

ORIGINAL

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UIC LAW DEPARTMENT  
DOCUMENT NO. 1-423-11

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NEBRASKA DOCUMENTARY  
STAMP TAX

APR 7 1976

\$ 1145.10 BY *LSH*

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That UNION PACIFIC LAND RESOURCES CORPORATION, a corporation of the State of Utah, Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration to it paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto THE HIGHLANDS DEVELOPMENT CORP., a corporation of the State of Nebraska, whose postal address is 11440 West Center Road, Omaha, Nebraska 68144, Grantee, the real estate situated in Sections 3, 4 and 10, Township 10 North, Range 6 East of the Sixth Principal Meridian, Lancaster County, State of Nebraska, described in Exhibit A, hereto attached and hereby made a part hereof.

EXCEPTING from this sale and RESERVING unto the Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods and at any time or times suitable to the Grantor, its successors and assigns. The Grantor also reserves to itself, its successors and assigns, the perpetual right to enter upon and use those certain surface locations hereinafter defined, herein referred to as "Development Areas" (but without entering upon, using or in any manner damaging the surface of the remaining lands conveyed, except for the construction, maintenance and use of roadways thereover, as hereinafter provided), for the exploration for, removal and disposal of minerals hereby excepted and reserved and minerals underlying other lands, with the perpetual right for said purposes to have any buildings, other structures and property removed from the Development Areas without expense to the Grantor, its successors or assigns. The Grantee, its successors and assigns, may use the Development Areas, subject always to the superior right of use herein reserved to the Grantor, its successors and assigns. Said Development Areas are specifically described in Exhibit B, hereto attached and hereby made a part hereof.

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There is FURTHER RESERVED unto the Grantor, its successors and assigns, forever, the right to construct, maintain and use roadways upon, over and across the lands hereby conveyed for ingress and egress to and from said Development Areas, all of which may be freely done at any time or times by the Grantor, its successors or assigns, without liability to the Grantee, its successors or assigns, or to any other party for compensation or damages; PROVIDED, however, no roadway shall be constructed to provide access to a particular Development Area if such Development Area has direct access to an existing public roadway or private roadway which is being maintained and used to provide ingress and egress to such Development Area.

This deed is made SUBJECT to the following:

- (a) All applicable laws, orders and regulations imposed by public authority, whether federal, state or local;
- (b) All outstanding leases and other outstanding rights, including, but not limited to, those for highways and other roadways and rights of way for irrigation ditches, pipe lines, pole and wire lines and the right of renewals and extensions of the same;
- (c) That certain Farm Management Agreement made the 5th day of May, 1967 between Union Pacific Railroad Company and National Bank of Commerce Trust and Savings Association of Lincoln, Nebraska, identified in the records of Union Pacific Land Resources Corporation as Audit No. 876, as amended, supplemented and assigned;
- (d) All liens, encumbrances, clouds upon, impairments of and defects in the title created or permitted to be created by William A. Wilson, Trustee; The Highlands, Inc.; and/or the Grantee on and after May 25, 1973;
- (e) Any and all restrictions and limitations imposed by public authority;
- (f) Any easements, restrictions and/or outstanding rights of record; and

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(g) All taxes and assessments, general and special, and all installments of assessments, levied upon or assessed against the premises described in Exhibit A which became or may become due and payable on or after May 25, 1973, and the Grantee assumes and agrees to pay, or to reimburse the Grantor for, if paid by it, all such taxes and assessments and installments of assessments.

TO HAVE AND TO HOLD, subject to the aforesaid exceptions, reservations and other provisions, the premises described in Exhibit A with the appurtenances unto the said Grantee, its successors and assigns, forever, and the said Grantor, for itself, and its successors and assigns, does covenant with the said Grantee, its successors and assigns, that it is lawfully seized of said premises, that they are free from encumbrance except as hereinbefore set out, and that it has good right and lawful authority to sell the same, and that it will, and its successors and assigns shall warrant and defend the same unto the said Grantee, its successors and assigns, forever, against the lawful claims of all persons whomsoever, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has caused these presents to be signed by its President and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed this 5<sup>th</sup> day of April, 1976.

