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11643

After recording, return to:

David G. Anderson
McGrath, North, Mullin & Kratz, P.C.
One Central Park Plaza, Suite 1400
Omaha, NE 68102

FILED

BOOK 2002 PAGE 3728

2002 MAY 13 PM 4:27

NEBRASKA DOCUMENTARY
STAMP TAX
Date 5-13-02
\$ 7,100.⁰⁰ By *g*

Carol Aivona
DODGE COUNTY
REGISTER OF DEEDS
COMPUTER INDEX FEE \$ 26.⁰⁰

GENERAL CORPORATE WARRANTY DEED
(NEBRASKA)

CONAGRA FOODS, INC., a Delaware corporation ("Grantor"), in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration received from FRONTIER COOPERATIVE COMPANY, a Nebraska cooperative corporation ("Grantee"), does hereby convey to Grantee the following described real estate (as defined in Neb. Rev. Stat. § 76-201):

See Exhibit "A" attached hereto.

Grantor covenants with Grantee that: (i) Grantor is lawfully seized of the real estate; (ii) the real estate is free from encumbrances except those matters listed on Exhibit "B" attached hereto; (iii) Grantor has legal power and lawful authority to convey the real estate; and (iv) Grantor warrants and will defend title to the real estate against the lawful claims of all persons whomsoever.

Dated: May 9, 2002

CONAGRA FOODS, INC., Grantor

By: *J.P. O'Donnell*
Title: J.P. O'DONNELL
EXECUTIVE VICE PRESIDENT
CHIEF FINANCIAL OFFICER AND
CORPORATE SECRETARY

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me, a notary public in and for said state, on May 9, 2002, by J.P. O'Donnell, as Exec V.P. of CONAGRA FOODS, INC., who acknowledged the same to be his/her voluntary act and deed as such officer and the voluntary act and deed of such corporation.

GENERAL NOTARY - State of Nebraska
LINDA J. WELNIAK
My Comm. Exp. July 20, 2005

Linda J. Welniak
Notary Public

EXHIBIT "A"

11644

FILE: 02-04177

Tract A:

Tax Lot 1 in the East Half of the Northeast Quarter of Section 11, Township 17 North, Range 8, East of the 6th P.M., in Dodge County, Nebraska, described as: That part of the East half of the Northeast Quarter of Section 11, Township 17 North, Range 8, East of the 6th P.M., in Dodge County, Nebraska, lying North of the Northwestern Right of Way of the C. and N. W. Railroad and EXCEPT a tract deeded to the County of Dodge described as follows: Beginning at the Northeast corner of said Northeast Quarter Northeast Quarter; thence South along the East margin of said Northeast Quarter Northeast Quarter for a distance of 72 feet; thence West parallel to and 72 feet South of the North margin to a point in the West margin of said Northeast Quarter Northeast Quarter; thence North along the West margin of said Northeast Quarter Northeast Quarter for a distance of 72 feet; thence East along the North margin of said Northeast Quarter Northeast Quarter to the point of beginning and EXCEPT public roads.

Tract B:

That part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska described as follows: Beginning at the Northwest corner of said Northwest Quarter of the Northeast Quarter, said corner being 38.20 feet East of the center line of Burlington Northern Inc. Railroad Track Number 32; thence East along the North line of said Northwest Quarter of the Northeast Quarter 736 feet; thence South parallel with the West line of said Northwest Quarter of the Northeast Quarter 473 feet; thence West parallel with the said North line of the Northwest Quarter of the Northeast Quarter 736 feet; thence North 473 feet to the point of beginning, EXCEPT public roads.

Tract C:

From the East Quarter corner of Section 12, Township 17 North, Range 5 East of the 6th P.M., and assuming the East line of the Northeast Quarter of said Section 12 to bear due North-South, thence North on said East line a distance of 237.37 feet to the point of beginning; thence continuing North a distance of 396.57 feet to a point on the Southerly R.O.W. of the U.P.R.R.; thence N88°26'38"W on said R.O.W. a distance of 1332.89 feet to a point on the Quarter Quarter line West of said East line; thence S0°00'30"W on said Quarter Quarter line a distance of 433.38 feet; thence N89°58'25"E parallel to the South line of the Southeast Quarter Northeast Quarter of said Section a distance of 1332.33 feet to the point of beginning; lying in the Southeast Quarter Northeast Quarter of Section 12, Township 17 North, Range 5 East of the 6th P.M., EXCEPT public roads.

