commonly known as 7577 Burlington Street, Ralston, Douglas County, Nebraska, and legally described as follows:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

IV.

That the above described parcels of property are adjoining tracts separated only by Burlington Street, a public street within the Townsite of Ralston.

V.

That Defendants' predecessors in title had constructed a sanitary sewer line running from the Defendant's property in a north-south direction across a portion of Lot 5, Lot 57, in the Townsite of Ralston, Douglas County, Nebraska, and now owned by the Plaintiff.

VI.

That the Defendants have continued to use the sanitary sewer line in dispute for a period in excess of ten (10) years.

VII.

That the use of said sanitary and sewer line during said statutory period has been continuous and uninterrupted, open, visible, notorious, hostile, under a claim of right.

VIII.


Defendants and Defendants' predecessors in title have thus acquired an easement by prescription to the use of that portion of the property of the Plaintiff, occupied by the sanitary and sewer line.

IX.

That Defendants have no adequate remedy at law.

WHEREFORE, Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, Trustees of the Eli Zalkin Testamentary Trust, pray that an easement by prescription in the property of the Plaintiff containing the sanitary and sewer line be quieted and confirmed in the Defendants, for an Order permanently enjoining Plaintiff from obstructing such easement, for Defendant's costs, and for such other relief as the court may deem just.

EDWARD BELGRADE, JACK B. COHEN and
HAROLD MANN, TRUSTEES OF THE ELI
ZALKIN TESTAMENTARY TRUST,
Defendants and Counterclaimants

By: 
MYRON J. KAPLAN, #16869
RICHARD, RIEKES, BROWN & ZABIN, P.C.
1125 South 103rd Street, Suite 600
Omaha, Nebraska 68124
(402) 390-1112

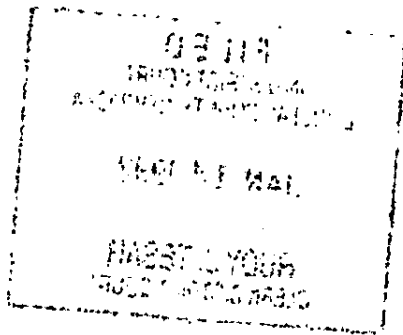
CERTIFICATE OF SERVICE

It is hereby certified that on this 14th day of January, 1992, a copy of the above and foregoing Answer and Counterclaim was mailed to the following by first-class United States mail, postage prepaid:

Duane M. Katz, Esq.
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102





FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA


JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc. _____

Ent. Ex. Doc. _____

Ent. Gen. Index _____



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

ANSWER TO COUNTERCLAIM OF
EDWARD BELGRADE, JACK B. COHEN,
AND HAROLD MANN, AS TRUSTEES OF
THE ELI ZALKIN TESTAMENTARY TRUST

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 10 1992
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff, and for its Answer to the Counterclaim of Edward Belgrade, Jack B. Cohen, and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, states and alleges as follows:

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
SEP 14 1964
WASHINGTON, D. C.

1. Plaintiff denies each and every allegation contained in the Counterclaim of said Defendants, except those allegations which are admissions against the interests of said Defendants, or are in the nature of admissions against the interests of said Defendants.

WHEREFORE, Plaintiff prays that said Counterclaim be dismissed at Defendants' cost.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

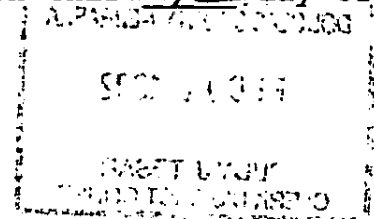
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Answer to Counterclaim was mailed by regular United States mail, postage prepaid, on this 7th day of February, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114




Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

FILED FOR
Ent. Gen. Index

[Handwritten signature]

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,) DOC. 901 NO. 512
INC.,)
)
Plaintiff,)
)
vs.) **DECREE**
)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
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Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claiming)
any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)
)
Defendants.)

This 1 day of Dec, 1994, this cause came on to be heard upon the stipulation and pleadings herein, the court finds as follows:

1. The defendants Herold Mann, Flexible Foam Products, Inc., American National Bank, N.A., Belgrade Company, Edward Belgrade, Jack B. Cohen, Sara Zalkin, the Zalkin Testamentary Family Trust, United Seeds, Inc., and all persons, real names unknown having an interest in

a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises;

have been properly served or have filed appearances herein.

2. That the defendants, Douglas County Bank and the City of Ralston were not served and are hereby dismissed without prejudice.

3. The defendants, American National Bank, N.A.; Belgrade Company; Edward Belgrade, in his individual capacity; Sara Zalkin, in her individual capacity; Jack B. Cohen, in his individual capacity; Herold Mann, in his individual capacity; Jack B. Cohen, in his capacity as trustee of the Zalkin Testamentary Family Trust; Sandra Belgrade as co-personal representative of the estate of Sara Zalkin; Edward Belgrade, in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his capacity as trustee of the Zalkin Testamentary Family Trust; and Flexible Foam Products, Inc. have each disclaimed all right, title, interest or possession in or to the subject real property.

4. The defendant Nebraska Seed Company has merged into and is now United Seeds, Inc.

5. The defendant United Seeds, Inc. filed an answer, counterclaim, and cross-claim to quiet title to the following-described real property:

that part of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West

line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, on the South (hereinafter referred to as the "Terminal Right-of-Way Property").

6. The plaintiff and United Seeds, Inc. have entered into a Quitclaim Deed and Easement Agreement (hereinafter "Agreement"), a copy of which is attached hereto and incorporated herein by this reference, by which the plaintiff and the defendant United Seeds, Inc. resolve their respective claims to the Terminal Right-of-Way Property as set forth in the Agreement.

WHEREFORE, IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED:

1. That the title of the plaintiff to the following-described real estate:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6 in Block 57 together with all that part of the terminal grounds which adjoin Lots 3, 4, 5, and 6, of Block 57 and the northerly 14.8 feet of the Terminal Right-of-Way lying between the West line of Lot 2, Block 57, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, all in the townsite of Ralston, being located in the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 2 and the North One-Half (N $\frac{1}{2}$) of Section 11 in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska;

be quieted and confirmed in the plaintiff as against the defendants Belgrade Company; Flexible Foam Products, Inc.; Edward Belgrade, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Jack B. Cohen, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; the estate of Sara Zalkin; the American National Bank, N.A.; and all persons having or claiming any interest in and to the above-

described property, real names unknown.

2. That the title of the defendant United Seeds, Inc. to the following-described real estate:

that portion of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska lying between the West line of Lot 2, Block 57, original town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, except the Northerly 14.8 feet thereof;

is hereby quieted and confirmed in United Seeds, Inc. as against the plaintiff and Belgrade Company; Flexible Foam Products, Inc.; Edward Belgrade, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Jack B. Cohen, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; the estate of Sara Zalkin; the American National Bank, N.A.; and all persons having or claiming any interest in and to the above-described property, real names unknown.

3. That the plaintiff and United Seeds, Inc. have entered into the Agreement regarding their respective rights, title and interest in and to the Northerly 14.8 feet of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West line of Lot 2, Block 57, original town of Ralston, extended due South and a North-South line 45.1 feet of the West line of Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57 and that Agreement is attached hereto as Exhibit "A" and incorporated herein by this reference.

4. That the defendants City of Ralston and the Douglas County Bank are hereby dismissed, without prejudice.

BY THE COURT:

By:

Paul A. Lewis
District Court Judge

Approved as to form and content:

By:

Duane M. Katz
Duane M. Katz, #12148
11590 West Dodge Road
Omaha, NE 68154
(402) 496-1010

Attorney for plaintiff.

Prepared and submitted by:

By:

Michael D. Matejka
Michael D. Matejka, #17362
Fitzgerald, Schorr,
Barnettler & Brennan, P.C.
1000 Woodmen Tower
Omaha, NE 68102
(402) 342-1000

Attorneys for defendant, United Seeds, Inc.

Nebraska, lying between the West line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, subject, however, to the following:

- A. United Seeds' existing grain bins, including the foundations and footings thereof on the above-described Terminal Right-of-Way and any replacements of such bins provided that any such replacements shall not encroach upon Omega's property any more than the existing grain bins may encroach, if the existing grain bins encroach at all. These grain bins shall not be a breach of this Agreement and Omega shall have no right to move or compel the removal of such existing grain bins and shall not interfere with the normal daily use of the grain bins by United Seeds.
- B. The existing railroad tracks and any replacements thereof on the above described Terminal Right-of-Way. Omega shall have no right to move or compel removal of the railroad tracks. Omega shall not interfere with the use of the railroad tracks until such time as they are abandoned by United Seeds or its successors and assigns. Such abandonment must be in writing and filed of record with the Register of Deeds of Douglas County, Nebraska; and
- C. The easement granted to United Seeds below.

2. Omega hereby grants to United Seeds, its successors, assigns, agents, and contractors a permanent easement for ingress and egress over the Northerly 14.8 feet of the above-described Terminal Right-of-Way by pedestrians, vehicles, and trains to or for the benefit of the property owned by United Seeds or its successors and assigns and for repair and replacement of the existing railroad tracks, the use, and maintenance, repair and replacement of the grain bins or other improvements upon United Seeds property. This easement shall include the right to construct and operate machinery to load and unload grain onto trains or vehicles provided such machinery is suspended over the ground and does not interfere with Omega's normal vehicular ingress and egress to its property.

3. Omega hereby quit claims to United Seeds that portion of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal-of-Way adjoining said Lot 2, Block 57, except the Northerly 14.8 feet thereof.

4. These conveyances and grants are in recognition of United Seeds' claim of adverse possession and do not terminate or waive such claim as to any persons, other than Omega, claiming or holding an interest in the Terminal Right-of-Way.

STATE OF NEBRASKA)
)
COUNTY OF Douglas) SS.

On this 13th day of July, 1994, before me the undersigned Notary Public duly commissioned and qualified for said county, personally came R.A. Berry, the President of Omega Chemical Company, Inc., known to me to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his/her voluntary act and deed.



Betty J. Russell
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

SCHEDULE "A"

PARCEL I:

All Lot 1 and Lot 2, except the West 45.1 feet, thereof, Block 57; Lot 10, Block 58; Lots 10, 11, and 12, Block 59; all of Block 60; and Block 61, excepting therefrom those portions heretofore conveyed by deeds recorded in Book 899 at Page 665, Book 1302 at page 405 and Book 1499 at page 103, all being located in the Original Town of Ralston, Douglas County, Nebraska.

PARCEL II:

All that portion of the Terminal Railroad Right of Way as shown on the Plat of the Original Town of Ralston, recorded in Book 303 at Page 134, of the Deed records of Douglas County, Nebraska, lying between Lots 10, 11, and 12, Block 59; Block 61 and Block 60 and extending to a line 45.1 feet East of the West line of Lot 2, in Block 57, and that portion of same lying between Lot 10, in Block 58, and Lots 12 and 11, in Block 59 and extending to the West line of Lot 2, in Block 57, EXCEPTING THEREFROM Parcel III described below.

PARCEL III:

All that portion of the Terminal Railroad Right of Way, as shown on the Plat of the Original Town of Ralston, Douglas County, Nebraska, lying between the abandoned Missouri Pacific Railroad Right of Way and that portion of same conveyed in Deed recorded in Book 422 at Page 606. Also that portion of same lying between the Westerly line of Block 60 and the East line of Lot 1, Block 57 extended south; and south of that portion conveyed in Deed recorded in Book 422 at Page 606.

13

RECEIVED
JOURNAL CLERK

DEC 01 1994

RECORDED
Journal 3384 Page 83
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
Plaintiff,)

DOC. 901 NO. 512

vs.)

PETITION TO QUIET TITLE
(Equity)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, ~~THE ZALKIN TESTAMENTARY~~)
~~FAMILY TRUST~~, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

Assigned to Judge Davis

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
OCT 25 1991
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff and for its Petition states and
alleges as follows:

Cl. App. Dec. _____
Cl. Dz. Dec. _____
Int. Gen. Indec. _____

1. That Plaintiff is, and at all times material was, a corporation organized and existing under and by virtue of the laws of the State of Nebraska with its principle place of business being located at 7577 Burlington, Ralston, Douglas County, Nebraska.

2. That on or about September 16, 1985, Plaintiff purchased the real property commonly known as 7577 Burlington Street, Ralston, Douglas County, Nebraska and legally described as follows:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

3. That Defendant BELGRADE COMPANY, FLEXIBLE FOAM PRODUCTS, INC., EDWARD BELGRADE, UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, N.A., SARA ZALKIN, JACK B. COHEN, HEROLD MANN, and the DOUGLAS COUNTY BANK AND TRUST are all residents of Douglas County, Nebraska, or are Corporations or trusts authorized and/or doing business in the State of Nebraska, and Plaintiff believes they are the owners, lessors, or lessees of real property in the vicinity of the real property described in paragraph 2 above.

4. That during the summer of 1989, while Plaintiff was doing construction work on said property, Plaintiff discovered that a sanitary sewer line ran in a north-south direction across

said property at approximately the middle of Lot 5:

5. That upon investigation, Plaintiff believed that the Defendant, FLEXIBLE FOAM PRODUCTS, INC., had an interest in said sewer line. That following inquiries addressed to the Defendant, FLEXIBLE FOAM PRODUCTS, INC., however, Plaintiff was advised by the Defendant, EDWARD BELGRADE, on behalf of BELGRADE COMPANY, that Flexible Foam Products, Inc., BELGRADE COMPANY, nor EDWARD BELGRADE had an interest in said sewer line. Defendant EDWARD BELGRADE further stated that he had investigated the matter and determined that the sewer line was owned and operated by the City of Ralston. Consequently, Plaintiff requested the City of Ralston to move said sewer line. Plaintiff has now been informed that the sewer line is not owned or operated by the City of Ralston.

6. Plaintiff now believes that said sewer line is now abandoned and not used by anyone.

7. That Plaintiff believes that the Defendant's, BELGRADE COMPANY, EDWARD BELGRADE, FLEXIBLE FOAM PRODUCTS, INC., UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, SARA ZALKIN, JACK B. COHEN, HEROLD MANN, and the DOUGLAS COUNTY BANK AND TRUST OF OMAHA, may claim some right, title or interest in or to the said property adverse to Plaintiff's title therein. Any such claim of Defendants is without any right whatsoever, and Defendants have no right, title or interest in or to said property, or any portion thereof.

8. That said sewer line constitutes an encumbrance and cloud upon said property not of record.

9. That said sewer line damages Plaintiff's property and if the same is not removed, will continue to cause damage to Plaintiff's property.

10. That the sewer line should be removed from Plaintiff's property.

11. That in addition to the above and foregoing, there is one grain storage bin and a portion of a grain storage bin located on the terminal right-of-way south of the West 45.1 feet of Lot 2 of the above described real property.

12. Plaintiff believes that the Defendants UNITED SEED, INC. and NEBRASKA SEED COMPANY may claim some right, title or interest in or to the said property adverse to Plaintiff's title therein. Any such claim of Defendants is without any right whatsoever, and Defendants have no right, title or interest in or to said property, or any portion thereof.

13. There may be other persons having or claiming to have some right, title or interest in or to said property whose interest does not appear on record and Plaintiff, after diligent investigation and inquiry, is unable to ascertain and does not know the names or whereabouts, if in this State, or the residence of such persons, and they are, therefore, designated herein as "all other persons, real or artificial, claiming any right, title, estate, lien or interest in or to the property" described above.

14. The claims of the various Defendants with respect to any right, title or interest in or to the said property constitute a cloud upon the title of Plaintiff, but whatever right, title or

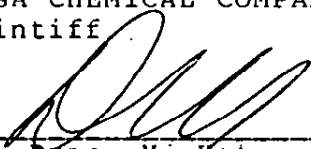
interest any of said Defendants may have in or to said property has been barred by lapse of time and operation of law and Plaintiff is entitled to have its title quieted against all such purported claims of the Defendants:

15. That Plaintiff has no adequate remedy at all.

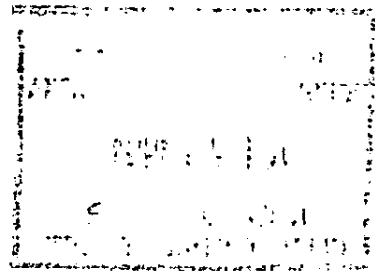
WHEREFORE, Plaintiff, Omega Chemical Company, prays that title to the property described in paragraph 2 above be quieted and confirmed in Plaintiff as an absolute title in fee simple; that Defendants and each of them be forever barred and estopped from having or claiming any right, title or interest therein, and that Plaintiff be afforded such other and further relief as the Court may deem just and proper under the circumstances.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

By


Duane M. Katz #12148
11590 West Dodge Road
Omaha, Nebraska 68154
402/496-1010
Its Attorney

Omega.Pet



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

OCT 25 1991

RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

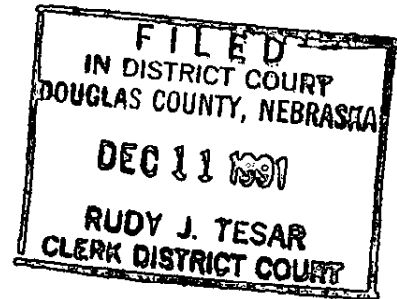
vs.)

PRAECIPE

BELGRADE COMPANY, a Nebraska Corporation, FLEXIBLE FOAM PRODUCTS, INC., a Nebraska Corporation, EDWARD BELGRADE, UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, N.A., SARA ZALKIN, JACK B. COHEN, HEROLD MANN, THE ZALKIN TESTAMENTARY FAMILY TRUST, THE DOUGLAS COUNTY BANK, THE CITY OF RALSTON, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in or to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

Defendants.)

6



TO THE CLERK OF SAID COURT:

PLEASE ISSUE a summons for service upon each of the Defendants, hereinafter listed, and return same to Plaintiff's attorney for service upon Defendants by certified mail, return receipt requested:

1941
1941
1941
1941
1941
1941

Belgrade Company
A Nebraska Corporation
1015 South 78th Street
Omaha, Nebraska 68114

American National Bank
111 North 84th Street
Omaha, Nebraska 68114

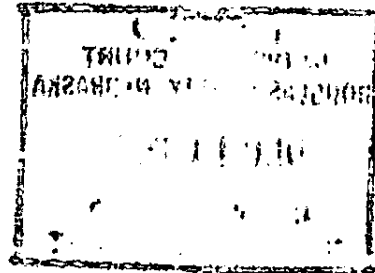
Jack B. Cohen
9507 Oak Circle
Omaha, Nebraska 68124

Harold Mann
10906 Bel-Aire Drive
Omaha, Nebraska 68144

Flexible Foam Products, Inc.
5700 South 75th Street
Ralston, Nebraska 68127

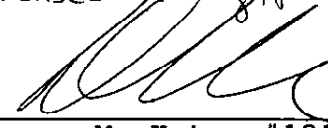
Edward Belgrade
1015 South 78th Street
Omaha, NE 68114

~~The Zalkin Testamentary Family Trust
c/o American National Bank, N.A.
111 North 84th Street
Omaha, Nebraska 68114~~



*Not a Defendant - no summons issued
advised Mr. Katz per secretary*

DATE: 12-10-91

BY: 
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

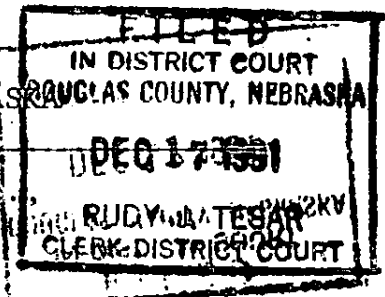
ISSUED

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
DEC 11 1981
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index

sh.

IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA



Omega Chemical Company, Inc.

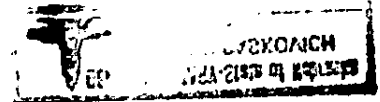
vs.

Belgrade Company, a Nebraska Corporation, et al,

SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)



This is to notify Herold Mann,
(impleaded with others)

Defendants that you have been sued by Omega Chemical
Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

RUDY J. TESAR, CLERK

BY: Carol Medemitt
Deputy

ATTORNEY FOR PLAINTIFF:
NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M

CERTIFIED MAIL

PROOF OF SERVICE BY AFFIDAVIT

STATE OF NEBRASKA
COUNTY OF DOUGLAS

SS.

A copy of this writ was mailed by certified mail, return receipt requested, to defendant:

HAROLD MANN

at the following address: 20906 Bel-Aire Drive, Omaha, Nebraska 68144

on the 12th day of December, 19 91, which was within ten days of issuance as required by Nebraska Statute.

The return receipt was signed on the 13th day of December, 19 91 (signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative Supplement 1983).

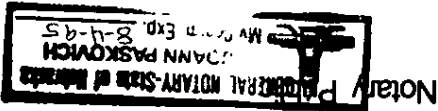
FURTHER AFFIANT SAYETH NOT.

Em. Gen. Index
Em. Ex. Doc.
Em. App. Doc.

DUANE M. KATZ, #12148
Attorney for: Plaintiff

Geann Paskovich

POSTAGE: \$2.75



SENDER:
• Complete items 1 and/or 2 for additional services.
• Complete items 3, and 4a & b.
• Print your name and address on the reverse of this form so that we can return this card to you.
• Attach this form to the front of the mailpiece, or on the back if space does not permit.
• Write "Return Receipt Requested" on the mailpiece next to the article number.
3. Article Addressed to:

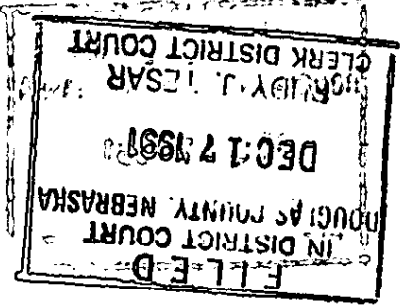
4a. Article Number
P 878 821 249

4b. Service Type
 Registered
 Insured
 Certified
 Express Mail
 Return Receipt for Merchandise

7. Date of Delivery
12-13-91

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)
6. Signature (Agent)



IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
DEC 17 1991
RUDY J. TESAR
CLERK DISTRICT COURT

Omega Chemical Company, Inc.,

vs.

Belgrade Company, a Nebraska Corporation, et al,

SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

MAILED
TOWN OF OMAHA
GENERAL DELIVERY

This is to notify Flexible Foam Products, Inc.,
a Nebraska corporation,
(impleaded with others)

Defendants that you have been sued by Omega Chemical
Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

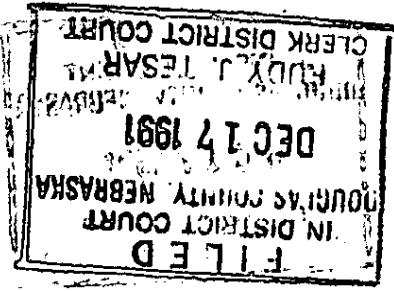
RUDY J. TESAR, CLERK

BY: Carl McDermitt
Deputy

ATTORNEY FOR PLAINTIFF:

NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M



SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece next to the article number.

3. Article Addressed to: Flexible Foam Products, Inc. 5700 S. 75th Street Ralston, NE 68127

5. Signature (Addressee) [Signature]

6. Signature (Agent) [Signature]

7. Date of Delivery: 12/3/91

8. Addressee's Address (Only if requested and fee is paid)

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

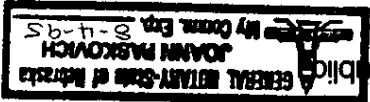
4a. Article Number: P 878 821 248

1. Addresser's Address

2. Restricted Delivery

3. Consult postmaster for fee.

4. Article Number



Notary Public

POSTAGE: \$2.75

SUBSCRIBED and sworn to before me this 16th day of December 19 91

DUANE M. KATZ, #12148
Attorney for: Plaintiff

[Signature]

FURTHER AFFIANT SAYETH NOT.

(signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative Supplement 1983).

The return receipt was signed on the 13th day of December 19 91

as required by Nebraska Statute.

on the 12th day of December 19 91, which was within ten days of issuance

at the following address: 5700 South 75th Street, Ralston, Nebraska 68127

FLEXIBLE FOAM PRODUCTS, INC.

A copy of this writ was mailed by certified mail, return receipt requested, to defendant:

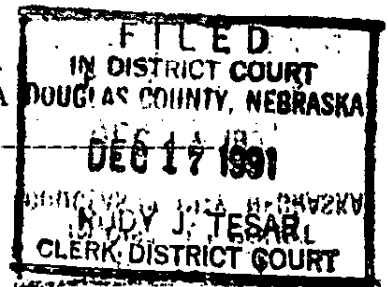
STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

ss.

PROOF OF SERVICE BY AFFIDAVIT

CERTIFIED MAIL

IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA



Omega Chemical Company, Inc.,

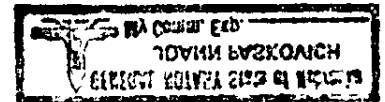
vs.

Belgrade Company, a Nebraska Corporation, et al,

SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)



This is to notify American National Bank, N.A.
(impleaded with others)

Defendants that you have been sued by Omega Chemical
Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

RUDY J. TESAR, CLERK

BY: Caryl Madernitt
Deputy

ATTORNEY FOR PLAINTIFF:

NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M

**CERTIFIED MAIL
PROOF OF SERVICE BY AFFIDAVIT**

STATE OF NEBRASKA
COUNTY OF DOUGLAS

ss.

A copy of this writ was mailed by certified mail, return receipt requested, to defendant: _____

AMERICAN NATIONAL BANK

_____ at the following address: 111 North 84th Street, Omaha, Nebraska 68114

on the 12th day of December 19 91, which was within ten days of issuance

as required by Nebraska Statute.

The return receipt was signed on the 13th day of December 19 91

(signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative

Supplement 1983).

FURTHER AFFIANT SAYETH NOT.

Ent. Gen. Indez.
Ent. Ex. Doc.
Ent. App. Doc.

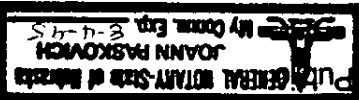
DUANE M. KATZ, #12148

Attorney for Plaintiff

SUBSCRIBED and sworn to before me this 16th day of December, 19 91

Joanna Paskovitch

Notary



POSTAGE: \$2.75

PS Form 3811, October 1990 #U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

6. Signature (Agent) _____

5. Signature (Addressee) _____

8. Addressee's Address (Only if requested and fee is paid) _____

7. Date of Delivery 12-13

4b. Service Type
 Insured
 Registered
 Certified
 COD
 Return Receipt for Merchandise
 Express Mail

4a. Article Number P 878 821 251

3. Article Addressed to: American National Bank
111 N. 84th Street
Omaha, NE 68114

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

4a. Article Number

4b. Service Type

4c. Registered

4d. Certified

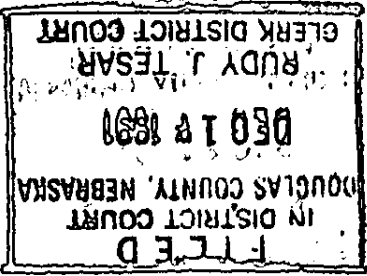
4e. COD

4f. Return Receipt for Merchandise

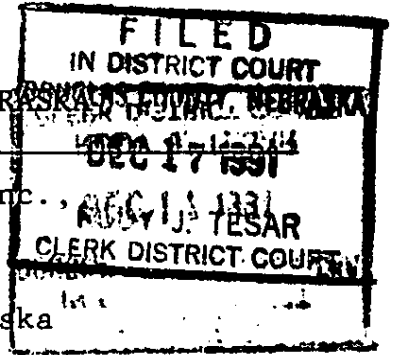
7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

9. Signature (Agent)



IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA



Omega Chemical Company, Inc.,

vs.

Belgrade Company, a Nebraska Corporation, et al,

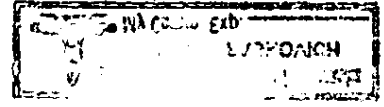
SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

This is to notify

Belgrade Company, a Nebraska Corporation (impleaded with others)



Defendants that you have been sued by Omega Chemical Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

RUDY J. TESAR, CLERK

BY: Carol MacDonnell Deputy

ATTORNEY FOR PLAINTIFF:

NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M

FILED
 IN DISTRICT COURT
 DOUGLAS COUNTY, NEBRASKA
 DEC 14 1991
 RUDY J. TESAR
 CLERK DISTRICT COURT

6. Signature (Agent) _____

5. Signature (Addressee) *[Signature]*

8. Addressee's Address (Only if requested) _____
 and fee is paid) _____

7. Date of Delivery *12-14-91*

4b. Service Type
 Registered
 Certified
 COD
 Return Receipt for Merchandise
 Express Mail

4a. Article Number *P 878 821 252*

3. Article Addressed to: Belgrade Company
 A Nebraska Corporation
 1015 S. 78th Street
 Omaha, NE 68114

SENDER:
 • Complete items 1 and/or 2 for additional services.
 • Complete items 3, and 4a & b.
 • Print your name and address on the reverse of this form so that we can return this card to you.
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.
 • Write "Return Receipt Requested" on the mailpiece next to the article number.

1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

I also wish to receive the following services (for an extra fee):

GENERAL NOTARY-STATE OF NEBRASKA
 JOANN PASKOVICH
 My Comm. Exp. 8-4-95

Joann Paskovich
 Notary

POSTAGE: \$2.75

SUBSCRIBED and sworn to before me this 16th day of December 19 91

DUANE M. KATZ, #12148
 Attorney for Plaintiff

[Signature]

FURTHER AFFIANT SAYETH NOT.

(signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative Supplement 1983).

The return receipt was signed on the 14th day of December 19 91

as required by Nebraska Statute.

on the 12th day of December 19 91, which was within ten days of issuance

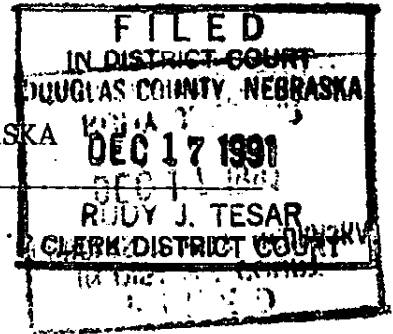
at the following address: 1015 South 78th Street, Omaha, Nebraska 68114

BELGRADE COMPANY, A Nebraska Corporation

A copy of this writ was mailed by certified mail, return receipt requested, to defendant:

CERTIFIED MAIL
 PROOF OF SERVICE BY AFFIDAVIT
)
) STATE OF NEBRASKA
) COUNTY OF DOUGLAS
)
) SS.
)

IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA



Omega Chemical Company, Inc.

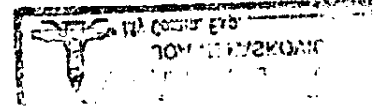
vs.

Belgrade Company, a Nebraska Corporation, et al,

SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)



This is to notify Edward Belgrade,
(impleaded with others)

Defendants that you have been sued by Omega Chemical
Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

RUDY J. TESAR, CLERK

BY: Carol McSummitt
Deputy

ATTORNEY FOR PLAINTIFF:

NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M

**CERTIFIED MAIL
PROOF OF SERVICE BY AFFIDAVIT**

STATE OF NEBRASKA
COUNTY OF DOUGLAS

ss.

A copy of this writ was mailed by certified mail, return receipt requested, to defendant:

EDWARD BELGRADE

at the following address: 1015 South 78th Street, Omaha, Nebraska 68114

on the 12th day of December, 1991, which was within ten days of issuance

as required by Nebraska Statute.

The return receipt was signed on the 14th day of December, 1991

(signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative

Supplement 1983).

FURTHER AFFIANT SAYETH NOT.

[Signature]

DUANE M. KATZ, #12148

Attorney for: Plaintiff

16th day of December, 1991

SUBSCRIBED and sworn to before me this

[Signature]

Notary Public

GENERAL NOTARY-STATE OF NEBRASKA
JOANN PASKOVICH
My Comm. Exp. 8-4-95

POSTAGE:

SENDER:

- Complete items 1 and/or 2 for additional services.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

3. Article Addressed to:
Edward Belgrade
1015 S. 78th Street
Omaha, NE 68114

5. Signature (Addressee)
[Signature]

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

7. Date of Delivery
12-14-91

4a. Article Number
P 878 821 247

4b. Service Type
 Registered
 Certified
 COD
 Insured
 Express Mail
 Return Receipt for Merchandise

1. Addressee's Address
 Restricted Delivery
 Consult postmaster for fee.

2. Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
Edward Belgrade
1015 S. 78th Street
Omaha, NE 68114

4. Article Number
P 878 821 247

5. Signature (Addressee)
[Signature]

6. Signature (Agent)

7. Date of Delivery
12-14-91

8. Addressee's Address (Only if requested and fee is paid)

9. Article Addressed to:
Edward Belgrade
1015 S. 78th Street
Omaha, NE 68114

10. Article Number
P 878 821 247

11. Service Type
 Registered
 Certified
 COD
 Insured
 Express Mail
 Return Receipt for Merchandise

12. Addressee's Address
 Restricted Delivery
 Consult postmaster for fee.

13. Restricted Delivery
 Consult postmaster for fee.

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
DEC 17 1991
RUDY J. TESAR
CLERK, DISTRICT COURT

IN THE DISTRICT COURT, DOUGLAS COUNTY, NEBRASKA

Omega Chemical Company, Inc.,

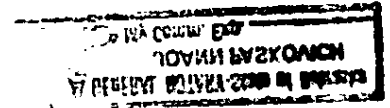
vs.

Belgrade Company, a Nebraska
Corporation, et al,

SUMMONS BY CERTIFIED MAIL

DOC. 901 NO. 512

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)



This is to notify Jack B. Cohen
(impleaded with others)

Defendants that you have been sued by Omega Chemical
Company, Inc.,

Plaintiff in the District Court of said County, and that in order to defend the lawsuit you must file an appropriate written response on or before thirty days after service of summons and Petition, in answer to the Petition said Plaintiff filed against you in the Office of the Clerk of said Court or such Petition will be taken as true and judgment entered accordingly for the relief demanded in the attached Petition.

RETURN of this Summons is due within ten days after return of the signed receipt.

WITNESS my signature and the Seal of said Court at Omaha and issued this 11th day of December, 1991.

RUDY J. TESAR, CLERK

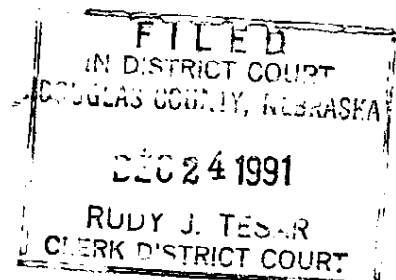
BY: *Carol Mademitt*

Deputy

ATTORNEY FOR PLAINTIFF:

NAME: Duane M. Katz
ADDRESS 11590 W. Dodge Road
Omaha NE 68154
(402) 496-1010

C.M



**CERTIFIED MAIL
PROOF OF SERVICE BY AFFIDAVIT**

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

ss.

A copy of this writ was mailed by certified mail, return receipt requested, to defendant:

JACK B. COHEN

at the following address: 9507 Oak Circle, Omaha, Nebraska 68124 ;

on the 12th day of December 19 91 which was within ten days of issuance as required by Nebraska Statute.

The return receipt was signed on the 13th day of December 19 91

(signed return receipt attached hereto). All done pursuant to the Nebraska Revised Statutes (Cumulative Supplement 1983).

FURTHER AFFIANT SAYETH NOT.

Ent. App. Doc. _____
Ent. F. Doc. _____
Ent. Gov. Ind. _____

DUANE M. KATZ, #12148
Attorney for: Plaintiff

[Signature]
17th day of December 19 91

POSTAGE: \$2.75

Notary Public
A GENERAL NOTARY STATE OF NEBRASKA
JOANN PASCHON
My Comm. Exp. 8-11-95

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
DEC 24 1991
Clerk of District Court
JESAH

PS Form 3811, October 1990 *U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

SENDER:
 • Complete items 1 and/or 2 for additional services.
 • Complete items 3, and 4a & b.
 • Print your name and address on the reverse of this form so that we can return this card to you.
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.
 • Write "Return Receipt Requested" on the mailpiece next to the article number.

3. Article Addressed to:
 Jack B. Cohen
 9507 Oak Circle
 Omaha, NE 68124

5. Signature (Addressee) *[Signature]*
 6. Signature (Agent) *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)
 7. Date of Delivery *[Signature]*

4a. Article Number
 P 878 821 250

4b. Service Type
 Registered
 Certified
 Express Mail
 Return Receipt for Merchandise

1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,)
INC.,)

DOC. 901 NO. 512

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claim-)
ing any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)

ANSWER, COUNTERCLAIM AND
CROSS-CLAIM TO QUIET TITLE

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JAN - 2 1992
RUDY J. TESAR
CLERK DISTRICT COURT

ANSWER

COME NOW the named defendants herein, United Seeds, Inc. and Nebraska Seed Company, and for answer to plaintiff's Petition, state as follows:

1. Admit the allegation contained in paragraph 1 of plaintiff's Petition.

2. Admit that plaintiff purchased the West 45.1 feet of Lot 2, but these defendants generally deny the balance of paragraph 2 of plaintiff's Petition, except that portion of the Petition alleging ownership of all that part of the "terminal grounds which adjoin said premises on the South," which allegation is specifically denied.

3. Admit that United Seeds, Inc. is a corporation and specifically deny that Nebraska Seed Company is anything but a dissolved Nebraska corporation, having been merged into United Seeds, Inc.

4. These defendants generally deny the balance of plaintiff's Petition, except paragraph 11 which will be specifically covered hereinafter.