In Presence of:

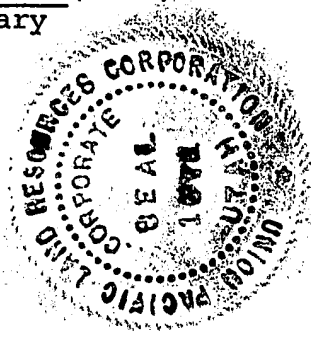
Susan D. Trotter

UNION PACIFIC LAND RESOURCES CORPORATION

By J. D. [Signature]  
President

Attest:

J. J. [Signature] (Seal)  
Assistant Secretary



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STATE OF NEBRASKA)  
)  
COUNTY OF DOUGLAS)

On this 5<sup>th</sup> day of April, 1976,  
before me, a Notary Public in and for said County in the State  
aforesaid, personally appeared J.W. Godfrey, to me  
personally known, and to me personally known to be

PRESIDENT of UNION PACIFIC LAND RESOURCES  
CORPORATION, and to be the same person whose name is subscribed  
to the foregoing instrument, and who, being by me duly sworn,  
did say that he is PRESIDENT of Union Pacific  
Land Resources Corporation; that the seal affixed to said instru-  
ment is the corporate seal of said corporation; and that said  
instrument was signed and sealed on behalf of said corporation  
by authority of its board of directors; and the said  
J.W. Godfrey acknowledged said instrument to be  
his free and voluntary act and deed, and the free and voluntary  
act and deed of said corporation, by it voluntarily executed,  
for the uses specified therein.

IN WITNESS WHEREOF, I have hereunto set my hand and  
official seal the day and year last above written.

My commission expires 9-12-78.

Eldon E. Thompson  
Notary Public

Residing at La Vista Nebr.

(Seal)

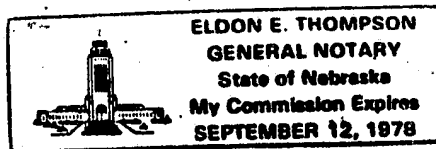


EXHIBIT A

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A parcel of land situate in and being all of Lots 1, 2, 6, and 8, also Lots 10 through 16 both inclusive of C. W. Lyman's subdivision, and in the Northwest Quarter (NW $\frac{1}{4}$ ), West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) and Lot 5, all in Section 3, and in the Northeast Quarter of Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 4, and in the North Half of the North Half (N $\frac{1}{2}$ N $\frac{1}{2}$ ) of Section 10, all in Township 10 North, Range 6 East, of the Sixth Principal Meridian, Lancaster County, State of Nebraska, bounded and described as follows:

Beginning at the northwest corner of said Section 3;

thence along the north line of said Section, South 89 degrees 59 minutes 50 seconds East, a distance of 2,640.34 feet to the north quarter corner of said Section 3;

thence continuing along said north line, South 89 degrees 59 minutes 59 seconds East, a distance of 1,776.30 feet;

thence at right angles to the last described line, South 00 degrees 00 minutes 01 second West, a distance of 33.00 feet to the point of intersection of the south right-of-way line of West Fletcher Avenue, and the westerly right-of-way line of Interstate Highway No. 80;

thence along said westerly right-of-way line on the following courses and distances;

South 84 degrees 30 minutes 57 seconds East, a distance of 196.71 feet;

South 71 degrees 16 minutes 15 seconds East, a distance of 272.04 feet;

South 40 degrees 47 minutes 18 seconds East, a distance of 294.08 feet to a northwesterly corner of Lot 4, a lot in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of said Section 3;

thence along the west line of said Lot 4, South 00 degrees 00 minutes 26 seconds East, a distance of 728.23 feet to the southwest corner of said Lot 4;

thence along the south line of said Lot 4, North 89 degrees 59 minutes 34 seconds East, a distance of 217.80 feet to a point in the east line of said Section 3;

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thence along the east line of said Section, South 00 degrees 00 minutes 26 seconds East, a distance of 1,420.94 feet to the east quarter corner of said Section 3;

thence along the east-west centerline of said Section 3, South 89 degrees 38 minutes 33 seconds West, a distance of 2,649.35 feet to the center of said Section 3, said point also being the northeast corner of C. W. Lyman's Subdivision;

thence along the east line of said C. W. Lyman's Subdivision, South 00 degrees 12 minutes 46 seconds West, a distance of 979.91 feet to the southeast corner of Lot 11 of said Subdivision;

thence along the south line of said Lot 11, South 89 degrees 37 minutes 53 seconds West, a distance of 630.60 feet, to the Southwest corner of said Lot 11;

thence along the west line of Lots 11, 13 and 15, North 00 degrees 24 minutes 07 seconds East, a distance of 980.07 feet to the east-west centerline of said Section 3;

