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2003 PAGE 4626

**WHEN RECORDED MAIL TO:**

Mr. Randy Robeson  
FRONTIER CO-OPERATIVE CO.  
211 South Lincoln  
Box 37  
Brainard, NE 68626

2003 MAY 15 AM 11:32

*Carol Stevens*  
DODGE COUNTY  
REGISTER OF DEEDS  
COMPUTER INDEX FEE \$ 25.50

NEBRASKA DOCUMENTARY  
STAMP TAX  
Date 5-15-03  
By *CS*  
\$ 35.00

**SPECIAL WARRANTY DEED**

ANT, LLC, a Delaware limited liability company, and its successors and assignees, whose address is 201 Mission Street, 2<sup>nd</sup> Floor, San Francisco, California 94105, ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, in hand paid by Grantee, grant, bargain, sell, and convey to FRONTIER CO-OPERATIVE CO., a Nebraska corporation, and its successors and assignees, whose address is 211 South Lincoln, Box 37, Brainard, NE 68626, ("Grantee"), all of Grantor's right, title and interest in the real estate (as defined in Neb. Rev. Stat. 76-201) and improvements owned by Grantor and located in the County of Dodge, State of Nebraska, as such real property ("Premises") is more particularly described as follows in Exhibit "A", consisting of one (1) page, attached hereto and made a part hereof, subject however to the exceptions and reservations, whether or not of record or otherwise, including but not limited to those set forth in Exhibit "B", to the extent, but only to the extent such exceptions validly affect the premises.

**TOGETHER** with all tenements, hereditaments and appurtenances, if any, on the Premises or related thereto, and any reversions, remainders, rents, issues or profits on the Premises. Grantee acknowledges that by this Deed Grantor warrants only claims made by, through or under Grantor, and that there may be limitations or restrictions on the ownership rights of Grantor in the Premises where Grantor acquired its ownership with such limitations or restrictions, or as a result of applicable law; and Grantee accepts delivery of this deed with this understanding and on this condition.

**SUBJECT**, however, to all valid existing interests of third parties in the Premises, including but not limited to, reservations, rights of way and other encumbrances of record.



**EXHIBIT "A"**

**Parcel # 1140.3**

That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 11, Township 17 North, Range 8 East, 6th P. M., Dodge County, Nebraska, lying between two lines drawn parallel with and distant, respectively, 70.0 feet and 388.0 feet South, as measured at right angles from the North line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ , bounded on the East by the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and bounded on the West by a line drawn parallel with and distant 736.0 feet East, as measured at right angles from the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

**EXHIBIT "B" TO SPECIAL WARRANTY DEED**

**PERMITTED EXCEPTIONS**

1. Any and all restrictions, covenants, conditions, reservations, liens, rights-of-way, taxes, licenses, leases, parties in possession, easements, highways, roads, pipelines, poles, wirelines, conduits, ditches, ordinances and other encumbrances affecting the Property, whether of record or not, and all matters a current survey or visual inspection of the Property would disclose.
2. Taxes or assessment which are not shown as existing liens by the current public records of any taxing authority that levies taxes or assessments on real property or by the public records.
3. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiries of persons in possession thereof.
4. Easements, claims of easements or encumbrances not shown by the current public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
6. Unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title water.
7. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the current public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the current public records or attaching subsequent to March 28, 2003, but prior to the date the Grantee herein acquires for value of record the estate or interest thereon covered by this First American Title Insurance Commitment No. 0978FA.
9. Standby fees, taxes and assessments by any taxing authority for the year 2003 and subsequent years.
10. Permanent Easement to Dodge County for road purposes over the East 33 feet of the West Half of the Northeast Quarter of Section 11 as contained in Instrument filed February 22, 1968, recorded in Misc. Book 3 at page 399.

11. Subject to Reservation unto Grantor, it's successors, assigns, lessees and/or licenses all coal, oil, gas, casing head gas and all ores and mineral of every kind and nature and all water underlying the surface of the premises, except no right of entry onto the surface or above a depth of 500 feet below the surface to the premises; ALSO a non exclusive permanent easement to operate, maintain, reconstruct and modify any and all fiber optic lines, communication lines used by grantor, and facilities related to such fiber optic lines or communication lines, in the location where such lines or facilities exist on the date of delivery of this deed, including related rights of ingress and egress, as necessary across the Premises for the sole purpose of operating and maintaining and, as necessary, reconstructing such lines in the same location as they exist on January 20, 1998, provided that all activities of Grantor in the exercise of rights under this paragraph of this deed shall occur in a manner that minimizes any interference with any activities or improvements then present on the premises; AND subject to all valid existing interest of third parties in the premises, including but not limited to, reservations, rights of way and other encumbrances of record, as contained in Special Warranty Deed filed December 31, 2002, recorded in Book 2002 at page 10271.

**Tax Key No. 236-302-4 (270136809)**

**APPROVED AS TO FORM**

APPROVED LEGAL	
APPROVED FORM	
APPROVED	