5. As to paragraph 11 of plaintiff's Petition, these answering defendants admit there are grain storage bins located on the terminal right-of-way south of the West 45.1 feet of Lot 2, Block 57, in the Townsite of Ralston, Nebraska. These defendants allege and state that United Seeds and its predecessors in title have been in actual, open, notorious, exclusive, continuous and adverse possession of said real estate under a claim of title and right for more than ten years last past.

WHEREFORE, the defendants having fully answered, pray that plaintiff's Petition to quiet title be dismissed at plaintiff's costs.

COUNTERCLAIM AND CROSS-CLAIM

COMES NOW defendant, United Seeds, Inc., and for its counterclaim against the plaintiff and its cross-claim against all

persons having or claiming any interest in and to the real estate described in Exhibit "A" attached hereto, real names unknown, alleges and states as follows:

1. The defendant, United Seeds, Inc., is a Nebraska corporation with its principal place of business in Ralston, Douglas County, Nebraska.

2. That defendant, United Seeds, Inc., is the owner in fee of real estate in Douglas County, Nebraska and legally described as shown on Exhibit "A" attached hereto and made a part hereof.

3. The defendant incorporates herein by reference paragraphs 1 through 5 of its Answer as if fully set forth herein.

4. That this counterclaim and cross-claim are brought for the purposes of determining all adverse claims to the real estate and to quiet title therein to the defendant United Seeds, Inc. That the plaintiff and all persons having or claiming any interest in and to the real estate described in Exhibit "A" attached hereto, real names unknown, are proper parties to this action under the provisions of Neb. Rev. Stat. §§ 25-21,112, et seq.

5. That plaintiff claims title to the real estate described in paragraph 2 of this counterclaim. That the plaintiff's claim is inferior and junior to this defendant. That this defendant is not aware that any other named defendant is making a claim to this real estate.

6. That there are persons who claim or appear to have some interest, right, title or lien in or upon the real estate, but such interest, right, title or liens do not appear of record in Douglas County, Nebraska, and this defendant, after diligent investigation and inquiry, is unable to ascertain and does not know the names or whereabouts or residents of such persons, and they are therefore designated herein as "all persons having or claiming any interest in and to the real estate described on Exhibit "A" attached hereto, real names unknown."

7. That plaintiff claims or appears to have some right, title, interest, lien, claim or demand in and to the real estate and the appurtenances thereto, but that any right, title, interest,

lien, claim or demand that the plaintiff or any person having or claiming any interest in the subject real estate described in Exhibit "A" attached hereto, real names unknown, has been barred by the lapse of time and operation of law.

8. By virtue of the facts set forth above, there has been cast a cloud upon the title of this defendant United Seeds, Inc. in the real estate described in Exhibit "A" attached hereto which prevents its quiet use and enjoyment, and which tends to impair and lessen value of same, and will, unless this defendant's title as against all others is quieted and established, cause this defendant irreparable injury, and the defendant has no adequate remedy at law.

WHEREFORE, defendant, United Seeds, Inc., prays that its title to said real estate be quieted and confirmed in this defendant as against the plaintiff and against all persons having or claiming any interest in and to the real estate described in Exhibit "A" attached hereto, real names unknown, and that each of them be enjoined forever from asserting any claim or interest in said real estate or any portion thereof; and for such other and further relief as the court deems just and equitable.

UNITED SEEDS, INC. Defendant,

By: William J. Brennan, Jr.

William J. Brennan, Jr. #10425

For: FITZGERALD, SCHORR, BARMETTLER
& BRENNAN

1000 Woodmen Tower

Omaha, Nebraska 68102 (342-1000)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Answer, Counterclaim and Cross-Claim to Quiet Title was mailed by United States mail, postage prepaid, this 2 day of January, 1992, to the following:

Mr. Duane M. Katz
11590 West Dodge Road
Omaha, Nebraska 68154

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.

JAN - 2 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Am
Dist. App. Doc. _____
Dist. Ex. Doc. _____
Dist. Gov. Index _____

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)

DOC. 901

NO. 512

v.)

ANSWER AND COUNTERCLAIM

BELGRADE COMPANY, a Nebraska)
 corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as the West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises,)
)
 Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendants, EDWARD BELGRADE, JACK B. COHEN and HAROLD MANN, as Trustees of the Eli Zalkin Testamentary Trust, and for their answer, state and allege as follows:

1. Admit that portion of Paragraph 3 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann,

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residents of Douglas County, Nebraska, but denies the remainder of said paragraph.

2. Admits that portion of Paragraph 7 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann claim some right, title or interest in or to the subject property adverse to Plaintiff's title therein, but denies the remainder of said paragraph.

3. Generally denies each and every other allegation contained in said Petition, except those which constitute admissions against the interests of the Plaintiff.

WHEREFORE, the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, having fully answered the Petition of the Plaintiff, prays that the same be dismissed with prejudice at Plaintiff's cost.

COUNTERCLAIM

COMES NOW the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, and for their counterclaim against the Plaintiff, state and allege as follows:

I.

That the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, are and at all material times herein were, residents of Douglas County, Nebraska, and are Trustees of the Eli Zalkin Testamentary Trust.

II.

That since May 5, 1961, the Eli Zalkin Testamentary Trust, and/or its predecessors in interest, has been part owner of certain real property located in the City of Ralston, Douglas County, Nebraska, and more fully described as:

All of Block, 37, including vacated alley in Block 37 and a tract of land being a portion of Mechanic Street vacated, lying between Block 37 and Block 38, and a portion of Block 38, being described as follows, to-wit: commencing at the Northeast corner of Lot 1, Block 37, and proceeding in a northerly direction along the west right-of-way line of 75th Street to the Northwest corner of Lot 40, Block 38; thence West along the South line of vacated alley lying in Block 38 a distance of 200 feet, thence in a Southwesterly direction a distance of 251.1 feet to the Northeast corner of Lot 16, Block 37, thence in an easterly direction, and including vacated Mechanic Street lying therein to the point of beginning at the Northeast corner of Lot 1, Block 37, all in the Townsite of Ralston, Douglas County, Nebraska.

III.

That upon information belief, the Plaintiff is the owner of the property commonly known as 7577 Burlington Street, Ralston, Douglas County, Nebraska, and legally described as follows:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

IV.

That the above described parcels of property are adjoining tracts separated only by Burlington Street, a public street within the Townsite of Ralston.

V.

That Defendants' predecessors in title had constructed a sanitary sewer line running from the Defendant's property in a north-south direction across a portion of Lot 5, Lot 57, in the Townsite of Ralston, Douglas County, Nebraska, and now owned by the Plaintiff.

VI.

That the Defendants have continued to use the sanitary sewer line in dispute for a period in excess of ten (10) years.

VII.

That the use of said sanitary and sewer line during said statutory period has been continuous and uninterrupted, open, visible, notorious, hostile, under a claim of right.

VIII.

Defendants and Defendants' predecessors in title have thus acquired an easement by prescription to the use of that portion of the property of the Plaintiff, occupied by the sanitary and sewer line.

IX.

That Defendants have no adequate remedy at law.

WHEREFORE, Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, Trustees of the Eli Zalkin Testamentary Trust, pray that an easement by prescription in the property of the Plaintiff containing the sanitary and sewer line be quieted and confirmed in the Defendants, for an Order permanently enjoining Plaintiff from obstructing such easement, for Defendant's costs, and for such other relief as the court may deem just.

EDWARD BELGRADE, JACK B. COHEN and
HAROLD MANN, TRUSTEES OF THE ELI
ZALKIN TESTAMENTARY TRUST,
Defendants and Counterclaimants

By: 

MYRON J. KAPLAN, #16869

RICHARD, RIEKES, BROWN & ZABIN, P.C.
1125 South 103rd Street, Suite 600
Omaha, Nebraska 68124
(402) 390-1112

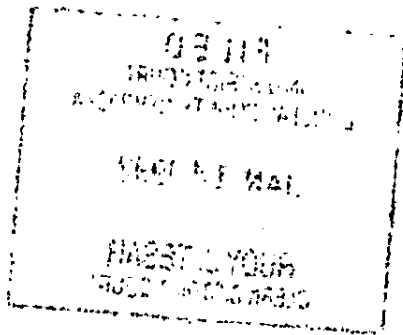
CERTIFICATE OF SERVICE

It is hereby certified that on this 14th day of January, 1992, a copy of the above and foregoing Answer and Counterclaim was mailed to the following by first-class United States mail, postage prepaid:

Duane M. Katz, Esq.
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102





FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA


JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc. _____

Ent. Ex. Doc. _____

Ent. Gen. Index _____



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,)
INC.,)

DOC. 901 NO. 512

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claim-)
ing any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)

Defendants.)

CERTIFICATE OF SERVICE

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

RECEIVED
OFFICE OF THE DIRECTOR
ARMY AND AIR FORCE
SECRET
RECEIVED
OFFICE OF THE DIRECTOR

IT IS HEREBY CERTIFIED that the undersigned mailed a copy of the Answer, Counterclaim and Cross-Claim to Quiet Title, by United States mail, postage prepaid, on the 14 day of January, 1992, to the following:

Belgrade Company
1015 South 78th Street
Omaha, NE 68114

Mr. Edward Belgrade
1015 South 78th Street
Omaha, NE 68114

Felxible Foam Products, Inc.
5700 South 75th Street
Ralston, NE 68127

American National Bank, N.A.
111 North 84th Street
Omaha, NE 68114

Mr. Jack B. Cohen
9507 Oak Circle
Omaha, NE 68124

Herald Mann
10906 Bel-Aire Drive
Omaha, NE 68144

UNITED SEEDS, INC. Defendant,

By: 

William J. Brennan, Jr. #10425

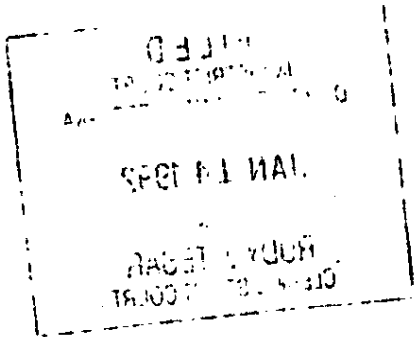
For: FITZGERALD, SCHORR, BARMETTLER
& BRENNAN

1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000

Attorneys for Defendant.

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
JAN 14 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.

Ent. Ex. Doc.

Ent. Gen. Index

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,)
INC.,)

DOC. 901 NO. 512

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claim-)
ing any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)

Defendants.)

MOTION

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
JAN 14 1992
RUDY J. TESAR
CLERK DISTRICT COURT

FILED
MAY 1 1968
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COMES NOW United Seeds, Inc., and moves the court for an order authorizing service by publication upon the Defendants all persons having or claiming an interest in that part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South, real names unknown, for the reasons as follows:

1. The Defendants have or appear to have some interest in, right or title to, or lien upon the real property being quieted in this action.

2. That United Seeds, Inc., after diligent investigation and inquiry, is unable to ascertain and does not know the whereabouts, residences of, or places of abode of the said Defendants.

WHEREFORE, United Seeds, Inc., respectfully requests the court to enter an order granting it authorization to serve by publication the Defendants described above.

UNITED SEEDS, INC., Defendant

By William J. Brennan, Jr.
William J. Brennan, Jr. #10425
For FITZGERALD, SCHORR, BARMETTLER
& BRENNAN
1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000
ITS ATTORNEYS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion was mailed by regular United States mail, postage prepaid, on this 14 day of June, 1992, to the following:

Duane M. Katz
11590 West Dodge Road
Omaha, Nebraska 68154

William J. Brennan, Jr.

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.

FILED
IN DISTRICT COURT
DOWNSIDE, ARIZONA
JAN 11 1931
RICHARD J. LEVY
CLERK DISTRICT COURT

Ent. App. Doc.

06

Ent. App. Doc.

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FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 14 1992

RUDY J. TESAR
CLERK DISTRICT COURT

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FILED
FEB 21 1964
FBI - MEMPHIS
COMMUNICATIONS SECTION
RECEIVED
FEB 21 1964
FBI - MEMPHIS

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The undersigned being first duly sworn, deposes and says:

1. That he is one of the attorneys for United Seeds, Inc., in the above cause.

2. That United Seeds, Inc., is a corporation and, therefore, affiant makes this affidavit.

3. That the cause is an action for quiet title upon the real estate located in Douglas County, Nebraska.

4. That the Defendants have or claim to have liens and interests, actual or contingent, therein.

5. That the relief demanded consists of excluding them from any and all interests therein.

6. That the whereabouts, the residences of or places of abode of the Defendants all persons having or claiming an interest in that part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South, real names unknown, are unknown to Defendant United Seeds, Inc., and after diligent investigation and inquiry, affiant has been unable to ascertain, and does not know, the whereabouts, residences of, or places of abode of the said Defendants.

7. That by reason of the foregoing, personal service, residence service, or service by certified mail cannot be made upon the above-named Defendants.

FURTHER AFFIANT SAYETH NOT.

By

William J. Brennan, Jr.

William J. Brennan, Jr. #10425
For FITZGERALD, SCHORR, BARMETTLER
& BRENNAN

1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000

ATTORNEYS FOR UNITED SEEDS, INC.

SUBSCRIBED and sworn to before me this 14 day of
January, 1992.

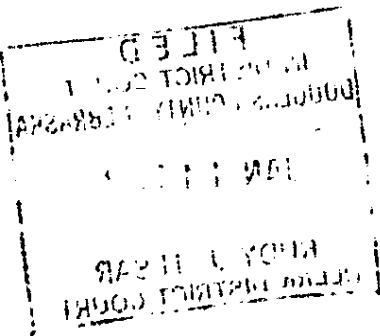


Michael D. Matejka
Notary Public

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-14-2013 BY 60322
UCBAW/STP/STP/STP/STP/STP

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.



Ent. App. Doc.
Ent. App. Doc.
Ent. App. Index

06

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 14 1992

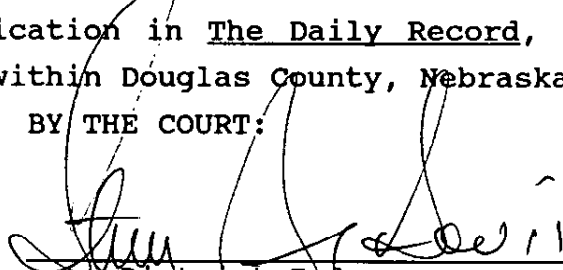
RUDY J. TESAR
CLERK DISTRICT COURT

2

On the 14 day of July, 1992, this matter came before the court on the motion of United Seeds, Inc., for an order for service by publication, the court having read the Cross-Claim herein and the affidavit for constructive service of United Seeds, Inc., and it appearing that the cause of action set forth in said Cross-Claim arose in Douglas County, Nebraska, and the court being satisfied that service cannot be made with reasonable diligence by any other method provided by statute.

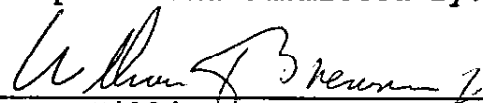
IT IS HEREBY ORDERED, pursuant to Neb. Rev. Stat. § 25-517.02 (Reissue 1989), that service be had upon the Defendants all persons having or claiming an interest in that part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South, real names unknown, by publication in The Daily Record, a newspaper printed and circulated within Douglas County, Nebraska.

BY THE COURT:



District Judge

Prepared and Submitted By:



William J. Brennan, Jr. #10425
For FITZGERALD, SCHORR, BARMETTLER
& BRENNAN
1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000

ATTORNEYS FOR UNITED SEEDS, INC.

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.

901-512

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JAN 14 1992

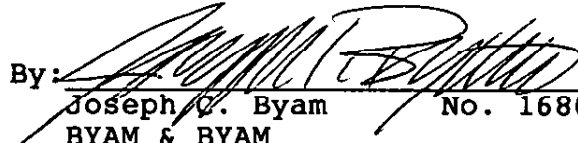
RECORDED
Journal 294 Page 347
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)	DOC. 901	NO. 512
)		
Plaintiff,)		
)		
vs.)	<u>A N S W E R</u>	
)		
BELGRADE COMPANY, et al.,)		
)		
Defendants.)		


COMES NOW defendant American National Bank and for its Answer to plaintiff's Petition to Quiet Title states that it claims no interest in the real estate described in paragraph 2. of plaintiff's Petition to Quiet Title.

AMERICAN NATIONAL BANK, Defendant

By: 
 Joseph V. Byam No. 16807
 BYAM & BYAM
 317 American National Building
 8990 West Dodge Road
 Omaha, Nebraska 68114
 (402) 397-0303
 Its Attorneys

CERTIFICATE OF SERVICE

On the 16th day of January, 1992, a copy of the foregoing Answer was mailed to Duane M. Katz, 11590 West Dodge Road, Omaha, Nebraska 68154, attorney for plaintiff.


 Attorney for Defendant
 American National Bank

FILED
 DISTRICT COURT
 DOUGLAS COUNTY, NEBRASKA
 JAN 17 1992
 RUDY J. TESAR
 CLERK DISTRICT COURT

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DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
SEE FINAL
JAN 17 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,)
INC.,)

DOC. 901 NO. 512

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claim-)
ing any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)

**AFFIDAVIT OF
MAILING NOTICE**

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 24 1992

RUDY J. TESAR
CLERK DISTRICT COURT

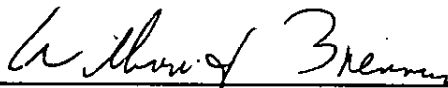
FILED
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JAN 2 1985
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Affiant, being first duly sworn upon oath, states:


1. I am the attorney for Defendant, United Seeds, Inc.
2. Notice of the Notice to Defendants was first published in the The Daily Record on January 21, 1992.
3. On January 24, 1992, I sent by United States Mail a copy of the notice to the following parties.
4. I am unable to ascertain the whereabouts of any party appearing to have an interest in this action other than the following:

Duane M. Katz
Attorney For
Omega Chemical Company, Inc.
(Plaintiff)
11590 West Dodge Road
Omaha, Nebraska 68154

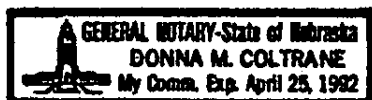


Affiant

SUBSCRIBED AND SWORN to before me this 24th day of January, 1992.



Notary Public



SECRET
EXCLUDED FROM AUTOMATIC
DOWNGRADING AND
DECLASSIFICATION

EXHIBIT "A"

That part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South.

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FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 24 1992

RUDY J. TESAR
CLERK DISTRICT COURT

[Handwritten signature]

Case No. _____
Date Filed _____
Clerk _____

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska Corporation, FLEXIBLE FOAM PRODUCTS, INC., a Nebraska Corporation, EDWARD BELGRADE, UNITED SEED, INC., NEBRASKA SEED COMPANY, AMERICAN NATIONAL BANK, N.A., SARA ZALKIN, JACK B. COHEN, HEROLD MANN, THE ZALKIN TESTAMENTARY FAMILY TRUST, THE DOUGLAS COUNTY BANK, THE CITY OF RALSTON, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in or to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.)