thence along said east-west centerline, South 89 degrees 38 minutes 33 seconds West, a distance of 60 feet to the Northeast Corner of Lot 16, in said Subdivision;

thence South 00 degrees 24 minutes 07 seconds West, a distance of 2,612.56 feet to the southeast corner of said Lot 2;

thence along the south line of Lots 2 and 1, South 89 degrees 36 minutes 47 seconds West, a distance of 635.99 feet to the east line of the West Half of the Southwest Quarter ( $W\frac{1}{2}SW\frac{1}{4}$ ) of said Section 3;

thence along said east line, South 00 degrees 35 minutes 29 seconds West, a distance of 33.00 feet to the north line of said Section 10;

thence along the north line of said Section 10, North 89 degrees 36 minutes 47 seconds East, a distance of 1,332.20 feet to the north quarter corner of said Section 10;

thence continuing along said north line, North 89 degrees 36 minutes 27 seconds East, a distance of 2,192.87 feet to the northwesterly right-of-way of Interstate Highway No. 80, said point being South 89 degrees 36 minutes 27 seconds West, a distance of 467.40 feet from the northeast corner of said Section 10;

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thence along said northwesterly right-of-way line South 28 degrees 19 minutes 34 seconds West, a distance of 164.82 feet;

thence continuing along said northwesterly right-of-way line, South 37 degrees 02 minutes 24 seconds West, a distance of 508.74 feet to the point of intersection of said northwesterly right-of-way line of Interstate No. 80 and the easterly extension of the southerly line of that certain irregular tract of land for which a perpetual easement was granted by the Union Pacific Railroad Company to the City of Lincoln, filed in the Register of Deeds, Inst. No. 71-4546, dated April 20, 1971, said southerly line also being the south right-of-way line of an east-west proposed street;

thence along the south right-of-way line of said east-west proposed street, South 89 degrees 54 minutes 36 seconds West, a distance of 4,169.44 feet to a point on the northerly extension of the west right-of-way line of N.W. 12th Street;

thence North 00 degrees 05 minutes 24 seconds West, a distance of 2,720.72 feet, to the beginning of a tangent curve concave southwesterly, having a radius of 451.77 feet;

thence northwesterly along said curve, through a central angle of 89 degrees 47 minutes 55 seconds, an arc distance of 708.05 feet to the east-west centerline of said Section 4;

thence along said east-west centerline, South 89 degrees 53 minutes 17 seconds East, a distance of 196.89 feet to the west quarter corner of said Section 3;

thence along the west line of said Section 3, North 00 degrees 02 minutes 10 seconds West, a distance of 2,544.01 feet to the Point of Beginning.

Excepting therefrom a tract of land located in Section 3, Township 10 North, Range 6 East of the Sixth Principal Meridian, Lancaster County, State of Nebraska, bounded and described as follows:

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Commencing at the North 1/4 corner of said Section 3; thence S89°59'59"E, (assumed bearing), along the North line of said Section 3 a distance of 622.99 feet; thence S00°00'01"W, a distance of 248.62 feet to the Point of Beginning; thence N37°49'05"E, a distance of 314.73 feet, to a point on the North line of said Section 3; thence S89°59'59" E, along said North line of Section 3, a distance of 432.63 feet to a point on the centerline of the proposed Loop Street; thence Southeasterly along said centerline of the proposed Loop Street on a curve to the right with a radius of 3514.17 feet a distance of 257.07 feet, said curve having a long chord which bears S44°30'23"E a distance of 257.02 feet; thence S42°24'34"E, along said centerline of the proposed Loop Street, a distance of 1008.29 feet; thence Southeasterly along said centerline of the proposed Loop Street, on a curve to the left with a radius of 1070.03 feet a distance of 88.95 feet, said curve having a long chord which bears S44°47'33"E a distance of 88.93 feet; thence S42°49'39"W a distance of 594.16 feet; thence S28°35'12"E a distance of 1236.83 feet to a point on the South line of the NE 1/4 of said Section 3; thence S89°38'33"W along said South line of the NE 1/4 of Section 3 a distance of 829.65 feet; thence N00°38'51"W a distance of 52.38 feet; thence N28°38'51"W a distance of 500.00 feet; thence N73°38'51"W a distance of 450.00 feet; thence S31°21'09"W a distance of 570.00 feet; thence S10°38'51"E a distance of 139.38 feet to a point on said South line of the NE 1/4 of Section 3; thence S89°38'33"W along said South line of the NE 1/4 of Section 3 a distance of 596.17 feet to the Southwest corner of said NE 1/4 of Section 3; thence S00°12'46"W along the East line of the SW 1/4 of said Section 3 a distance of 170.01 feet; thence S75°03'47"W a distance of 39.11 feet; thence S14°56'13"E a distance of 125.00 feet, thence Southwesterly on a curve to the left with a radius of 60.00 feet a distance of 31.56 feet; said curve having a long chord which bears S59°59'31"W a distance of 31.20 feet; thence N45°04'45"W a distance of 125.00 feet; thence S44°55'15"W a distance of 39.32 feet; thence S20°55'15"W a distance of 78.64 feet; thence S04°02'37"W a distance of 39.64 feet; thence S79°18'09"W a distance of 94.90 feet; thence N08°12'54"E a distance of 140.00 feet; thence N28°43'42"E a distance of 128.77 feet; thence N58°29'38"W a distance of 125.22 feet; thence Northeasterly, on a curve to the left with a radius of 60.00 feet a distance of 19.09 feet, said curve having a long chord which bears N22°23'30"E a distance of 19.01 feet; thence S76°43'21"E a distance of 125.00 feet; thence N13°16'39"E a distance of 36.60 feet; thence N09°06'09"W a distance of 73.20 feet; thence N31°28'58"W a distance of 73.20 feet; thence N53°51'47"W a distance of 73.20 feet, thence N76°14'35"W a distance of 73.20 feet; thence S81°22'37"W a distance of 73.20 feet; thence S58°59'48"W a distance of 73.20 feet; thence S36°36'59"W a distance of 73.20 feet; thence S14°14'11"W a distance of 36.60 feet; thence S75°45'49"E a distance of 125.00 feet; thence Southwesterly westerly on a curve to the left with a radius of 60.00 feet a distance of 6.32 feet, said curve having a long chord which bears S11°13'20"W a distance of 6.31 feet; thence S08°12'54"W a distance of 27.88 feet; thence N81°47'06"W a distance of 125.00 feet; thence S08°12'54"W a distance of 453.59 feet; thence N60°41'42"W a distance of 33.36 feet; to



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a point on the West line of Lot 11, C. W. Lyman's Subdivision; thence  $N00^{\circ}24'07''E$ , along the West line of Lots 11, 13 and 15 of C. W. Lyman's Subdivision, a distance of 468.24 feet to a point on the North line of the SW 1/4 of said Section 3; thence  $S89^{\circ}38'33''W$ , along said North line of the SW 1/4 of Section 3, a distance of 60.00 feet to the Northeast corner of Lot 16, C. W. Lyman's Subdivision; thence  $S00^{\circ}24'07''W$ , along the East line of Lots 16, 14 and 12, C. W. Lyman's Subdivision, a distance of 434.33 feet; thence  $N60^{\circ}41'42''W$  a distance of 197.80 feet; thence  $N20^{\circ}52'37''E$  a distance of 70.00 feet; thence  $N50^{\circ}00'32''E$  a distance of 128.05 feet; thence  $N32^{\circ}34'02''E$  a distance of 64.98 feet; thence  $N10^{\circ}11'13''E$  a distance of 73.19 feet; thence  $N12^{\circ}11'35''W$  a distance of 36.60 feet; thence  $S77^{\circ}48'25''W$  a distance of 125.00 feet; thence Northwesterly on a curve to the left with a radius of 60.00 feet, a distance of 26.00 feet, said curve having a long chord which bears  $N24^{\circ}36'20''W$  a distance of 25.79 feet; thence  $N52^{\circ}58'55''E$  a distance of 125.00 feet; thence  $N37^{\circ}01'05''W$  a distance of 76.18 feet; thence  $N81^{\circ}46'42''W$  a distance of 152.36 feet; thence  $S53^{\circ}27'41''W$  a distance of 180.24 feet; thence  $S20^{\circ}52'37''W$  a distance of 385.55 feet; thence  $S34^{\circ}02'38''W$  a distance of 62.06 feet; thence  $S42^{\circ}08'31''W$  a distance of 115.66 feet to a point on the centerline of the proposed Collector Street; thence Northerly along said centerline of the proposed Collector Street on a curve to the right with a radius of 862.00 feet a distance of 649.08 feet, said curve having a long chord which bears  $N16^{\circ}56'22''W$  a distance of 633.85 feet; thence  $N04^{\circ}37'56''E$  along said centerline of the proposed Collector Street a distance of 352.00 feet; thence Northerly along said centerline of the proposed Collector Street on a curve to the left with a radius of 2386.17 feet a distance of 224.71 feet, said curve having a long chord which bears  $N01^{\circ}56'05''E$  a distance of 224.62 feet; thence  $N69^{\circ}50'38''E$  a distance of 731.46 feet; thence  $S37^{\circ}06'49''E$  a distance of 376.20 feet; thence  $N82^{\circ}10'43''E$  a distance of 183.71 feet; thence  $N45^{\circ}04'00''E$  a distance of 608.82 feet; thence  $N88^{\circ}40'26''E$  a distance of 216.06 feet; thence  $N12^{\circ}55'27''E$  a distance of 487.35 feet; thence  $N77^{\circ}24'33''W$  a distance of 701.88 feet; thence  $N66^{\circ}12'17''W$  a distance of 1008.75 feet; thence  $N13^{\circ}29'45''W$  a distance of 128.55 feet; thence  $N22^{\circ}36'17''E$  a distance of 276.36 feet to a point on said North line of Section 3; thence  $S89^{\circ}59'50''E$  along said North line of Section 3, a distance of 41.53 feet; thence  $S75^{\circ}14'07''E$ , a distance of 844.12 feet; thence  $N69^{\circ}42'30''E$ , a distance of 410.93 feet; thence  $S28^{\circ}50'18''E$ , a distance of 300.50 feet; thence  $N77^{\circ}36'57''E$  a distance of 406.42 feet, to the Point of Beginning.

