

No.	Gen.	Num.	Paged	
#2				
TH	Register of Deeds			

Submitted by: Houghton Bradford Whitted, PC LLO
\$46.00

2019-01557 Page Count: 7
STATE OF NEBRASKA } SS
SALINE COUNTY

Entered in numerical index and filed on
record, the 25 day of September
2019 at 08:10 o'clock AM and recorded
in Book 80 of MISC Page 390


County Clerk
Electronically Recorded By: TH

When recorded return to: Warren R. Whitted, Jr., 6457 Frances Street, #100, Omaha, Nebraska 68106, (402) 344-4000.

NOTICE OF DEFAULT

TO: Daniel J. Fritz
Spouse of Cindy A. Fritz
1268 County Road 2200
Wilbur, NE 68465

Cindy A. Fritz
Spouse of Daniel J. Fritz
1268 County Road 2200
Wilbur, NE 68465

You are hereby given notice that a default exists under the obligations secured by the Deed of Trust ("Deed of Trust") and the Beneficiary has elected to consider all of the principal and interest due as a result of a default and has elected to sell the real property described in the Deed of Trust to satisfy said obligations, unless the conditions of this Notice are otherwise satisfied.

DEED OF TRUST: The Deed of Trust which is in default and which will be foreclosed is the Deed of Trust executed by Daniel J. Fritz and Cindy A. Fritz, husband and wife as Trustors, to **First Nebraska Bank, Trustee**, Trustee, in favor of **First Nebraska Bank**, Beneficiary, dated as of March 24, 2016, and filed March 30, 2016 as Instrument #2016 00477 at Book 416 of Records, Pages 369-381 in the office of the Register of Deeds of Saline County, Nebraska as modified by Modification of Deed of Trust dated as of June 29, 2017, and filed July 17, 2017 as Instrument #2017 01275 at Book 425 of Records, Pages 525-533 and refiled August 28, 2017, as Instrument #2017 01532 at Book 426 of Records, Pages 303-311 in the office of the Register of Deeds of Saline County, Nebraska pledging the following described real property located in Saline County, Nebraska to repayment of the debt:

Legal Description:

[SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A
PART HEREOF]

The Deed of Trust secures payment and performance of all obligations of the Trustor to the Beneficiary including, but not limited to, the obligations represented by the Promissory Notes executed by Trustors and set forth below.

BREACH OF OBLIGATION: A breach of an obligation for which the trust property was conveyed as security has occurred. The nature of the breach is failure to pay the sums due to the Beneficiary under the

Loan and failure to timely pay taxes. Beneficiary has declared the full unpaid balance of the obligation represented by the note immediately due and payable. The obligation is represented by three promissory notes as follows:

Note One, Loan #1090186: As of September 3, 2019, there is due and owing Five Hundred and Fifty-Five Thousand Two Hundred and Eighty-and 45/100 Dollars (\$555,285.45) and together with interest accruing thereafter at the of 16% per annum or \$241.47 per day, accruing late charges and such other amount as allowed by law.

Note Two, Loan #1090193: As of September 3, 2019, there is due and owing One Hundred and Sixty-Seven Thousand Three Hundred and Eighteen-and 71/100 Dollars (\$167,318.71) and together with interest accruing thereafter at the of 16% per annum or \$72.62 per day, accruing late charges and such other amount as allowed by law.

Note Three, Loan #1090179: As of September 3, 2019, there is due and owing Three Hundred and Thirty-Four Thousand Four Hundred and forty-Four and 83/100 Dollars (\$334,444.83) and together with interest accruing thereafter at the of 16% per annum or \$146.18 per day, accruing late charges and such other amount as allowed by law.

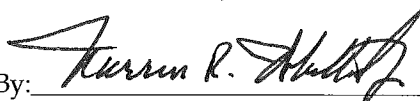
All three notes are single payment notes and may only be reinstated by payment in full of all principal, interest, late charges and other charge allowed by law.