Defendants.)

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

DOC. 901

NO. 512

AFFIDAVIT FOR SERVICE BY PUBLICATION

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JAN 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Duane M. Katz, being first duly sworn upon oath, deposes and says that he is the attorney for Plaintiff herein; that he has commenced an action in the District Court of Douglas County,

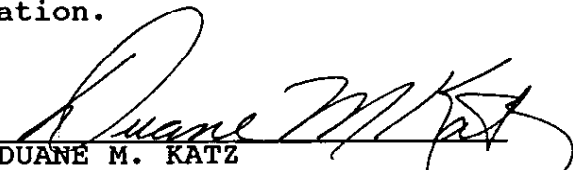
1950
JAN 13 1950
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C.

Nebraska, against all persons having or claiming any interest in and to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises, the object in prayer of which is to quiet in him title to the above described real estate.

That the subject matter of this action is as described in Section 25-517, Revised Statutes of Nebraska for 1943.

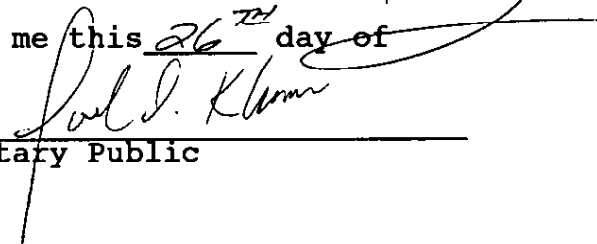
That after diligent investigation and inquiry, Plaintiff is unable to ascertain and does not know the whereabouts, if in this state, or the residence of the Defendants.

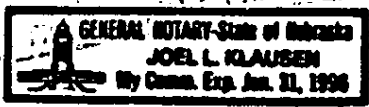
WHEREFORE, Plaintiff prays for an order authorizing service upon said Defendants by Publication.


DUANE M. KATZ

~~October~~ 1991.
JANUARY

SUBSCRIBED AND SWORN to before me this 26TH day of


Notary Public



Omega.Aff

10-3-92

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JAN 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

RECORDED TO CASE NUMBER
INDEXED BY J. BOE
SETTLE AT THE DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

MOTION

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JAN 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff, OMEGA CHEMICAL COMPANY, INC., and moves the Court for an order authorizing service by publication upon the Defendants having or claiming an interest in or to a tract of land legally described as:

FILED
IN DISTRICT COURT
COMMERCIAL COURT NUMBER
JAN 27 1983
JUDY A. TISAR
CLERK DISTRICT COURT

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6 t h P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises;

real names unknown, for the following reasons:

1. The Defendants have or appear to have some interest in, right or title to, or lien upon the real property being quieted in this action; and,
2. Omega Chemical Company, Plaintiff and Duane M. Katz, Plaintiff's attorney, after diligent investigation and inquiry, is unable to ascertain and does not know the whereabouts, residences of, or places of abode of the said Defendants.

WHEREFORE, OMEGA CHEMICAL COMPANY, INC., respectfully requests the Court to enter an order granting it authorization to serve by publication the Defendants described above.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

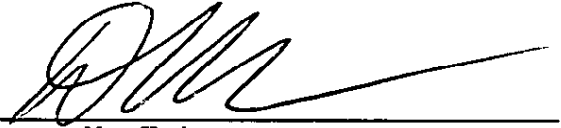
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

CERTIFICATE OF SERVICE

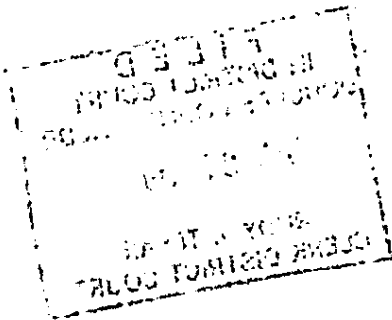
The undersigned hereby certifies that a true and correct copy of the above and foregoing Motion was mailed by regular United States mail, postage prepaid, this 27 day of January, 1992, to the following attorneys at the addresses listed below:

Myron J. Kaplan
1125 South 103rd Street
Suite 600
Omaha, Nebraska 68124

William J. Brennan, Jr.
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68120



Duane M. Katz



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JAN 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc. _____
Ent. Ex. Doc. _____
Ent. Gen. Index _____

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

ORDER FOR SERVICE BY
PUBLICATION

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

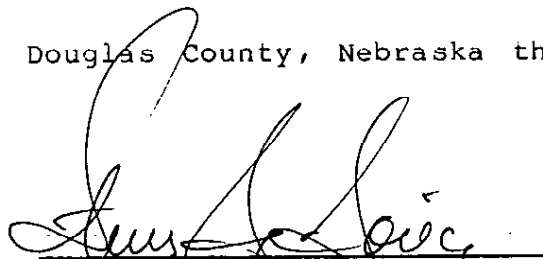
Defendants.)

This matter came on to be heard on the 20th day of
 1992 upon the Petition, Affidavit and
Application of the Plaintiff for an Order directing service by
publication of notice of this suit on the defendants hereinafter

named; and the court being satisfied that sufficient investigation has been made, and that said application should be granted.

IT IS THEREFORE ORDERED, that service of notice of this suit be had by publication in manner and form provided by law upon the following named and designated Defendants, to wit: All persons real and artificial, claiming any right, title, estate, lien, or interest in or to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

Dated at Omaha, Douglas County, Nebraska this 27th day of Jan. 1992
October, 1991.


JUDGE of the District Court

901-5122

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JAN 27 1992

RECORDED
Journal 2958 Page 105
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

DOC. 901

NO. 512

NOTICE OF SERVICE OF
INTERROGATORIES

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 05 1992
RUDY J. TESAR
CLERK DISTRICT COURT

NOTICE IS HEREBY GIVEN that Plaintiff, Omega Chemical Company, Inc., has served Interrogatories on the Defendants listed above, which Interrogatories were served on the 12 day of December, 1991.

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OMEGA CHEMICAL COMPANY, INC.
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Service of Interrogatories was mailed by United States certified mail, return receipt requested, on this 12 day of December, 1991, to the Defendants at the addresses listed below:

Belgrade Company
A Nebraska Corporation
1015 South 78th Street
Omaha, Nebraska 68114

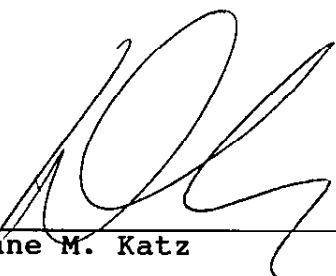
American National Bank
111 North 84th Street
Omaha, Nebraska 68114

Jack B. Cohen
9507 Oak Circle
Omaha, Nebraska 68124

Harold Mann
10906 Bel-Aire Drive
Omaha, Nebraska 68144

Flexible Foam Products, Inc.
5700 South 75th Street
Ralston, Nebraska 68127

Edward Belgrade
1015 South 78th Street
Omaha, NE 68114


Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 05 1992
RUDY J. TEBAR
CLERK DISTRICT COURT

~~Ch. App. Clerk~~

~~Ch. Sec. Clerk~~

~~Ch. Comm. Clerk~~

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
FEB -6 1992
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, BELGRADE COMPANY, a Nebraska corporation, and EDWARD BELGRADE, SARA ZALKIN, JACK B. COHEN and HAROLD MANN, in their individual capacities, and disclaim all right, title, interest or possession in or to the real property described in the Plaintiff's Petition to Quiet Title. Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, in their capacities

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as Trustees of the Eli Zalkin Testamentary Trust, reassert their prayer for relief as contained in their Answer and Counterclaim.

BELGRADE COMPANY, a Nebraska corporation, SARA ZALKIN, JACK B. COHEN and HAROLD MANN, Defendants

By: *Myron J. Kaplan*
MYRON J. KAPLAN, #16869
RICHARD, RIEKES, BROWN & ZABIN, P.C.
1125 South 103rd Street, Suite 600
Omaha, Nebraska 68124
(402) 390-1112

CERTIFICATE OF SERVICE

It is hereby certified that on this 6th day of February, 1992, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102

Myron J. Kaplan

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB -6 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc. _____
Ent. Ex. Doc. _____
Ent. Gen. Index _____

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,

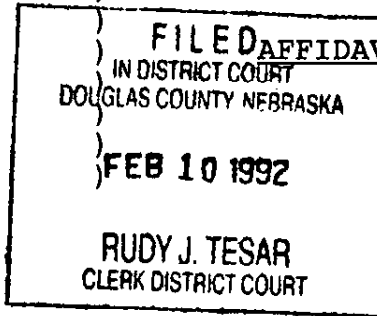
vs.

BELGRADE COMPANY, ET AL.,

Defendants.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

SS



DUANE M. KATZ, being first duly sworn, deposes and states as follows:

1. I am the attorney for the Plaintiff, Omega Chemical Company, Inc., in the above-captioned matter.

2. That pursuant to the Order of the Honorable Stephen A. Davis, dated January 27, 1992, allowing alternate service, a copy of the Notice of Publication in the above-referenced matter, a copy of which is attached, was mailed by first class United States mail, postage prepaid, to the following persons, on the 6th day of February, 1992, at the following addresses:

Jack B. Cohen
9507 Oak Circle
Omaha, NE 68124

Flexible Foam Products, Inc.
5700 S. 75th Street
Ralston, NE 68127

Harold Mann
20906 Bel-Aire Drive
Omaha, NE 68144

Edward Belgrade
1015 S. 78th Street
Omaha, NE 68114

Belgrade Company
A Nebraska Corporation
1015 S. 78th Street
Omaha, NE 68114

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, NE 68102
Attorney for United Seed, Inc.
and Nebraska Seed Company

FILED
FEB 10 1965
RUDY LEGAR
CLEARINGHOUSE

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 S. 103rd Street
Omaha, NE 68124
Attorney for Edward Belgrade,
Jack B. Cohen, and Harold Mann,
Trustees of the Eli Zalkin
Testamentary Trust

Joseph C. Byam
Attorney at Law
317 American National Bank Bldg.
8990 West Dodge Road
Omaha, NE 68114
Attorney for American National
Bank

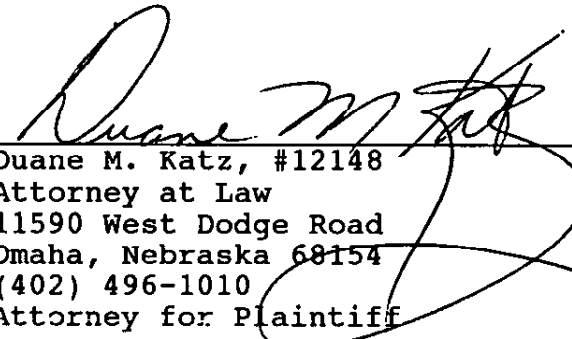
Southwest Bank and Trust
8800 West Center Road
Omaha, NE 68124

The City of Ralston
5500 S. 77th Street
Ralston, NE 68127


Douglas County Bank & Trust Co.
14545 West Center Road
Omaha, NE 68144

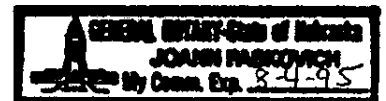
3. Affiant further states that Plaintiff and Plaintiff's attorney were unable to ascertain and do not know the post office address of any other party appearing to have a direct legal interest in this action or proceeding other than those to whom notice has been mailed in writing.

FURTHER AFFIANT SAYETH NAUGHT.

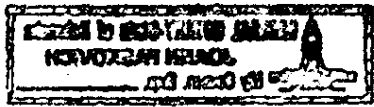

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

SUBSCRIBED and sworn to before me this 7th day of February, 1992.


Notary Public



A:Omega.aff



THE STATE OF NEBRASKA,

County of Douglas

TO ALL CONCERNED:

Please take note of the following copy of notice which was published in The Daily Record, a legal newspaper of said County and State on February 5, 1992

DUANE M. KATZ
Attorney
11590 West Dodge Road
NOTICE
In the District Court of
Douglas County, Nebraska
Docket 901, Number 512
Omega Chemical Company, Inc.,
Plaintiff,

-vs-
Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Harold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Ralston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska; together with all trackage agreement relating to the above premises, real names unknown,

Defendants.
TO: Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Harold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Ralston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska; together with all trackage agreement relating to the above premises, real names unknown.

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
FEB 10 1992
RUDY L. TESSAR
CLERK DISTRICT COURT

You are hereby notified that on the twenty-fifth day of October, 1991, Omega Chemical Company, Inc. filed its Petition in the District Court of Douglas County, Nebraska, against you, the object and prayer of which is to quiet title in it, the said Omega Chemical Company, Inc., to the real estate above specifically described as against you, and each of you.
You are required to answer said Petition on or before the 3rd day of April, 1992.
OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

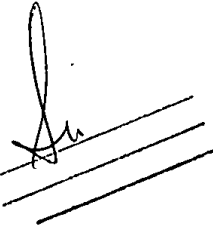
By: DUANE M. KATZ, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

w2-5-4t

[Handwritten signature]
19

[Handwritten signature: Duane M. Katz]
Attorney for *[Handwritten signature]*

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index



A handwritten signature in black ink, appearing to be 'R. J. Tesar', is written over three horizontal lines.

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 10 1992
RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

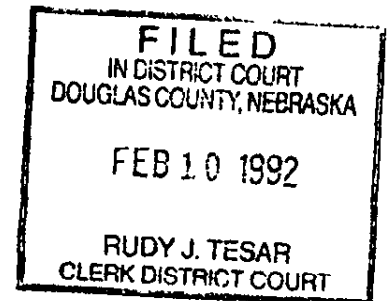
Plaintiff,)

vs.)

NOTICE OF SERVICE OF
SUPPLEMENTAL INTERROGATORIES

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)



NOTICE IS HEREBY GIVEN that Plaintiff, Omega Chemical Company, Inc., has served Supplemental Interrogatories on the Defendants, Edward Belgrade, Jack B. Cohen, and Harold Mann, Trustees of the Eli Zalkin Testamentary Trust, which Supplemental Interrogatories were served on the 7TH day of February, 1992.

FILED
RECEIVED
COUNTY OF TARRANT
JUL 1 1962
RUDY I. TRAVIS
CLERK

OMEGA CHEMICAL COMPANY, INC.
Plaintiff

BY: *Duane M. Katz*
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

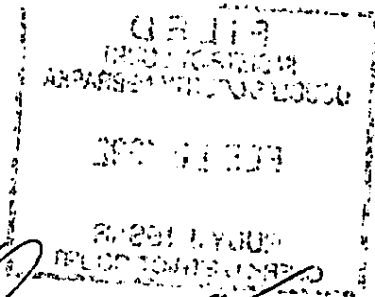
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Service of Supplemental Interrogatories was mailed by regular United States mail, postage prepaid, on this 7th day of February, 1992, to the Defendants at the addresses listed below:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114




Duane M. Katz
Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

ANSWER TO COUNTERCLAIM OF
EDWARD BELGRADE, JACK B. COHEN,
AND HAROLD MANN, AS TRUSTEES OF
THE ELI ZALKIN TESTAMENTARY TRUST

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 10 1992
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff, and for its Answer to the Counterclaim of Edward Belgrade, Jack B. Cohen, and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, states and alleges as follows:

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
SEP 14 1964
COMMUNICATIONS SECTION

1. Plaintiff denies each and every allegation contained in the Counterclaim of said Defendants, except those allegations which are admissions against the interests of said Defendants, or are in the nature of admissions against the interests of said Defendants.

WHEREFORE, Plaintiff prays that said Counterclaim be dismissed at Defendants' cost.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

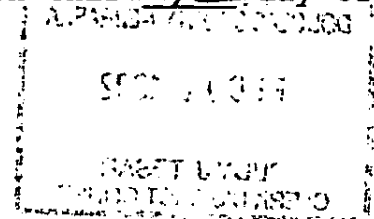
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Answer to Counterclaim was mailed by regular United States mail, postage prepaid, on this 7th day of February, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114




Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

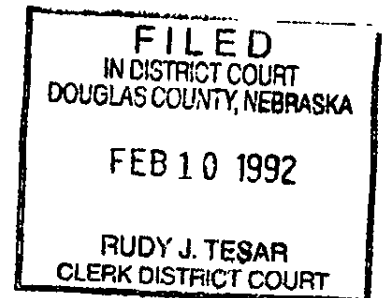
Plaintiff,)

vs.)

REPLY TO ANSWER OF
UNITED SEEDS, INC.

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)



COMES NOW the Plaintiff, Omega Chemical Company, Inc., and for its Reply to the Answer of United Seeds, Inc., states and alleges as follows:

RECEIVED
FBI
COMMUNICATIONS SECTION
JUN 11 1964
FBI
COMMUNICATIONS SECTION

1. Plaintiff denies each and every allegation contained in the Answer of United Seeds, Inc., except those allegations which are admissions against the interests of said Defendant or are in the nature of admissions against the interests of said Defendant.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

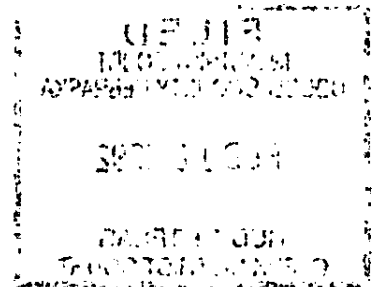
CERTIFICATE OF SERVICE


The undersigned hereby certifies that a true and correct copy of the above and foregoing Reply to Answer was mailed by regular United States mail, postage prepaid, on this 7 day of February, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114




Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

[Signature]

Ent. App. Dec. _____
Ent. Ex. Dec. _____
Ent. Gen. Index _____

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

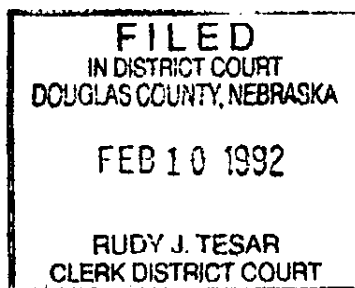
Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

REPLY TO ANSWER OF
EDWARD BELGRADE, JACK B. COHEN,
AND HAROLD MANN, AS TRUSTEES OF
THE ELI ZALKIN TESTAMENTARY TRUST

Defendants.)