in Dodge County, Nebraska

Tract D:

A tract of land described as follows: From the Quarter Quarter corner West of the East Quarter corner of Section 12, Township 17 North, Range 5 East and assuming the East line of the Southwest Quarter Northeast Quarter of Section 12 to bear N0°00'30"W; thence N0°00'30"W on said East line a distance of 570.71 feet to a point of beginning lying 100.00 feet Southerly from the Southerly R.O.W. of the Union Pacific Railroad Company as measured at a right angle to said R.O.W.; thence continuing N0°00'30"W

a distance of 100.04 feet to a point on said Southerly R.O.W.; thence $N88^{\circ}26'38''W$ on said R.O. W. a distance of 1592.00 feet; thence $S0^{\circ}00'30''E$ a distance of 100.04 feet; thence $S88^{\circ}26'38''E$ a distance of 1592.00 feet to the point of beginning; lying in the Southwest Quarter Northeast Quarter and the Southeast Quarter Northwest Quarter of Section 12, Township 17 North, Range 5 East of the 6th P.M., Dodge County Nebraska.

EXHIBIT "B"

1. Permanent easement to Dodge County for construction and maintenance of a county road on a tract of land described as : The West 33 feet of the East half of the Northeast Quarter of Section 11, Township 17 North, Range 8 East of the 6th P.M., in Dodge County, Nebraska, lying North of the Chicago and Northwestern Railway Right of Way, as contained in Instrument filed February 22, 1968, recorded in Misc. Book 3 at page 399. (Tract A)
 2. Easement for electric power lines over and across a tract beginning at the Northeast corner of Section 11-17-8; thence South 33 feet and West 33 feet to the corner of the road right-of-way, which is the point of beginning; thence South parallel with the Section line to the North right-of-way line of the Chicago and Northwestern Railroad, thence West 18 inches, thence North parallel to the fore mentioned section line to a point 33 feet south of the North section line of Section 11, thence East 18 inches to the point of beginning, as contained in Instrument filed August 30, 1974, recorded in Misc. Book 8 at page 523. (Tract A)
 3. Restrictions imposed by Section 8 of Article 12 of the Constitution of the State of Nebraska on corporate ownership of agricultural real estate. Initiative 300. (Tract A)
 4. Right of Way granted to Elkhorn River Draining District, 16-1/2 feet wide lying on the South side of and adjoining the highway located on the North side of the Northwest Quarter Northeast Quarter of Section 11, Township 17 North Range 8, East of the 6th P.M., Dodge County, Nebraska as contained in Instrument filed August 6, 1910, recorded in Book 37 at page 298. (Tract B)
 5. Easement to Nebraska Natural Gas Company over and across a strip of land approximately 20 feet wide along the West side of the Northwest Quarter Northeast Quarter and the Southwest Quarter Northeast Quarter of Section 11, Township 17 North, Range 8, East of the 6th P.M., Dodge County, Nebraska, as contained in Instrument filed December 1, 1961, recorded in Misc. Book "X" at page 235. (Tract B)
 6. Reservations in Indenture filed June 29, 1971, recorded in Book 160 at page 533. (Tract B)
 7. Easement for utilities over and across the West 20 feet of said Tract B as contained in Instrument filed April 13, 2000, recorded in Book 2000 at page 1999. (Tract B)
 8. Natural Gas Pipeline Easement as contained in Instrument filed July 1,, 1964, recorded in Misc. Book "Z" at page 289 and filed July 17, 1964, recorded in Misc. Book "Z" at page 297. Assignment of Easements to Utilicorp United Inc. filed January 22, 1986, recorded in Misc. Book 16 at page 278. (Tract C)
 9. Unrecorded Industry Track Contract dated July 26, 1965, and Supplemental Agreement dated December 6, 1975, both with Union Pacific Railroad Company as evidence in Warranty Deed filed August 1, 1979, recorded in Book 180 at page 667. (Tract C)
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10. Railroad tracks and railroad easements not of record which may affect any of the Tracts described herein.

11. Easements, covenants, restrictions, rights-of-way, mineral reservations and any other similar matters of record.

12. Any defect in title which does not materially affect the use or enjoyment of the real estate used by Grantor in its operations thereon as of the date of this Deed.

13. Taxes and assessment not yet due and payable.