ELECTION TO SELL: Beneficiary has elected to sell or cause to be sold the real property to satisfy the obligations secured by the Deed of Trust, subject to the conditions of this Notice.

CONDITIONS OF DEFAULT: As provided in Neb. Rev. Stat. §76-1012, the default may be cured within two (2) months of the date of filing of record of this Notice of Default, failure to take action or to cure the defaults referenced in this Notice within two (2) month from the date this Notice is filed may result in the sale of the real property described in the Deed of Trust with the proceeds to be applied against the obligations secured by the Deed of Trust.

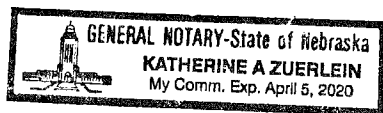
Dated: September 24, 2019.

First Nebraska Bank, Trustee

By: 
Warren R. Whitted, Jr., Attorney for Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was executed before me this 24th day of September, 2019, by Warren R. Whitted, Jr., Attorney for Trustee.



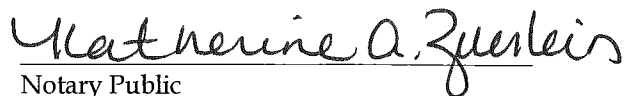

Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE SOUTHEAST QUARTER, ALL IN SECTION 9, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA, EXCEPT A RIGHT OF WAY OF BURLINGTON & MISSOURI RIVER RAILROAD COMPANY AND EXCEPT THAT PART THEREOF CONVEYED TO THE STATE OF NEBRASKA BY DEED RECORDED IN BOOK 107 AT PAGE 17, DESCRIBED AS BEING A TRACT OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 9; THENCE WESTERLY ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 491.9 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY CHICAGO, BURLINGTON, AND QUINCY RAILROAD RIGHT OF WAY LINE; THENCE CONTINUING WESTERLY ON SAID NORTH LINE A DISTANCE OF 180.6 FEET; THENCE SOUTHERLY 104 DEGREES 17 MINUTES LEFT A DISTANCE OF 2036.9 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE; THENCE EASTERLY 75 DEGREES 45 MINUTES LEFT AND ON SAID SOUTHERLY PROPERTY LINE A DISTANCE OF 180.6 FEET TO A POINT ON SAID RAILROAD RIGHT OF WAY LINE; THENCE NORTHERLY ON SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 2,036.8 FEET TO THE POINT OF BEGINNING.

AND

THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 2:

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 3:

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHWEST QUARTER, ALL IN SECTION 33, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 4:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 5:

THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 6:

THE WEST HALF OF THE NORTHWEST QUARTER (W½NW¼) LOCATED IN SECTION 15, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA, EXCEPT THOSE PARTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SECTION 15; THENCE EASTERLY ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 525.3 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING EASTERLY ON SAID NORTH LINE A DISTANCE OF 154.7 FEET TO A POINT ON THE WESTERLY CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY LINE; THENCE SOUTHERLY 75 DEGREES 48 MINUTES RIGHT AND ON SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 2,722.2 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE WESTERLY ON SAID SOUTH LINE A DISTANCE OF 144.3 FEET; THENCE NORTHERLY 75 DEGREES 48 MINUTES RIGHT A DISTANCE OF 1,770.7 FEET; THENCE EASTERLY 90 DEGREES 13 MINUTES RIGHT A DISTANCE OF 7.5 FEET THENCE NORTHERLY 90 DEGREES 00 MINUTES LEFT A DISTANCE OF 6.0 FEET; THENCE WESTERLY 90 DEGREES 00 MINUTES LEFT A DISTANCE OF 7.5 FEET; THENCE NORTHERLY 89 DEGREES 47 MINUTES RIGHT A DISTANCE OF 948.6 FEET TO THE POINT OF BEGINNING.