COMES NOW the Plaintiff, and for its Reply to the Answer of Edward Belgrade, Jack B. Cohen, and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, states and alleges as follows:

OFFICE
OF THE
ATTORNEY GENERAL
STATE OF CALIFORNIA
SAN FRANCISCO
JAN 10 1960

1. Plaintiff denies each and every allegation contained in the Answer of said Defendants, except those allegations which are admissions against the interests of said Defendants, or are in the nature of admissions against the interests of said Defendants.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

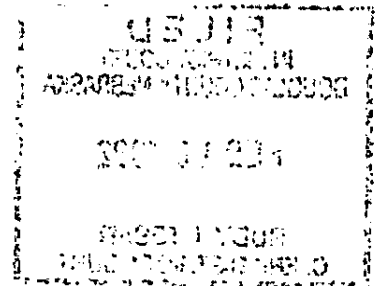
CERTIFICATE OF SERVICE

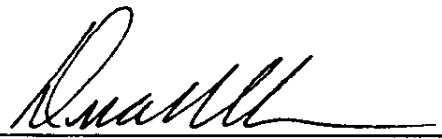
The undersigned hereby certifies that a true and correct copy of the above and foregoing Reply to Answer was mailed by regular United States mail, postage prepaid, on this 7th day of February, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114




Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Div. _____
Ent. P. _____
Ent. Gen. Index _____

[Handwritten Signature]

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)

DOC. 901

NO. 512

vs.)

ANSWER TO COUNTERCLAIM
OF UNITED SEEDS, INC.

BELGRADE COMPANY, a Nebraska)
 Corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 Corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as The West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises.)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Plaintiff, and for its Answer to the Counterclaim
of United Seeds, Inc., states and alleges as follows:

RECEIVED
FEB 10 1975
FBI
COMMUNICATIONS SECTION

1. Plaintiff denies each and every allegation contained in the Counterclaim of said Defendant, except those allegations which are admissions against the interests of said Defendant, or are in the nature of admissions against the interests of said Defendant.

WHEREFORE, Plaintiff prays that said Counterclaim be dismissed at Defendant's cost.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 

Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

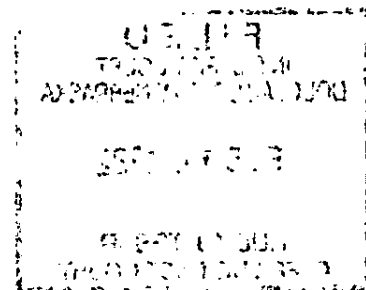
CERTIFICATE OF SERVICE

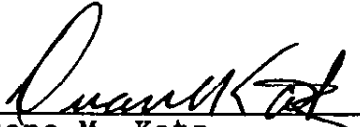
The undersigned hereby certifies that a true and correct copy of the above and foregoing Answer to Counterclaim was mailed by regular United States mail, postage prepaid, on this 7 day of February, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114





Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

FEB 10 1992

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Div.
Ent. Ex. Div.
Ent. Gen. Index



FITZGERALD, SCHORR,
BARMETTLER & BRENNAN
Attorneys

1000 Woodman Tower
NOTICE TO DEFENDANTS
In the District Court of

Douglas County, Nebraska
TO: All persons having or claiming an interest in that part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South, real names unknown:

NOTICE is hereby given that on January 2, 1992, Defendant, United Seeds, Inc., filed its Answer, Counterclaim and Cross-Claim to Quiet Title in the District Court of Douglas County, Nebraska, Doc. 901, No. 512.

Defendant prays that its title to said real estate be quieted and confirmed in this Defendant as against the Plaintiff and against all persons having or claiming any interest in that part of the terminal right-of-way adjacent to the West 45.1 feet in width of Lot 2, Block 57 in the Townsite of Ralston, on the South and lying between the West line of said Lot 2 extended due South and a North-South line 45.1 feet East of the West line of said Lot 2 extended due South, real names unknown, and that each of them be enjoined forever from asserting any claim or interest in said real estate or any portion thereof, and for such other and further relief as the Court deems just and equitable.

You are required to answer said Cross-Claim on or before the 12th day of March, 1992.

UNITED SEEDS, INC.,
Defendant
By: WILLIAM J. BRENNAN, JR., #10425
For: FITZGERALD, SCHORR,
BARMETTLER & BRENNAN
1000 Woodman Tower
Omaha, Nebraska 68102
(402) 342-1000
Its Attorneys

(1-218-2882-4&11-92

The Daily Record

OF OMAHA

RONALD A. HENNINGSEN, Publisher

PROOF OF PUBLICATION

UNITED STATES OF AMERICA,

The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha,

FILED

DISTRICT COURT

Douglas County, NEBRASKA

see FEB 11, 1992

RUDY J. TESAR

CLERK DISTRICT COURT

JOHN P. EGLSAER

being duly sworn, deposes and says that he is

ADVERTISING MANAGER

of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, printed in Omaha, in said County of Douglas, for more than fifty-two weeks last past; that the printed notice hereto attached was published in THE

DAILY RECORD, of Omaha, on

January 21 and 28, 1992

February 4 and 11, 1992

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of

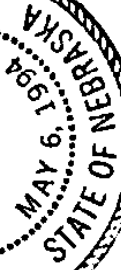
100.56

Additional Copies
NOTARY
COMMISSION
EXPIRES

100.56

Subscribed in my presence and sworn to before me this

February 19, 1992



Mary H. Wescher
Notary Public in and for Douglas County,
State of Nebraska

TRUDY J. WITTESAR
DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
FEB 11 1992
TRUDY J. WITTESAR
DISTRICT COURT

For Cash Index
Ent. Ex. Doc.
Gen. App. Doc.



DUANE M. KATZ
Attorney
11590 West Dodge Road
NOTICE

In the District Court of
Douglas County, Nebraska
Docket 901, Number 512

Omega Chemical Company, Inc.,
Plaintiff,

vs.
Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Herold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Ralston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Township of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska; together with all trackage agreement relating to the above premises, real names unknown.

TO: Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Herold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Ralston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Township of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska; together with all trackage agreement relating to the above premises, real names unknown.

By: DUANE M. KATZ, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

The Daily Record

OF OMAHA
PUBLISHED
DAILY IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
PROOF OF PUBLICATION

MAR 04 1992

UNITED STATES OF AMERICA,

The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha,

JOHN P. EGLSAER

being duly sworn, deposes and says that he is

ADVERTISING MANAGER

of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, printed in Omaha, in said County of Douglas, for more than fifty-two weeks last past; that the printed notice hereto attached was published in THE DAILY RECORD, of Omaha, for 4 consecutive weeks, on the same day of each week,

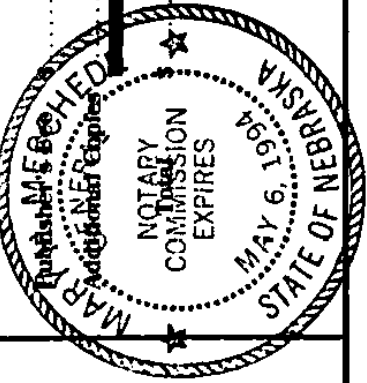
beginning on February 5, 19 92
and ending on March 4, 19 92

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.

156.82

Subscribed in my presence and sworn to

before me this day of 1992
MARCH 4th



156.82

Notary Public in and for Douglas County,
State of Nebraska

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAR 04 1992
RUDY J. TESAR
CLERK DISTRICT COURT

Dist. App. Vol. *W*
Dist. Ex. Doc. _____
Dist. Gen. Index _____

DUANE M. KATZ
 Attorney
 1350 West Dodge Road
 NOTICE
 In the District Court of
 Douglas County, Nebraska
 Docket 901, Number 51257
 Omega Chemical Company, Inc. Plaintiff

Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Harold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Relston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 Foot of Lot 2 and all of Lots 3, 4, 5 and 6 in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Township of Relston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North One-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all franchise agreement relating to the above premises, real names unknown.

Defendants.
 TO: Belgrade Company, a Nebraska Corporation, Flexible Foam Products, Inc., a Nebraska Corporation, Edward Belgrade, United Seed, Inc., Nebraska Seed Company, American National Bank, N.A., Sara Zalkin, Jack B. Cohen, Harold Mann, The Zalkin Testamentary Family Trust, The Douglas County Bank, The City of Relston, and all other persons real and artificial, claiming any right, title, estate, lien, or interest in and to a Tract of Land legally described as The West 45.1 Foot of Lot 2 and all of Lots 3, 4, 5 and 6 in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Township of Relston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North One-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all franchise agreement relating to the above premises, real names unknown.

You are hereby notified that on the twenty-fifth day of October, 1991, Omega Chemical Company, Inc. filed its Petition in the District Court of Douglas County, Nebraska, against you, the object and prayer of which is to quiet title in it the said Omega Chemical Company, Inc. to the real estate above specifically described as against you, and each of you.
 You are required to answer said Petition on or before the 3rd day of April, 1992.

The Daily Record

OF OMAHA FILED
 RONALD A. HENNINGSEN, PLAINTIFF DISTRICT COURT
 DOUGLAS COUNTY, NEBRASKA
PROOF OF PUBLICATION

UNITED STATES OF AMERICA,

The State of Nebraska,
 District of Nebraska,
 County of Douglas,
 City of Omaha,

MAR 04 1992

RUDY J. TESAR
 CLERK DISTRICT COURT

JOHN P. EGLSAER

being duly sworn, deposes and says that he is

ADVERTISING MANAGER

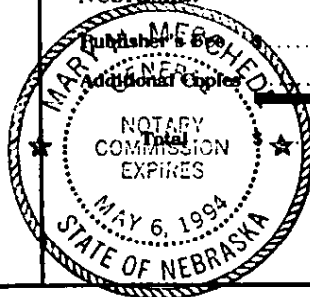
of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, printed in Omaha, in said County of Douglas, for more than fifty-two weeks last past; that the printed notice hereto attached was published in THE

DAILY RECORD, of Omaha, for 4 consecutive weeks, on the same day of each week,

beginning on February 5, 1992

and ending on March 4, 1992

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



156.82

Publisher's Copy
 Additional Copies

156.82

NOTARY
 COMMISSION
 EXPIRES

MAY 6, 1994
 STATE OF NEBRASKA

John P. Eglser
 Subscribed in my presence and sworn to
 before me this 4th day of
 March 1992
R. J. Tesar
 Notary Public in and for Douglas County,
 State of Nebraska

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 BELGRADE COMPANY, ET AL.,)
)
 Defendants.)

DOC. 901 NO. 512

MOTION TO COMPEL
ANSWERS TO INTERROGATORIES

COMES NOW the Plaintiff, and moves the Court for an Order requiring the Defendants, Edward Belgrade, Jack B. Cohen, Howard Mann, Trustees of the Eli Zalkin Testamentary Trust, to answer Interrogatories previously propounded and served upon said Defendants.


In support of said Motion, Plaintiff shows to the Court that on the 12th day of December, 1991, Plaintiff served upon said Defendants, Interrogatories, a copy of which are attached hereto, marked Exhibit "A", and by reference made a part hereof

In further support of said Motion, Plaintiff shows to the Court that on or about February 7, 1992, Plaintiff served upon said Defendants Supplemental Interrogatories, a copy of which are attached hereto, marked Exhibit "B", and by reference made a part hereof.

That despite Plaintiff's requests that said Interrogatories be answered, said Defendants refuse and neglect to respond to said Interrogatories.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAR 30 1992
RUDY J. TESAR
CLERK DISTRICT COURT

BY: 
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

FILED
CLERK OF DISTRICT COURT
DOKSAS COUNTY, NEBRASKA
MAY 21 1925
RUDY J. TESSER
CLERK OF DISTRICT COURT
DOKSAS COUNTY, NEBRASKA

NOTICE OF HEARING

PLEASE BE ADVISED that hearing on Plaintiff's Motion to Compel will be heard in the District Court of Douglas County, Nebraska, before the Honorable Stephen A. Davis, Courtroom No. 13, Hall of Justice, 17th and Farnam Streets, Omaha, Nebraska 68183, on the 8th day of April, 1992, at 1:15 p.m., or as soon thereafter as counsel may be heard.



Duane M. Katz

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Motion to Compel Answers to Interrogatories was mailed by regular United States mail, postage prepaid, on this 26th day of March, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124

William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102


Duane M. Katz

A:Motion.int

COPY

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

INTERROGATORIES

BELGRADE COMPANY, a Nebraska)
 Corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 Corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as The West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises.)

Defendants.)

TO: Each of the Defendants named above

The following Interrogatories are propounded in accordance with the Nebraska Discovery Rules and are to be answered fully, in writing and under oath within thirty (30) days from the date of

service. The answers should reflect the collective knowledge of the Defendant, Defendant's attorney, agents or servants, including that which is ascertainable upon reasonable inquiry of outside sources. These Interrogatories are deemed continuing and should the Defendant, Defendant's attorney, agents or servants discover additional information as to the matters inquired of herein between the date answers are made and the date of trial, supplemental or amended answers containing all such information shall be made.

INTERROGATORY NO. 1: Do you have, or claim to have, any interest in any real property located in Lots 2, 3, 4, 5 or 6 of Block 57 in the Townsite of Ralston, as surveyed, platted and recorded in Douglas County, Nebraska.

ANSWER:

INTERROGATORY NO. 2: If the answer to the above Interrogatory is affirmative, please further state:

- a. the legal description of the property you have, or claim an interest in;
- b. the common address of the property you have, or claim an interest in;
- c. the exact name of the record title holder of each property you have, or claim an interest in;
- d. the name, present address and present telephone number of each other person who has, or claims an interest in each such parcel of real property you have, or claim an interest in.

ANSWER:

INTERROGATORY NO. 3: Do you have, or claim to have, any interest in any real property located in Blocks 35, 36, 37, 38, 58 or 59 in the Townsite of Ralston, as surveyed, platted and recorded in Douglas County, Nebraska.

ANSWER:

INTERROGATORY NO. 4: If the answer to the above Interrogatory is affirmative, please further state:

- a. the legal description of the property you have, or claim an interest in;
- b. the common address of the property you have, or claim an interest in;
- c. the exact name of the record title holder of each property you have, or claim an interest in;
- d. the name, present address and present telephone number of each other person who has, or claims an interest in each such parcel of real property you have, or claim an interest in.

ANSWER:

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: _____

Dwane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Interrogatories was mailed by United States certified mail, return receipt requested, on this 12 day of December, 1991, to the Defendants at the addresses listed below:

Belgrade Company
A Nebraska Corporation
1015 South 78th Street
Omaha, Nebraska 68114

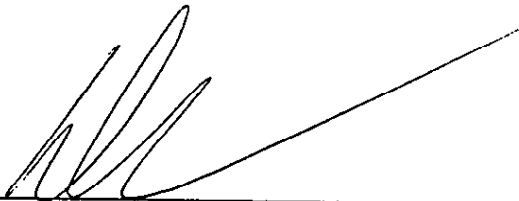
American National Bank
111 North 84th Street
Omaha, Nebraska 68114

Jack B. Cohen
9507 Oak Circle
Omaha, Nebraska 68124

Harold Mann
10906 Bel-Aire Drive
Omaha, Nebraska 68144

Flexible Foam Products, Inc.
5700 South 75th Street
Ralston, Nebraska 68127

Edward Belgrade
1015 South 78th Street
Omaha, NE 68114



Duane M. Katz

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

vs.)

SUPPLEMENTAL
INTERROGATORIES

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises.)

Defendants.)

TO: EDWARD BELGRADE, JACK B. COHEN, AND HAROLD MANN, TRUSTEES OF
THE ELI ZALKIN TESTAMENTARY TRUST

The following Interrogatories are propounded in accordance with
the Nebraska Discovery Rules and are to be answered fully, in
writing and under oath within thirty (30) days from the date of

service. The answers should reflect the collective knowledge of the Defendant, Defendant's attorney, agents or servants, including that which is ascertainable upon reasonable inquiry of outside sources. These Interrogatories are deemed continuing and should the Defendant, Defendant's attorney, agents or servants discover additional information as to the matters inquired of herein between the date answers are made and the date of trial, supplemental or amended answers containing all such information shall be made.

Definitions:

- a. "Identify", "identity", or "identification" used in reference to an individual person means to state full name and present address, present or last known position and business affiliation, and position and business affiliations during the period covered by these Interrogatories. When used with respect to a person other than an individual, it means to state the official name or designation and the address of each such person. When used in reference to a document, it means to state date and author, type of document (e.g., letter, memorandum, telegram, chart, etc.), or some other means of identifying it, its present location, and name and address of its custodian. If any such document was, but is no longer in your possession or subject to your control, state what disposition was made of it and the date of such disposition. "Identify" when used in reference to an event means to state the date and place of the event, and circumstances of the occurrence which comprised the event.

INTERROGATORY NO. 1: Each fact relied upon by Defendants which support paragraph VII. of Defendants' Counterclaim.

INTERROGATORY NO. 2: Please state the name, present address and present telephone number of each person having knowledge of the facts set forth in your Response to Interrogatory No. 1.

INTERROGATORY NO. 3: Please identify each and every document which supports the allegation set forth in paragraph VII. of Defendants' Counterclaim, and further set forth the following:

- a. The date of its preparation;

- b. The maker or drafter of said document;
- c. The purpose for which said document was prepared;
- d. The name, present address and present telephone number of each person having possession of a copy of said document;
- e. Whether or not Defendants will allow Plaintiff to review said document.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: *Duane M. Katz*
 Duane M. Katz, #12148
 Attorney at Law
 11590 West Dodge Road
 Omaha, Nebraska 68154
 (402) 496-1010
 Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Supplemental Interrogatories was mailed by regular United States mail, postage prepaid, on this 7TH day of February, 1992, to the Defendants at the addresses listed below:

Myron J. Kaplan
 Attorney at Law
 One Pacific Place, Suite 600
 1125 South 103rd Street
 Omaha, Nebraska 68124

William J. Brennan, Jr.
 Attorney at Law
 1000 Woodmen Tower
 1700 Farnam Street
 Omaha, Nebraska 68102

American National Bank
 1915 North 84th Street
 Omaha, Nebraska 68114

AMERICAN NATIONAL BANK
 SOCIETY OF FARM
 HARRY L. YOUNG
 TRUST COMPANY OF NEBRASKA

Duane M. Katz
 Duane M. Katz

D:\wp5\mk\Omega2.int

~~FILED~~
~~IN DISTRICT COURT~~
~~DOUGLAS COUNTY, NEBRASKA~~

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

MAR 30 1992

RUDY J. TESAR
CLERK DISTRICT COURT

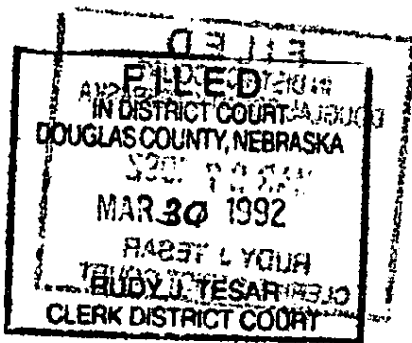
IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
Plaintiff,)
)
vs.)
)
BELGRADE COMPANY, ET AL.,)
)
Defendants.)