Said tract of land contains an area of 328.93 acres, more or less.

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EXHIBIT B

DEVELOPMENT AREA No. 1

A tract of land located in the NW $\frac{1}{4}$  of Section 3, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said NW $\frac{1}{4}$  of Section 3;  
thence N. 00 $^{\circ}$  02' 10" W. (assumed bearing), along the West line of said Section 3, a distance of 680.59 feet;  
thence N. 89 $^{\circ}$  57' 50" E. a distance of 100.00 feet to the Point of Beginning;  
thence N. 00 $^{\circ}$  02' 10" W. a distance of 260.64 feet;  
thence N. 77 $^{\circ}$  43' 38" E. a distance of 277.17 feet;  
thence S. 12 $^{\circ}$  44' 38" E. a distance of 327.00 feet;  
thence S. 89 $^{\circ}$  57' 50" W. a distance of 342.89 feet to the Point of Beginning.

Said tract of land contains an area of 2.066 acres, more or less.

DEVELOPMENT AREA No. 2

A tract of land located in the SW $\frac{1}{4}$  of Section 3, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the Northwest corner of said SW $\frac{1}{4}$  of Section 3;  
thence N. 89 $^{\circ}$  38' 33" W. (assumed bearing), along the North line of said SW $\frac{1}{4}$  of Section 3, a distance of 481.67 feet;  
thence S. 00 $^{\circ}$  21' 27" E. a distance of 1621.95 feet to a point on the Northeasterly right-of-way line of the proposed Loop Street, said point also being the Point of Beginning;  
thence N. 72 $^{\circ}$  38' 43" E. a distance of 220.24 feet;  
thence N. 43 $^{\circ}$  01' 38" E. a distance of 48.91 feet;  
thence S. 60 $^{\circ}$  07' 08" E. a distance of 118.20 feet;  
thence S. 03 $^{\circ}$  22' 48" W. a distance of 140.00 feet;  
thence S. 08 $^{\circ}$  42' 25" W. a distance of 64.12 feet;  
thence S. 25 $^{\circ}$  26' 23" W. a distance of 62.63 feet;  
thence S. 40 $^{\circ}$  39' 13" W. a distance of 67.17 feet;  
thence S. 42 $^{\circ}$  52' 14" W. a distance of 77.32 feet to a point on said Northeasterly right-of-way line of the proposed Loop Street;

thence Northwesterly along said Northeasterly right-of-way line of the proposed Loop Street, on a curve to the right with a radius of 1339.32 feet, a distance of 385.31 feet, said curve having a long chord which bears N. 32 $^{\circ}$  14' 29" W. a distance of 383.96 feet to the Point of Beginning.

Said tract of land contains an area of 1.989 acres, more or less.

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GENERAL

LANCASTER COUNTY REC'D.  
*Abraham L. Stinson*  
REGISTER OF DEEDS

1976 APR -7 PM 2:59

ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD AS:

INST. NO. 76- 6965

#34<sup>00</sup>

UIC LAW DEPT