-AND EXCEPT -

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15, BEING THE POINT OF BEGINNING, THENCE NORTH 90°00'00" WEST, 1860.57 FEET ALONG THE NORTH LINE OF SAID SECTION 15 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE C.B.&Q. RAILROAD, ALSO KNOWN AS THE BURLINGTON-NORTHERN RAILROAD; THENCE SOUTH 14°18'00" EAST, 2,549.67 FEET ALONG SAID RAILROAD RIGHT-OF-WAY TO THE CENTERLINE OF AN EXISTING DRAINAGE DITCH; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID DRAINAGE DITCH WITH THE FOLLOWING BEARINGS AND DISTANCES; SOUTH 70°17'07" EAST, 313.23 FEET; NORTH 48°31'48" EAST, 63.55 FEET; NORTH 71°51'50" EAST, 140.50 FEET; NORTH 77°28'08" EAST, 61.31 FEET; SOUTH 84°48'49" EAST 55.30 FEET; SOUTH 09°29'34" EAST, 58.58 FEET; SOUTH 30°33'30" WEST, 76.91 FEET; SOUTH 79°23'49" EAST, 71.85 FEET; SOUTH 60°11'41" EAST, 102.26 FEET; SOUTH 05°15'03" WEST, 118.44 FEET; SOUTH 33°22'45" EAST, 212.87 FEET SOUTH 73°44'30" EAST, 79.59 FEET; NORTH 27°48'25" EAST, 108.09 FEET; NORTH 71°56'12" EAST, 61.24 FEET; SOUTH 77°25'18" EAST, 90.19 FEET; SOUTH 49°20'00" EAST, 284.68 FEET TO THE EAST LINE OF THE SW¼ AND NW¼ OF SAID SECTION 15, THENCE NORTH 01°35'15" WEST, 3080.00 FEET ALONG THE EAST LINE OF THE SAID SW¼ AND NW¼ TO THE POINT OF BEGINNING.

-AND EXCEPT-

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 166.04 METERS (544.75 FEET) ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 075 DEGREES, 48 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 10.38 METERS (34.04 FEET) TO A POINT ON THE WESTERLY HIGHWAY 103 RIGHT OF WAY LINE TO A POINT ON THE SOUTHERLY COUNTY ROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 13 MINUTES, 09 SECONDS LEFT, A DISTANCE OF 278.77 METERS (914.59 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 089 DEGREES, 46 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 2.29 METERS (7.50 FEET); THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 1.83 METERS (6.00 FEET); THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 2.29 METERS

(7.50 FEET); THENCE SOUTHERLY DEFLECTING 090 DEGREES, 12 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 345.59 METERS (1133.82 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 171 DEGREES, 54 MINUTES, 13 SECONDS RIGHT, A DISTANCE OF 100.04 METERS (328.21 FEET); THENCE NORTHERLY DEFLECTING 006 DEGREES, 31 MINUTES, 50 SECONDS RIGHT, A DISTANCE OF 199.78 METERS (655.44 FEET); THENCE NORTHERLY DEFLECTING 000 DEGREES, 39 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 336.05 METERS (1102.53 FEET) TO A POINT ON THE SOUTHERLY COUNTY ROAD RIGHT OF WAY LINE ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 106 DEGREES, 37 MINUTES, 51 SECONDS RIGHT, A DISTANCE 33.59 METERS (110.22 FEET) TO A POINT ON THE WESTERLY HIGHWAY 103 RIGHT OF WAY LINE ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

-AND EXCEPT-

RAILROAD RIGHT-OF-WAY.

AND EXCEPT FRACTION DEED TO THE STATE OF NEBRASKA FILED IN BOOK 107 PAGE 21 AND 24, IN SAID COUNTY.