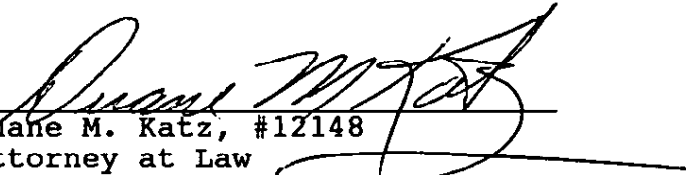
DOC. 901 NO. 512

NOTICE OF SERVICE OF INTERROGATORIES

NOTICE IS HEREBY GIVEN that the Plaintiff, Omega Chemical Company, Inc., has served Interrogatories on United Seed, Inc. and Nebraska Seed Company, Defendants, which Interrogatories were served on the 28TH day of March, 1992.



OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

BY: 
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

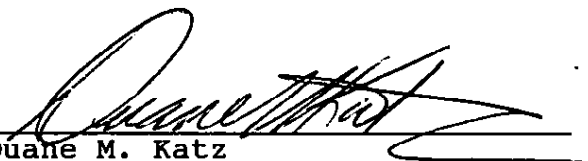
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Service of Interrogatories was mailed by regular United States mail, postage prepaid, on this 26TH day of March, 1992, to the following:

Myron J. Kaplan
Attorney at Law
One Pacific Place, Suite 600
1125 South 103rd Street
Omaha, Nebraska 68124


William J. Brennan, Jr.
Attorney at Law
1000 Woodmen Tower
1700 Farnam Street
Omaha, Nebraska 68102

American National Bank
111 North 84th Street
Omaha, Nebraska 68114


Duane M. Katz

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
MAR 30 1992
RUDY J. TESAR
CLERK-DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index



The District Court of Nebraska

FOURTH JUDICIAL DISTRICT

ADMINISTRATOR DARWIN L. SEVERSON, JR. HALL OF JUSTICE OMAHA NEBRASKA 68183



OFFICE OF COURT ADMINISTRATOR

482-444-7004

COURT COPY

JULY 27, 1992

LETTER SENT TO: DUANE KATZ
WILLIAM J. BRENNAN, JR.
MYRON J. KAPLAN
JOSEPH C BYAM

OMEGA CHEMICAL COMPANY INC
VS
BELGRADE COMPANY

RE: Docket 901 Page 512

Dear Counselor:

Rule 6(A) of the Rules of Practice of the District Court for the Fourth Judicial District, regarding Case Progression Standards, requires that cases, appeals, and post-judgment proceedings filed in the District Court be processed in a timely and efficient manner.

Court records reflect that the above-captioned case, appeal, or post-judgment proceeding, assigned to the Honorable, STEPHEN A. DAVIS has been on file in the District Court of Douglas County, Nebraska, for more than 275 days and has not been certified as ready for trial or hearing, or otherwise disposed of.

You are hereby notified that, pursuant to Rule 6(A), the above-captioned case, appeal, or post-judgment proceeding will be dismissed by the Court for lack of prosecution unless, within thirty (30) days from the date of this notice, either (a) the case, appeal, or post-judgment proceeding is certified as ready for trial or hearing or (b) the Court by order excuses filing of the certificate within that time.


COURT ADMINISTRATOR

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JUL 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

03115
COURT OF DISTRICT JUDGES
DOUGLAS COUNTY, NEBR.
JUL 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBR.
JUL 27 1992
RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
AUG 25 1992
RUDY d. TESAR
CLERK DISTRICT COURT

OMEGA CHEMICAL COMPANY, INC
vs.
BELGRADE COMPANY, ET AL.

CERTIFICATE OF READINESS
FOR TRIAL

Doc. 901 No. 512

TYPE OF CASE Law X Equity Judge Stephen Davis

- | | | | |
|--------------------------|--------------------------|----------------------------|-----------------------|
| <u>001</u> AUTO NEG. | <u>004</u> WARRANTY | <u>007</u> PATERNITY | <u>010</u> APP. NEG. |
| <u>002</u> OTHER NEG. | <u>005</u> MALPRACTICE | <u>008</u> WILL OR PROBATE | <u>011</u> APP. CONT. |
| <u>003</u> CONTRACT | <u>006</u> CONDEMNATION | <u>009</u> ASSAULT | <u>012</u> FRAUD |
| <u>021</u> MORTG. FORCL. | <u>022</u> LIEN FORECL. | <u>024</u> INJUNCTION | <u>X 013</u> OTHER |
| | <u>023</u> CONTRACT FOR. | <u>025</u> ACCOUNTING | Quit Title |

The undersigned attorney of record for the Plaintiff XX the Defendant _____ represents to the Court as follows:

- Trial of this case will be jury XX non-jury _____.
- That the issues are joined and the following pleadings have been filed:
 Petition was filed _____, 19____
 a. Last amendment thereto was filed October 25, 1991
 Answer was filed January 14, 1992
 a. Last amendment thereto was filed _____, 19____
 Reply was filed _____, 19____
- That in the opinion of the undersigned the case is ready for trial; that all discovery proceedings including depositions and other necessary preparation has been completed; that the testimony of all necessary witnesses is as of the date hereof available for trial as certified hereby; that the trial is estimated to take no less than 1 days nor more than 2 days.
- That in the opinion of the undersigned a pre-trial conference is necessary _____; is not necessary _____
- That the undersigned is not available for trial of said cause during the jury panel weeks commencing on the following dates during the next ninety (90) days: _____
- This case has been consolidated with _____ found at docket _____, number _____, and the attorneys appearing in said case (or parties appearing pro se) are included below.
- The original and one copy hereof have been filed with the Court Administrator and a copy has been served on opposing counsel or parties appearing pro se personally or by United States Mail, postage prepaid, this 24th day of August, 1992.

<u>Attorney Number</u>	<u>Name (Individual, NOT FIRM, include current address & phone)</u>
<u>12148</u>	Pltf's Trial Atty. Duane M. Katz, 11590 W. Dodge Rd, Omaha, NE United Seeds 68154 (402) 496-1010
<u>17362</u>	Def's Trial Atty. Michael D. Matejka, 1000 Woodmen Tower, Omaha, Belgrade NE.68102 (402) 342-1000
<u>16869</u>	3rd Party Atty's Atty. Myron Kaplan, One Pacific Place, #600, Omaha, NE 68124 (402) 390-1112
	3rd Party Def's Atty.
	Other

Duane M Katz
Attorney for Plaintiff

FILED
DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
AUG 25 1992
RUDY J. TESAR
CLERK DISTRICT COURT

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
AUG 25 1992
RUDY J. TESAR
CLERK DISTRICT COURT

LAW OFFICES
FITZGERALD, SCHORR, BARMETTLER & BRENNAN
1000 WOODMEN TOWER
OMAHA, NEBRASKA 68102
(402) 342-1000

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY,)
INC.,)

DOC. 901 NO. 512

Plaintiff,)

vs.)

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as The West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises; and)
all persons having or claim-)
ing any interest in and to)
the real estate described in)
Exhibit "A" attached hereto,)
Real Names Unknown,)

OBJECTION TO CERTIFICATE
OF READINESS FOR TRIAL

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
SEP -2 1992
RUDY J. TESAR
CLERK DISTRICT COURT

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COMES NOW the Defendant, United Seeds, Inc., and hereby objects to Plaintiff's Certificate of Readiness for Trial for the following reasons:

1. This is an action to quiet title which is an equitable action; therefore, the trial should be non-jury Neb. Rev. Stat. §25-21,120.

2. United Seeds, Inc. has not yet completed discovery and requests 90 days time in which to complete discovery.

WHEREFORE, United Seeds, Inc., respectfully requests the Court to strike Plaintiff's Certificate of Readiness for Trial and to enter an order granting 90 days time in which to complete discovery.

UNITED SEEDS, INC. Defendant,

By: Michael D. Matejka
Michael D. Matejka #17362
William J. Brennan, Jr. #10425
For: FITZGERALD, SCHORR, BARMETTLER
& BRENNAN
1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000

Notice of Hearing

Be hereby notified that on the 14th day of September, 1992 at the hour of 8:30 a.m., a hearing of the above and foregoing Objection to Certificate of Readiness for Trial will be held in front of the Honorable Judge Stephen A. Davis, at the Douglas County District Court, Omaha, Nebraska.

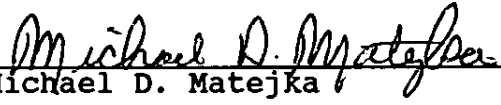
Michael D. Matejka

Certificate of Service

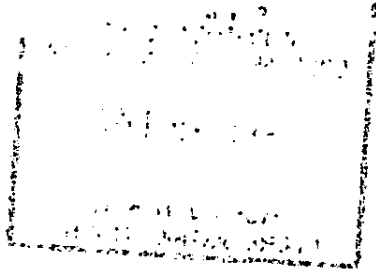
The undersigned hereby certifies that a copy of the foregoing Objection to Certificate of Readiness for Trial was mailed by United States mail, postage prepaid, this 2 day of September, 1992, to the following:

Mr. Duane M. Katz
11590 West Dodge Road
Omaha, Nebraska 68154

Mr. Myron Kaplan
One Pacific Place, Suite 600
Omaha, Nebraska 68124



Michael D. Matejka



Ent. Gen. Index 015
Ent. Gen. Index _____
Ent. Gen. Index _____

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

SEP -2 1992

RUDY J. TESAR
CLERK DISTRICT COURT

LAW OFFICES
FITZGERALD, SCHORR, BARMETTLER & BRENNAN
1000 WOODMEN TOWER
OMAHA, NEBRASKA 68102
(402) 342-1000

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,) DOC. 901 NO. 512
)
Plaintiff,)
)
vs.) NOTICE OF SERVING DISCOVERY
) DOCUMENTS
)
BELGRADE COMPANY, a Nebraska)
corporation; et al.,)
)
Defendants.)

TO WHOM IT MAY CONCERN:

Take notice that on the 30 day of November
1992, Defendant United Seeds, Inc., served its Request for
Admissions and Interrogatories, upon Plaintiff by mailing the same
to the plaintiff's attorneys as follows:

Duane M. Katz
11590 West Dodge Road
Omaha, NE 68154-2537

UNITED SEEDS, INC., Defendant

By Michael D. Matejka
Michael D. Matejka #17362
For FITZGERALD, SCHORR, BARMETTLER
& BRENNAN
1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000
ITS ATTORNEYS

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

NOV 30 1992

RUDY J. TESAR
CLERK DISTRICT COURT

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Notice of
Serving Discovery Documents was mailed by regular United States
mail, postage prepaid, this 30 day of November 1992,
to the following:

Duane M. Katz
11590 West Dodge Road
Omaha, NE 68154-2537

Michael D. Matejka

Ent. App. Doc.
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Ent. Gen. Index



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
NOV 30 1992
RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 BELGRADE COMPANY, A)
 Nebraska Corporation,)
 et al.,)
)
 Defendants.)

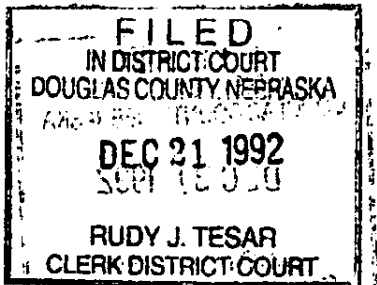
DOC. 901 NO. 512

NOTICE OF SERVICE

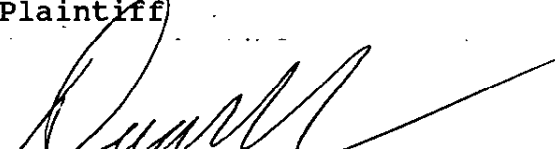
NOTICE IS HEREBY GIVEN that Plaintiff's Response to Request for Admissions was served upon the Defendants by mailing same to its attorney, Michael D. Matejka, on the 18th day of December, 1992.

Dated this 18th day of December, 1992.

OMEGA CHEMICAL COMPANY, INC.,
A Nebraska Corporation
Plaintiff



BY:


Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

CERTIFICATE OF SERVICE

It is hereby certified that on this 18th day of December, 1992 a copy of the foregoing Notice of Service was sent by United States mail, postage prepaid, to Michael D. Matejka of Fitzgerald, Schorr, Barmettler & Brennan, 1000 Woodmen Tower, Omaha, NE 68102, attorney for Defendants.


Duane M. Katz

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Ent. Ex. Doc. _____
Ent. Gen. Index _____

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
DEC 21 1992
RUDY J. TESAR
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, JACK B. COHEN, individually, and in his capacity as Trustee of the Zalkin Testamentary Family Trust, and disclaims all right, title, interest or possession in or to the real property described in the Plaintiff's Petition to Quiet Title.

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Defendant further states that he knows of no other person or entity which has or claims to have an interest in the subject property.



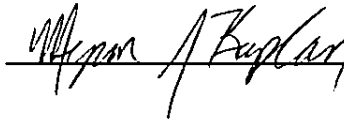
JACK B. COHEN, Defendant

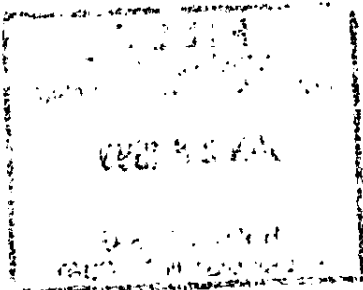
CERTIFICATE OF SERVICE

It is hereby certified that on this 26th day of Jan., 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102






FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc. _____
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Ent. Gen. Index _____



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)

DOC. 901 NO. 512

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
 corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as the West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, SANDRA BELGRADE, as Co-Personal Representative of the Estate of Sara Zalkin, and on behalf of the Estate, disclaims all right, title, interest or possession in or to the real property described in the Plaintiff's Petition to Quiet Title.

Sandra Belgrade

SANDRA BELGRADE, Defendant

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HARRIS, VIRGINIA

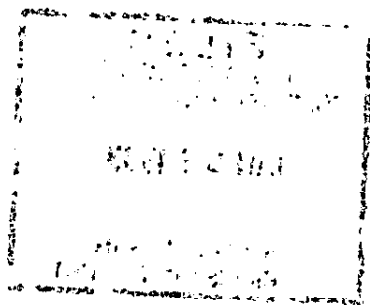
CERTIFICATE OF SERVICE

It is hereby certified that on this 26th day of January, 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

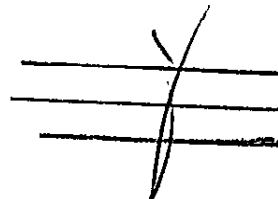
William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102





FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
JAN 28 1993
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, FLEXIBLE FOAM PRODUCTS, INC., a Nebraska corporation, and disclaims all right, title, interest or possession in or to the real property described in Plaintiff's Petition to Quiet Title. Defendant further states that it knows of

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no other person or entity which has or claims to have an interest in the subject property.

FLEXIBLE FOAM PRODUCTS, INC., a
Nebraska corporation, Defendant

By: *Richard J. Sprock*

Its: *Regional Manager*

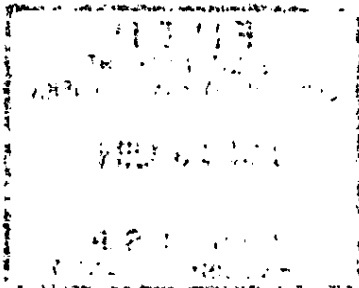
CERTIFICATE OF SERVICE

It is hereby certified that on this 28th day of January, 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102

Myron J. Kaplan



FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
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Ent. Gen. Index

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

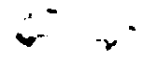
Defendants.)

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IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

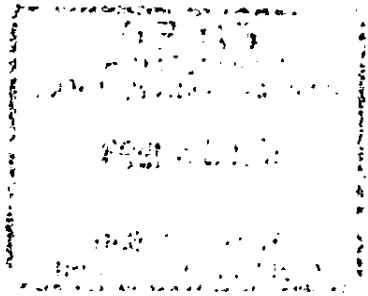
RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, BELGRADE COMPANY, a Nebraska corporation, and disclaims all right, title, interest or possession in or to the real property described in Plaintiff's Petition to Quiet Title. Defendant further states that it knows of no other



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person or entity which has or claims to have an interest in the subject property.

BELGRADE COMPANY, a Nebraska corporation, Defendant

Belgrade Company
By: *Edward C. Belgrade*
Its: *Owner President*

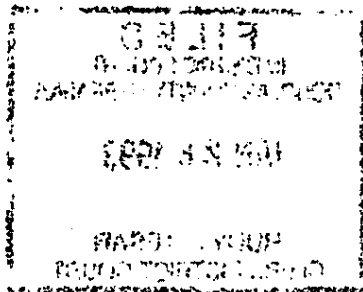
CERTIFICATE OF SERVICE

It is hereby certified that on this 28th day of January, 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102

Myron J. Kaplan



FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
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Ent. Gen. Index



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

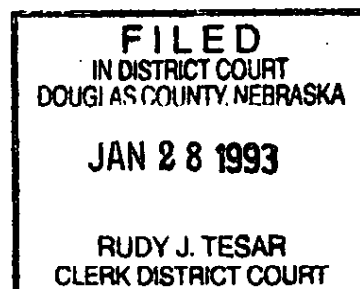
Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)



COMES NOW the Defendant, EDWARD BELGRADE, individually, and in his capacity as Trustee of the Zalkin Testamentary Family Trust, and disclaims all right, title, interest or possession in or to the real property described in the Plaintiff's Petition to Quiet Title.

OFFICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535
MAY 15 1964
FBI - WASH. FIELD
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Defendant further states that he knows of no other person or entity which has or claims to have an interest in the subject property.

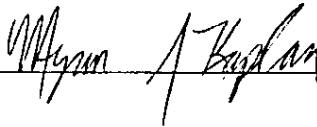

EDWARD BELGRADE, Defendant

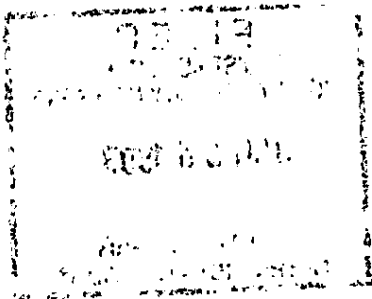
CERTIFICATE OF SERVICE

It is hereby certified that on this 20th day of Jan., 1993; a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102



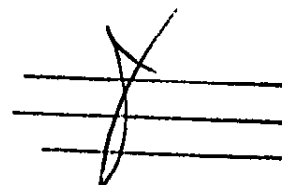


FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

Plaintiff,)

v.)

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

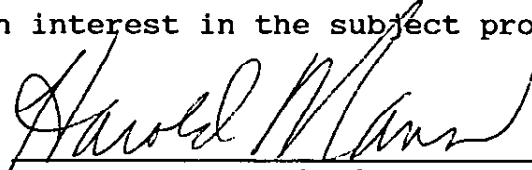
JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, HAROLD MANN, individually, and in his capacity as Trustee of the Zalkin Testamentary Family Trust, and disclaims all right, title, interest or possession in or to the real property described in the Plaintiff's Petition to Quiet Title.

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FBI - NEW YORK

Defendant further states that he knows of no other person or entity which has or claims to have an interest in the subject property.



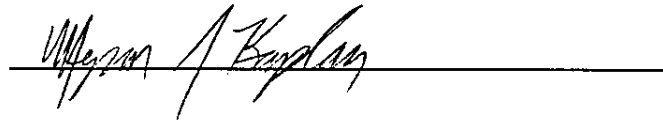
HAROLD MANN, Defendant

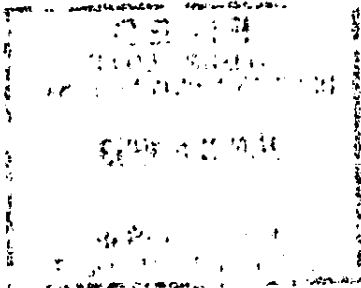
CERTIFICATE OF SERVICE

It is hereby certified that on this 26th day of Jan., 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102



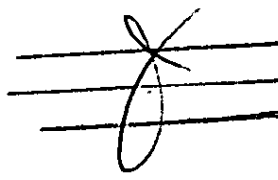


FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 v.)

DOC. 901

NO. 512

DISCLAIMER

BELGRADE COMPANY, a Nebraska)
 corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as the West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises,)
)
 Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the Defendant, AMERICAN NATIONAL BANK, N.A., and disclaims all right, title, interest or possession in or to the real property described in Plaintiff's Petition to Quiet Title.

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Defendant further states that it knows of no other person or entity which has or claims to have an interest in the subject property.

AMERICAN NATIONAL BANK, N.A.,
Defendant

By: James W. Begone
Its: Vice President
May 20, 1992

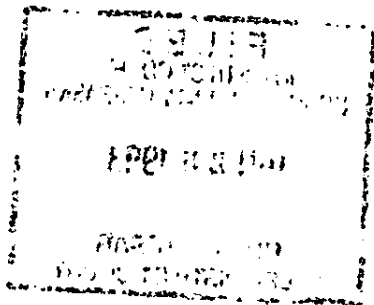
CERTIFICATE OF SERVICE

It is hereby certified that on this 26th day of January, 1993, a true and correct copy of the above and foregoing Disclaimer was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102

William J. Brennan, Jr.

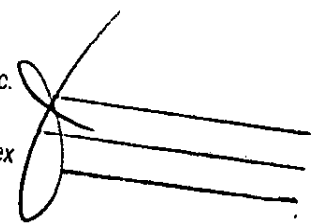


FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index

A handwritten signature, possibly 'R. Tesar', is written over three horizontal lines. The signature is a stylized, cursive-like mark.

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)

DOC. 901 NO. 512

v.)

AFFIDAVIT

BELGRADE COMPANY, a Nebraska)
 corporation, FLEXIBLE FOAM)
 PRODUCTS, INC., a Nebraska)
 corporation, EDWARD BELGRADE,)
 UNITED SEED, INC., NEBRASKA)
 SEED COMPANY, AMERICAN)
 NATIONAL BANK, N.A., SARA)
 ZALKIN, JACK B. COHEN, HEROLD)
 MANN, THE ZALKIN TESTAMENTARY)
 FAMILY TRUST, THE DOUGLAS)
 COUNTY BANK, THE CITY OF)
 RALSTON, and all other)
 persons real and artificial,)
 claiming any right, title,)
 estate, lien, or interest in)
 or to a Tract of Land legally)
 described as the West 45.1)
 feet of Lot 2 and all of Lots)
 3, 4, 5, and 6, in Block 57,)
 together with all that part)
 of the terminal grounds which)
 adjoin said premises on the)
 South, all in the Townsite)
 of Ralston, being located in)
 the Southwest Quarter of the)
 Southwest Quarter of Section)
 2 and the North one-half of)
 Section 11, in Township 14)
 North, Range 12 East of the)
 6th P.M. in Douglas County,)
 Nebraska; together with all)
 trackage agreement relating)
 to the above premises,)

Defendants.)

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

COMES NOW the undersigned, SANDRA BELGRADE, and being first
duly sworn on oath, hereby deposes and states as follows:

02117
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20535
MAY 19 1964
RECEIVED
FEDERAL BUREAU OF INVESTIGATION

1. All statements contained in this Affidavit are based upon my personal knowledge and belief.

2. I am the daughter of Sara Zalkin.

3. Sara Zalkin died on July 26, 1991.

4. I, along with my sisters, Marcia Cohen and Linda Mann, were named as Co-Personal Representatives of the Estate of Sara Zalkin in the Last Will and Testament of Sara Zalkin.

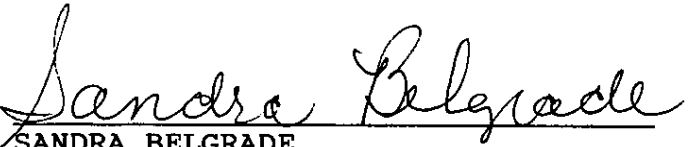
5. Upon Sara Zalkin's death, all of her estate passed under the terms of a Living Trust which had been executed during her lifetime.

6. As a result of said Living Trust, there was no probate proceedings filed on behalf of the Estate of Sara Zalkin.

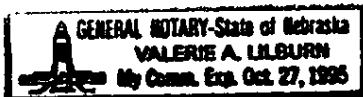
7. At the time of her death, Sara Zalkin had no interest in the real property described in Plaintiff's Petition to Quiet Title.

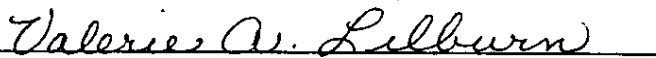
8. As Co-Personal Representative of the Estate of Sara Zalkin, I disclaim all right, title, interest or possession in or to the real property described in Plaintiff's Petition to Quiet Title, on behalf of the Estate of Sara Zalkin.

FURTHER AFFIANT SAITH NOT.


SANDRA BELGRADE

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State, on this 25th day of August, 1992.




Notary Public

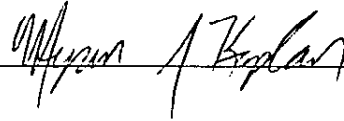
RECEIVED BY THE DIRECTOR OF THE
BUREAU OF ALCOHOL AND TOBACCO
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20537

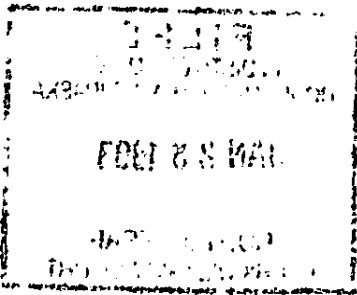
CERTIFICATE OF SERVICE

It is hereby certified that on this 25th day of January, 1993, a true and correct copy of the above and foregoing Affidavit was mailed to the following attorneys of record, by first class United States mail, postage prepaid:

Duane M. Katz, Esq.
Attorney for Plaintiff
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102



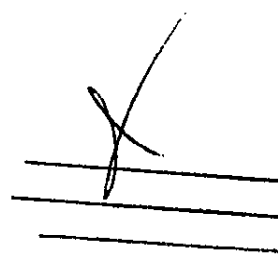


FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 28 1993

RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Doc.
Ent. Ex. Doc.
Ent. Gen. Index

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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 BELGRADE COMPANY, et al.,)
)
 Defendant.)

DOC. 901 NO. 512

ORDER EXTENDING TIME FOR
FILING OF CERTIFICATE
OF READINESS

THIS MATTER comes on for hearing on the request for an Order granting an extension of time within which to file a Certificate of Readiness in the above-captioned case.

The Court finds that on APRIL 7, 1993 the filing of a Certificate of Readiness was, for good cause shown excused until JUNE 7, 1993.

IT IS ORDERED that the parties in the above-captioned case be, and they hereby are, granted an extension of time until SEPT. 7, 1993 to file a Certificate of Readiness.

IT IS FURTHER ORDERED that if a Certificate of Readiness is not filed or a further Order extending the time for filing a Certificate of Readiness is not obtained within the specified time, this case will automatically be dismissed for lack of prosecution.

Dated this 4th day of July, 1993.

BY THE COURT:

Steb. L. Lewis
District Court Judge

Prepared and Submitted By:

Duane M. Katz
Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, NE 68154
(402) 496-1010
Attorney for Plaintiff

RECORDED
INDEXED
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FILED
JUL 10 1993
CLERK OF DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

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RECORDED
Journal 315 Page 264
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 BELGRADE COMPANY, et al.)
)
 Defendants.)

DOC. 901

NO. 512

ORDER EXTENDING FILING OF
CERTIFICATE OF READINESS

THIS MATTER comes on for hearing on the request for an Order granting an extension of time within which to file a Certificate of Readiness in the above-captioned case.

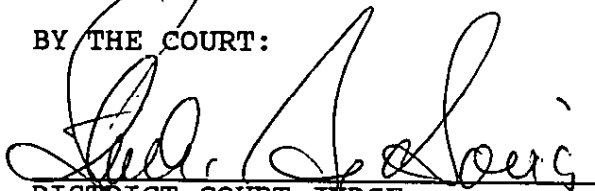
The Court finds that on 6-4-93, the filing of the Certificate of Readiness was, for good cause shown, excused until September 7, 1993.

IT IS ORDERED that the parties in the above-captioned case be, and they hereby are, granted an extension of time, until 12-1-93, to file a Certificate of Readiness.

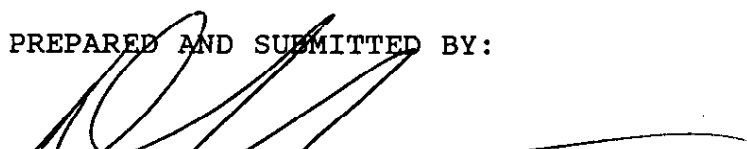
IT IS FURTHER ORDERED that if a Certificate of Readiness is not filed or a further Order extending the time for filing a Certificate of Readiness is not obtained within the specified time, this case will automatically be dismissed for lack of prosecution.

DATED this 8th day of September, 1993.

BY THE COURT:


DISTRICT COURT JUDGE

PREPARED AND SUBMITTED BY:


Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

901-512

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SEP 8 - 1993

RECORDED
Journal 3191 Page 292
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)	
Plaintiff,)	DOC. 901 NO. 512
v.)	
BELGRADE COMPANY, et al.,)	ORDER EXTENDING TIME FOR
Defendant.)	FILING OF CERTIFICATE
	OF READINESS

THIS MATTER comes on for hearing on the request for an Order granting an extension of time within which to file a Certificate of Readiness in the above-captioned case.

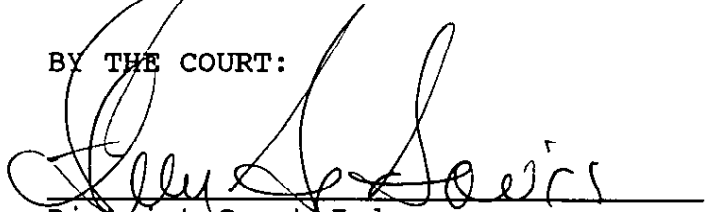
The Court finds that on September 7, 1993 the filing of a Certificate of Readiness was, for good cause shown, excused until December 1, 1993.

IT IS ORDERED that the parties in the above-captioned case be, and they hereby are, granted an extension of time, until April 1, 1994 to file a Certificate of Readiness.

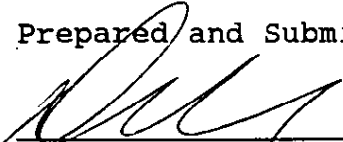
IT IS FURTHER ORDERED that if a Certificate of Readiness is not filed or a further Order extending the time for filing a Certificate of Readiness is not obtained within the specified time, this case will automatically be dismissed for lack of prosecution.

Dated this 1 day of Dec, 1993.

BY THE COURT:


District Court Judge

Prepared and Submitted By:



Duane M. Katz #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

a:omega.ord

901-512

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DEC 1 - 1993

RECORDED
Journal 3237 Page 647
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 BELGRADE COMPANY, ET AL.,)
)
 Defendants.)

DOC. 901 NO. 512

NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES

NOTICE IS HEREBY GIVEN that the Plaintiff, Omega Chemical Company, Inc., has served its Answers to Interrogatories on Defendant, Belgrade Company, and its attorney of record, Michael D. Matejka of Fitzgerald, Schorr, Barmettler & Brennan which Answers were sent on the 25th day of March, 1994.

OMEGA CHEMICAL COMPANY, INC.,
Plaintiff

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA


MAR 28 1994

RUDY TESAR
CLERK DISTRICT COURT

FILED
IN DISTRICT COURT BY:
DOUGLAS COUNTY NEBRASKA

MAR 28 1994

TAKE YOUR
THUD TO THE COURT

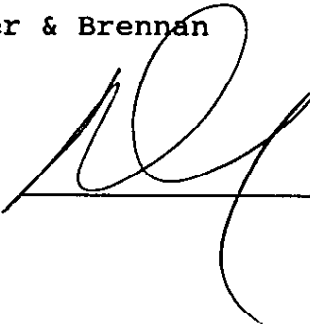


Duane M. Katz, #12148
Attorney at Law
11590 West Dodge Road
Omaha, Nebraska 68154
(402) 496-1010
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Service of Answers to Interrogatories was sent by regular United States mail, postage prepaid, on this 25th day of March, 1994, to the following:

Michael D. Matejka
Fitzgerald, Schorr, Barmettler & Brennan
1000 Woodmen Tower
Omaha, NE 68102



FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

MAR 28 1994

RUDY TESAR
CLERK DISTRICT COURT

FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

MAR 28 1994

RUDY TESAR
CLERK DISTRICT COURT

Ent. App. Sec.
Ent. Fil. Dep.
Ent. Fil. Sec.



FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

MAR 29 1994

RUDY J. TESAR
CLERK DISTRICT COURT

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA

MAR 29 1994

RUDY J. TESAR
CLERK DISTRICT COURT

LAW OFFICES
FITZGERALD, SCHORR, BARMETTLER & BRENNAN, P.C.
1000 WOODMEN TOWER
OMAHA, NEBRASKA 68102
(402) 342-1000

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.)

DOC. 901 NO. 512

Plaintiff,)

vs.)

**NOTICE TO TAKE DEPOSITION
OF ARTHUR W. BERRY**

BELGRADE COMPANY, a Nebraska)
Corporation, FLEXIBLE FORM)
PRODUCTS, INC., a Nebraska)
Corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN NATIONAL)
BANK, N.A., SARA ZALKIN,)
JACK B. COHEN, HERALD MANN,)
THE ZALKIN TESTAMENTARY FAMILY)
TRUST, THE DOUGLAS COUNTY BANK,)
THE CITY OF RALSTON, and all other)
persons real and artificial, claiming any right,)
title, estate, lien or interest in or to a Tract)
of land legally described as the West 45.1 feet)
of Lot 2 and all of Lots 3, 4, 5 and 6 in)
Block 57, together with all that part of the)
terminal grounds which adjoin said premises)
on the South, all in the Townsite in the)
Southwest Quarter of the Southwest Quarter)
of Section 2 and the North one-half of)
Section 11 in Township 14 North, Range 12)
East of the 6th P.M. in Douglas County,)
Nebraska; together with all trackage agreement)
relating to the above premises,)

Defendants.)

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
JUL 11 1994
RUDY J. TESAR
CLERK DISTRICT COURT

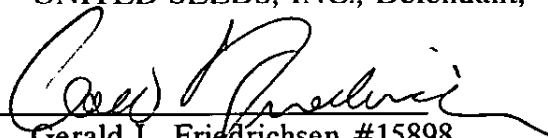
TO: Omega Chemical Company, Inc., Plaintiff, and its attorney, Duane M. Katz,
11590 West Dodge Road, Omaha, Nebraska 68154, and Myron Kaplan, Richards,
Riekes & Zabin, P.C., 1125 South 103 Street, Suite 600, Omaha, NE 68124, attorney
for Edward Belgrade, Jack B. Cohen and Harold Mann, Trustees, and Belgrade
Company, Defendants

The above-named parties are hereby notified that on Tuesday, July 12, 1994, the undersigned will take the oral deposition of Arthur W. Berry to be used as testimony at the trial of this action, at 9405 Capitol Avenue, Omaha, NE 68114, commencing at the hour of 2:00 p.m.

The deposition will be taken before a notary public and recorded stenographically.

The taking of the deposition may be adjourned from day to day until completed.

UNITED SEEDS, INC., Defendant,

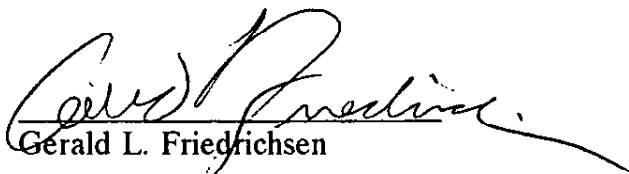
By 
Gerald L. Friedrichsen #15898
FOR FITZGERALD, SCHORR,
BARMETTLER & BRENNAN, P.C.
1000 Woodmen Tower
Omaha, Nebraska 68102
(402) 342-1000
Its Attorneys

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice to Take Deposition of Arthur W. Berry was served upon all attorneys of record by facsimile and United States first class mail, postage prepaid, as listed below on this 11th day of July, 1994:

Duane M. Katz
11590 West Dodge Road
Omaha, NE 68154
Fax: 496-7911

Myron J. Kaplan
Richards, Riekens & Zabin, P.C.
1125 South 103 Street, Suite 600
Omaha, NE 68124
FAX: 390-1110


Gerald L. Friedrichsen

FILED
IN DISTRICT COURT
DOUGLAS COUNTY, NEBRASKA
JUL 11 1994
RUDY J. TESAR
CLERK DISTRICT COURT

Ent. App. Dec.
Ent. Ex. Rec.
Ent. Gen. Index

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This 1 day of Dec, 1994, this cause came on to be heard upon the stipulation and pleadings herein, the court finds as follows:

1. The defendants Herold Mann, Flexible Foam Products, Inc., American National Bank, N.A., Belgrade Company, Edward Belgrade, Jack B. Cohen, Sara Zalkin, the Zalkin Testamentary Family Trust, United Seeds, Inc., and all persons, real names unknown having an interest in

a Tract of Land legally described as The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises;

have been properly served or have filed appearances herein.

2. That the defendants, Douglas County Bank and the City of Ralston were not served and are hereby dismissed without prejudice.

3. The defendants, American National Bank, N.A.; Belgrade Company; Edward Belgrade, in his individual capacity; Sara Zalkin, in her individual capacity; Jack B. Cohen, in his individual capacity; Herold Mann, in his individual capacity; Jack B. Cohen, in his capacity as trustee of the Zalkin Testamentary Family Trust; Sandra Belgrade as co-personal representative of the estate of Sara Zalkin; Edward Belgrade, in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his capacity as trustee of the Zalkin Testamentary Family Trust; and Flexible Foam Products, Inc. have each disclaimed all right, title, interest or possession in or to the subject real property.