PARCEL 7:

THAT TRACT OR PARCEL OF LAND LOCATED WITHIN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 4, EAST OF THE 6TH P.M., IN SALINE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 50 FEET EASTERLY FROM AND AT RIGHT ANGLES TO CENTER LINE OF MAIN RAILROAD TRACK OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY, AS NOW LOCATED, AS MEASURED FROM A POINT IN SAID CENTER LINE 600 FEET NORTHERLY FROM THE INTERSECTION OF SAID CENTER LINE WITH THE SOUTH LINE OF SAID SECTION 15, ABOVE DESCRIBED AND RUNNING THENCE EASTERLY AND AT RIGHT ANGLES TO SAID CENTER LINE A DISTANCE OF 100 FEET; THENCE NORTHERLY PARALLEL TO SAID CENTER LINE A DISTANCE OF 100 FEET; THENCE WESTERLY AND AT RIGHT ANGLES TO SAID CENTER LINE A DISTANCE OF 100 FEET; THENCE SOUTHERLY AND PARALLEL TO SAID CENTER LINE TO THE PLACE OF BEGINNING, ALSO KNOWN AND REFERRED TO AS AN IRREGULAR TRACT NO. 12.

PARCEL 8:

THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4) LOCATED IN SECTION 16, TOWNSHIP 7 NORTH, RANGE 4 EAST OF THE 6TH P.M., SALINE COUNTY, NEBRASKA

PARCEL 9:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW¼NW¼) AND THE NORTH HALF OF THE NORTHWEST QUARTER (N¼NW¼), ALL OF SECTION THIRTY-FOUR (34), IN TOWNSHIP SEVEN (7) NORTH, RANGE FOUR (4), EAST OF THE 6TH PM IN SALINE COUNTY, NEBRASKA,

EXCEPT THE FOLLOWING DESCRIBED TRACTS BEING PARTS OF THE NORTH HALF OF THE NORTHWEST QUARTER (N¼NW¼) OF SAID SECTION THIRTY-FOUR (34), IN TOWNSHIP SEVEN (7) NORTH, RANGE FOUR (4), EAST OF THE 6TH P.M. IN SALINE COUNTY, NEBRASKA:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER (N½NW¼) OF SAID SECTION THIRTY-FOUR (34), THENCE RUNNING NORTH 40 RODS, THENCE RUNNING EAST 14 RODS, THENCE RUNNING SOUTH 40 RODS AND THENCE RUNNING WEST 14 RODS TO THE PLACE OF BEGINNING, CONTAINING 3½ ACRES, MORE OR LESS;

AND EXCEPT

A PARCEL OF LAND NOW USED AS A RAILROAD RIGHT-OF-WAY DESCRIBED IN A DEED RECORDED IN BOOK 2 AT PAGE 26 OF THE DEED RECORDS OF SALINE COUNTY, NEBRASKA;

AND EXCEPT

A PARCEL OF LAND NOW OWNED BY THE STATE OF NEBRASKA USED FOR HIGHWAY PURPOSES DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 82 AT PAGE 125 OF THE DEED RECORDS OF SALINE COUNTY, NEBRASKA, CONTAINING 1.52 ACRES, MORE OR LESS;

AND EXCEPT

A PARCEL OF LAND ACQUIRED BY CONDEMNATION BY THE STATE OF NEBRASKA AND DESCRIBED IN BOOK 26 AT PAGE 581 OF THE MISCELLANEOUS RECORDS OF SALINE COUNTY, NEBRASKA.

AND EXCEPT

A PARCEL OF LAND ACQUIRED BY CONDEMNATION BY THE STATE OF NEBRASKA AND DESCRIBED IN BOOK 294 AT PAGE 965-969 OF THE MISCELLANEOUS RECORDS OF SALINE COUNTY, NEBRASKA.