4. The defendant Nebraska Seed Company has merged into and is now United Seeds, Inc.

5. The defendant United Seeds, Inc. filed an answer, counterclaim, and cross-claim to quiet title to the following-described real property:

that part of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West

line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, on the South (hereinafter referred to as the "Terminal Right-of-Way Property").

6. The plaintiff and United Seeds, Inc. have entered into a Quitclaim Deed and Easement Agreement (hereinafter "Agreement"), a copy of which is attached hereto and incorporated herein by this reference, by which the plaintiff and the defendant United Seeds, Inc. resolve their respective claims to the Terminal Right-of-Way Property as set forth in the Agreement.

WHEREFORE, IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED:

1. That the title of the plaintiff to the following-described real estate:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5, and 6 in Block 57 together with all that part of the terminal grounds which adjoin Lots 3, 4, 5, and 6, of Block 57 and the northerly 14.8 feet of the Terminal Right-of-Way lying between the West line of Lot 2, Block 57, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, all in the townsite of Ralston, being located in the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 2 and the North One-Half (N $\frac{1}{2}$) of Section 11 in Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska;

be quieted and confirmed in the plaintiff as against the defendants Belgrade Company; Flexible Foam Products, Inc.; Edward Belgrade, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Jack B. Cohen, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; the estate of Sara Zalkin; the American National Bank, N.A.; and all persons having or claiming any interest in and to the above-

described property, real names unknown.

2. That the title of the defendant United Seeds, Inc. to the following-described real estate:

that portion of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska lying between the West line of Lot 2, Block 57, original town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, except the Northerly 14.8 feet thereof;

is hereby quieted and confirmed in United Seeds, Inc. as against the plaintiff and Belgrade Company; Flexible Foam Products, Inc.; Edward Belgrade, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Jack B. Cohen, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; Herold Mann, in his individual capacity and in his capacity as trustee of the Zalkin Testamentary Family Trust; the estate of Sara Zalkin; the American National Bank, N.A.; and all persons having or claiming any interest in and to the above-described property, real names unknown.

3. That the plaintiff and United Seeds, Inc. have entered into the Agreement regarding their respective rights, title and interest in and to the Northerly 14.8 feet of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West line of Lot 2, Block 57, original town of Ralston, extended due South and a North-South line 45.1 feet of the West line of Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57 and that Agreement is attached hereto as Exhibit "A" and incorporated herein by this reference.

4. That the defendants City of Ralston and the Douglas County Bank are hereby dismissed, without prejudice.

BY THE COURT:

By:

Paul A. Lewis
District Court Judge

Approved as to form and content:

By:

Duane M. Katz
Duane M. Katz, #12148
11590 West Dodge Road
Omaha, NE 68154
(402) 496-1010

Attorney for plaintiff.

Prepared and submitted by:

By:

Michael D. Matejka
Michael D. Matejka, #17362
Fitzgerald, Schorr,
Barnettler & Brennan, P.C.
1000 Woodmen Tower
Omaha, NE 68102
(402) 342-1000

Attorneys for defendant, United Seeds, Inc.

Nebraska, lying between the West line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal Right-of-Way adjoining said Lot 2, Block 57, subject, however, to the following:

- A. United Seeds' existing grain bins, including the foundations and footings thereof on the above-described Terminal Right-of-Way and any replacements of such bins provided that any such replacements shall not encroach upon Omega's property any more than the existing grain bins may encroach, if the existing grain bins encroach at all. These grain bins shall not be a breach of this Agreement and Omega shall have no right to move or compel the removal of such existing grain bins and shall not interfere with the normal daily use of the grain bins by United Seeds.
- B. The existing railroad tracks and any replacements thereof on the above described Terminal Right-of-Way. Omega shall have no right to move or compel removal of the railroad tracks. Omega shall not interfere with the use of the railroad tracks until such time as they are abandoned by United Seeds or its successors and assigns. Such abandonment must be in writing and filed of record with the Register of Deeds of Douglas County, Nebraska; and
- C. The easement granted to United Seeds below.

2. Omega hereby grants to United Seeds, its successors, assigns, agents, and contractors a permanent easement for ingress and egress over the Northerly 14.8 feet of the above-described Terminal Right-of-Way by pedestrians, vehicles, and trains to or for the benefit of the property owned by United Seeds or its successors and assigns and for repair and replacement of the existing railroad tracks, the use, and maintenance, repair and replacement of the grain bins or other improvements upon United Seeds property. This easement shall include the right to construct and operate machinery to load and unload grain onto trains or vehicles provided such machinery is suspended over the ground and does not interfere with Omega's normal vehicular ingress and egress to its property.

3. Omega hereby quit claims to United Seeds that portion of the Terminal Right-of-Way in the Village of Ralston, Douglas County, Nebraska, lying between the West line of Lot 2, Block 57, Original Town of Ralston, extended due South and a North-South line 45.1 feet East of the West line of said Lot 2, Block 57, extended due South, being the West 45.1 feet of said Terminal-of-Way adjoining said Lot 2, Block 57, except the Northerly 14.8 feet thereof.

4. These conveyances and grants are in recognition of United Seeds' claim of adverse possession and do not terminate or waive such claim as to any persons, other than Omega, claiming or holding an interest in the Terminal Right-of-Way.

5. This Agreement is limited to the Terminal Right-of-Way as defined herein and does not waive, terminate or effect any rights, claims or causes of action each party may have regarding their respective properties or the property of the other party other than the Terminal Right-of-Way.

6. This Agreement shall run with the land and be fully binding upon and inure to the benefit of the parties hereto, their respective heirs, successors, assigns, agents and contractors.

UNITED SEEDS, INC.

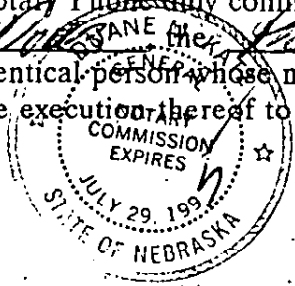
By: *W. A. Berg*
Its: President

OMEGA CHEMICAL COMPANY, INC.

By: *Alan Head*
Its: President

STATE OF NEBRASKA)
COUNTY OF Douglas) SS.

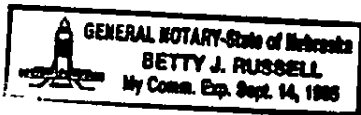
On this 12th day of July, 1994, before me the undersigned Notary Public duly commissioned and qualified for said county, personally came W. A. Berg of United Seeds, Inc., known to me to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his/her voluntary act and deed.



Alan Head
Notary Public

STATE OF NEBRASKA)
)
COUNTY OF Douglas) SS.

On this 13th day of July, 1994, before me the undersigned Notary Public duly commissioned and qualified for said county, personally came R.A. Berry, the President of Omega Chemical Company, Inc., known to me to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged the execution thereof to be his/her voluntary act and deed.



Betty J. Russell
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

SCHEDULE "A"

PARCEL I:

All Lot 1 and Lot 2, except the West 45.1 feet, thereof, Block 57; Lot 10, Block 58; Lots 10, 11, and 12, Block 59; all of Block 60; and Block 61, excepting therefrom those portions heretofore conveyed by deeds recorded in Book 899 at Page 665, Book 1302 at page 405 and Book 1499 at page 103, all being located in the Original Town of Ralston, Douglas County, Nebraska.

PARCEL II:

All that portion of the Terminal Railroad Right of Way as shown on the Plat of the Original Town of Ralston, recorded in Book 303 at Page 134, of the Deed records of Douglas County, Nebraska, lying between Lots 10, 11, and 12, Block 59; Block 61 and Block 60 and extending to a line 45.1 feet East of the West line of Lot 2, in Block 57, and that portion of same lying between Lot 10, in Block 58, and Lots 12 and 11, in Block 59 and extending to the West line of Lot 2, in Block 57, EXCEPTING THEREFROM Parcel III described below.

PARCEL III:

All that portion of the Terminal Railroad Right of Way, as shown on the Plat of the Original Town of Ralston, Douglas County, Nebraska, lying between the abandoned Missouri Pacific Railroad Right of Way and that portion of same conveyed in Deed recorded in Book 422 at Page 606. Also that portion of same lying between the Westerly line of Block 60 and the East line of Lot 1, Block 57 extended south; and south of that portion conveyed in Deed recorded in Book 422 at Page 606.

13

RECEIVED
JOURNAL CLERK

DEC 01 1994

RECORDED
Journal 3384 Page 83
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

DOCKET 901 PAGE 512

PLAINTIFF: OMEGA CHEMICAL COMPANY INC
VS
DEFENDANT: BELGRADE COMPANY

FOLLOWING PARTIES OR ATTORNEYS OF RECORD HAVE BEEN NOTIFIED
THAT IN THE ABOVE ENTITLED CASE, ON THE 1ST DAY OF DECEMBER 1994,
THE FOLLOWING DECISION WAS RENDERED:

CASE DISMISSED AS TO CITY OF RALSTON & THE DOUGLAS COUNTY BANK
DATED THIS 7TH DAY OF DECEMBER 1994.

RUDY J. TESAR
CLERK OF THE DISTRICT COURT

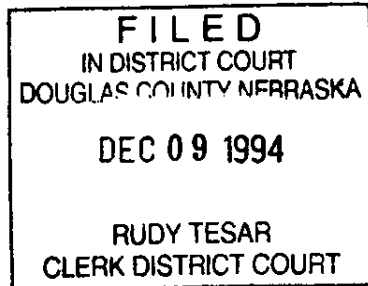
DUANE KATZ
11590 WEST DODGE ROAD
OMAHA, NEBRASKA 68154

WILLIAM J. BRENNAN JR.
1000 WOODMEN TOWER
OMAHA, NEBRASKA 68102

MYRON J. KAPLAN
SUITE 600
1125 SOUTH 103RD STREET
OMAHA, NEBRASKA 68124

MICHAEL D. MATEJKA
1000 WOODMEN TOWER
OMAHA, NEBRASKA 68102

GERALD L. FRIEDRICHSEN
1000 WOODMAN TOWER
OMAHA, NEBRASKA 68102



SECRET
1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025

~~SECRET~~

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

DOCKET 901 PAGE 512

PLAINTIFF: OMEGA CHEMICAL COMPANY INC
VS
DEFENDANT: BELGRADE COMPANY

FOLLOWING PARTIES OR ATTORNEYS OF RECORD HAVE BEEN NOTIFIED
THAT IN THE ABOVE ENTITLED CASE, ON THE 1ST DAY OF DECEMBER 1994,
THE FOLLOWING DECISION WAS RENDERED:

CASE DISPOSED OF BY DECREE

DATED THIS 7TH DAY OF DECEMBER 1994.

RUDY J. TESAR
CLERK OF THE DISTRICT COURT

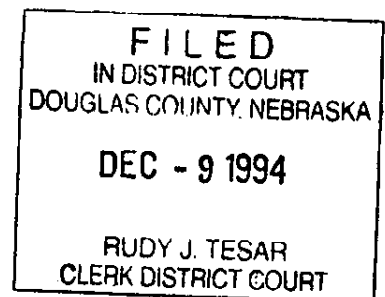
DUANE KATZ
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1000 WOODMAN TOWER
OMAHA, NEBRASKA 68102



SECRET

REF - 3134

SECRET

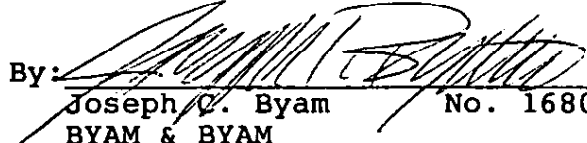
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IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)	DOC. 901	NO. 512
)		
Plaintiff,)		
)		
vs.)	<u>A N S W E R</u>	
)		
BELGRADE COMPANY, et al.,)		
)		
Defendants.)		


COMES NOW defendant American National Bank and for its Answer to plaintiff's Petition to Quiet Title states that it claims no interest in the real estate described in paragraph 2. of plaintiff's Petition to Quiet Title.

AMERICAN NATIONAL BANK, Defendant

By: 
 Joseph C. Byam No. 16807
 BYAM & BYAM
 317 American National Building
 8990 West Dodge Road
 Omaha, Nebraska 68114
 (402) 397-0303
 Its Attorneys

CERTIFICATE OF SERVICE

On the 16th day of January, 1992, a copy of the foregoing Answer was mailed to Duane M. Katz, 11590 West Dodge Road, Omaha, Nebraska 68154, attorney for plaintiff.


 Attorney for Defendant
 American National Bank

FILED
 IN DISTRICT COURT
 DOUGLAS COUNTY, NEBRASKA
 JAN 17 1992
 RUDY J. TESAR
 CLERK DISTRICT COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

OMEGA CHEMICAL COMPANY, INC.,)

DOC. 901

NO. 512

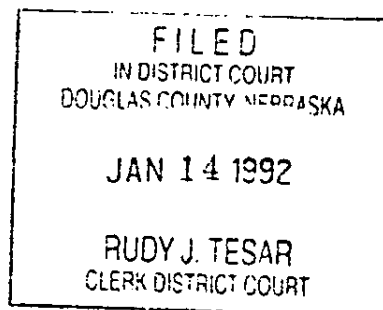
Plaintiff,)

v.)

ANSWER AND COUNTERCLAIM

BELGRADE COMPANY, a Nebraska)
corporation, FLEXIBLE FOAM)
PRODUCTS, INC., a Nebraska)
corporation, EDWARD BELGRADE,)
UNITED SEED, INC., NEBRASKA)
SEED COMPANY, AMERICAN)
NATIONAL BANK, N.A., SARA)
ZALKIN, JACK B. COHEN, HEROLD)
MANN, THE ZALKIN TESTAMENTARY)
FAMILY TRUST, THE DOUGLAS)
COUNTY BANK, THE CITY OF)
RALSTON, and all other)
persons real and artificial,)
claiming any right, title,)
estate, lien, or interest in)
or to a Tract of Land legally)
described as the West 45.1)
feet of Lot 2 and all of Lots)
3, 4, 5, and 6, in Block 57,)
together with all that part)
of the terminal grounds which)
adjoin said premises on the)
South, all in the Townsite)
of Ralston, being located in)
the Southwest Quarter of the)
Southwest Quarter of Section)
2 and the North one-half of)
Section 11, in Township 14)
North, Range 12 East of the)
6th P.M. in Douglas County,)
Nebraska; together with all)
trackage agreement relating)
to the above premises,)

Defendants.)



COMES NOW the Defendants, EDWARD BELGRADE, JACK B. COHEN and HAROLD MANN, as Trustees of the Eli Zalkin Testamentary Trust, and for their answer, state and allege as follows:

1. Admit that portion of Paragraph 3 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann,

residents of Douglas County, Nebraska, but denies the remainder of said paragraph.

2. Admits that portion of Paragraph 7 of Plaintiff's Petition which alleges that Edward Belgrade, Jack B. Cohen and Harold Mann claim some right, title or interest in or to the subject property adverse to Plaintiff's title therein, but denies the remainder of said paragraph.

3. Generally denies each and every other allegation contained in said Petition, except those which constitute admissions against the interests of the Plaintiff.

WHEREFORE, the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, having fully answered the Petition of the Plaintiff, prays that the same be dismissed with prejudice at Plaintiff's cost.

COUNTERCLAIM

COMES NOW the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, as Trustees of the Eli Zalkin Testamentary Trust, and for their counterclaim against the Plaintiff, state and allege as follows:

I.

That the Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, are and at all material times herein were, residents of Douglas County, Nebraska, and are Trustees of the Eli Zalkin Testamentary Trust.

II.

That since May 5, 1961, the Eli Zalkin Testamentary Trust, and/or its predecessors in interest, has been part owner of certain real property located in the City of Ralston, Douglas County, Nebraska, and more fully described as:

All of Block, 37, including vacated alley in Block 37 and a tract of land being a portion of Mechanic Street vacated, lying between Block 37 and Block 38, and a portion of Block 38, being described as follows, to-wit: commencing at the Northeast corner of Lot 1, Block 37, and proceeding in a northerly direction along the west right-of-way line of 75th Street to the Northwest corner of Lot 40, Block 38; thence West along the South line of vacated alley lying in Block 38 a distance of 200 feet, thence in a Southwesterly direction a distance of 251.1 feet to the Northeast corner of Lot 16, Block 37, thence in an easterly direction, and including vacated Mechanic Street lying therein to the point of beginning at the Northeast corner of Lot 1, Block 37, all in the Townsite of Ralston, Douglas County, Nebraska.

III.

That upon information belief, the Plaintiff is the owner of the property commonly known as 7577 Burlington Street, Ralston, Douglas County, Nebraska, and legally described as follows:

The West 45.1 feet of Lot 2 and all of Lots 3, 4, 5 and 6, in Block 57, together with all that part of the terminal grounds which adjoin said premises on the South, all in the Townsite of Ralston, being located in the Southwest Quarter of the Southwest Quarter of Section 2 and the North one-half of Section 11, in Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska; together with all trackage agreement relating to the above premises.

IV.

That the above described parcels of property are adjoining tracts separated only by Burlington Street, a public street within the Townsite of Ralston.

V.

That Defendants' predecessors in title had constructed a sanitary sewer line running from the Defendant's property in a north-south direction across a portion of Lot 5, Lot 57, in the Townsite of Ralston, Douglas County, Nebraska, and now owned by the Plaintiff.

VI.

That the Defendants have continued to use the sanitary sewer line in dispute for a period in excess of ten (10) years.

VII.

That the use of said sanitary and sewer line during said statutory period has been continuous and uninterrupted, open, visible, notorious, hostile, under a claim of right.

VIII.

Defendants and Defendants' predecessors in title have thus acquired an easement by prescription to the use of that portion of the property of the Plaintiff, occupied by the sanitary and sewer line.

IX.

That Defendants have no adequate remedy at law.

WHEREFORE, Defendants, Edward Belgrade, Jack B. Cohen and Harold Mann, Trustees of the Eli Zalkin Testamentary Trust, pray that an easement by prescription in the property of the Plaintiff containing the sanitary and sewer line be quieted and confirmed in the Defendants, for an Order permanently enjoining Plaintiff from obstructing such easement, for Defendant's costs, and for such other relief as the court may deem just.

EDWARD BELGRADE, JACK B. COHEN and
HAROLD MANN, TRUSTEES OF THE ELI
ZALKIN TESTAMENTARY TRUST,
Defendants and Counterclaimants

By: 

MYRON J. KAPLAN, #16869

RICHARD, RIEKES, BROWN & ZABIN, P.C.
1125 South 103rd Street, Suite 600
Omaha, Nebraska 68124
(402) 390-1112

CERTIFICATE OF SERVICE

It is hereby certified that on this 14th day of January, 1992, a copy of the above and foregoing Answer and Counterclaim was mailed to the following by first-class United States mail, postage prepaid:

Duane M. Katz, Esq.
11590 West Dodge Road
Omaha, NE 68154

William J. Brennan, Jr., Esq.
Fitzgerald, Schorr, Barmettler
& Brennan
1000 Woodmen Tower
Omaha, NE 68102