PARCEL 10:

A TRACT OF LAND LYING WEST OF THE WESTERLY R.O.W. LINE OF HWY #103 LOCATED IN THE SOUTHWEST QUARTER OF SECTION TEN (10), TOWNSHIP SEVEN (7) NORTH, RANGE FOUR (4) EAST OF THE 6TH PM, SALINE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID SW¼; THENCE N01°53'53"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SW 1/4, 2254.78 FEET TO THE WESTERLY R.O.W. LINE OF HWY #103; THENCE S14°17'06"E ON SAID WESTERLY R.O.W. LINE, 2325.44 FEET TO THE SOUTH LINE OF SAID SW¼; THENCE N90°00'00"W ON THE SOUTH LINE OF SAID SW¼, 499.11 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PART DEEDED TO THE STATE OF NEBRASKA, DEPARTMENT OF ROADS IN WARRANTY DEED RECORDED IN BOOK 296, PAGE 295-296 IN THE OFFICE OF THE COUNTY CLERK OF SALINE COUNTY, NEBRASKA.

PARCEL 11:

THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) SECTION TEN (10), TOWNSHIP SEVEN (7) NORTH, RANGE FOUR (4) EAST OF THE 6TH P.M. SALINE COUNTY, NEBRASKA,

EXCEPT FOR

A tract of land located in the SE1/4 of Section Ten (10), Township Seven (7) North, Range Four (4) East of the 6th PM., Saline County, Nebraska, described as follows:

Commencing at the SW Corner of said SE1/4; thence N89°56'38"E (Assumed Bearing) on the south line of said SE1/4, 50.00 feet to the point of beginning; thence N01°48'18"W on the easterly R.O.W. line of County Road 2250, 1009.64 feet; thence N88°04'17"E, 74.00 feet to the centerline of creek more or less; thence more or less down said centerline on the following described courses (thence S34°38'55"E, 56.96 feet; thence S26°52'17"E, 75.67 feet; thence S26°19'40"E, 80.87 feet; thence S15°47'11"E, 59.05 feet; thence S54°18'17"E, 57.23 feet; thence S78°35'13"E, 31.62 feet; thence S26°16'24"W, 26.95 feet; thence S13°08'52"E, 31.67 feet; thence S30°23'25"W, 54.62 feet; thence S01°43'54"E, 50.76 feet; thence S75°0'56"W, 90.70 feet; thence S34°29'02"E, 73.82 feet; thence N80°23'49"E, 102.96 feet; thence S60°16'45"E, 28.14 feet; thence S11°36'46"E, 76.66 feet; thence S74°58'00"E, 101.23 feet; thence N22°10'33"E, 48.01 feet; thence N80°44'27"E, 28.62 feet; thence S45°49'15"E, 87.06 feet; thence S25°22'30"E, 33.37 feet; thence S63°01'20"E, 31.25 feet; thence S05°20'31"E, 39.65 feet; thence N87°39'21"E, 35.76 feet; thence N05°56'16"E, 38.32 feet; thence N79°34'55"E, 62.70 feet; thence S20°02'48"W, 44.93 feet; thence S50°34'53"W, 23.42 feet; thence S05°28'39"E, 107.79 feet; thence S60°55'46"E, 18.44 feet; thence N48°48'07"E, 48.38 feet; thence N64°04'49"E, 52.46 feet; thence N06°02'47"E, 42.25 feet; thence N77°07'10"E, 91.25 feet; thence S23°57'40"E, 45.10 feet; thence N85°12'22"E, 44.25 feet; thence S40°03'32"E, 35.10 feet; thence S50°25'23"W, 46.11 feet; thence S14°31'44"E, 38.57 feet; thence S22°14'28"W, 34.13 feet; thence S64°03'36"E, 32.84 feet; thence N40°25'41"E, 42.36 feet; thence N57°30'37"E, 77.66 feet; thence S29°06'11"E, 46.39 feet; thence S15°30'12"W, 51.23 feet; thence S48°11'21"W, 29.07 feet; thence S01°58'48"E, 41.96 feet; thence S19°28'05"W, extended to the south, 37.82 feet to the south line of said SE1/4; thence S89°56'38"W on said south line 971.00 feet to the point of beginning. Containing 10.32 acres more or less.