

AFFIDAVIT

35-15-11

BOOK 502 PAGE 269

KNOW ALL MEN BY THESE PRESENTS:

PROJECT: F-446 (15)

AFE: R-734

TRACT: 1

THAT Industrial Development Company

STATE OF NEBRASKA )  
  ) ss.  
COUNTY OF LANCASTER )

I, Walter E. Witt, being duly sworn, depose and state that I am the Right of Way Engineer and agent of the State of Nebraska, Department of Roads; that I reside in Lancaster County, State of Nebraska; that I am of lawful age and know the facts herein contained.

That on or about the 6th day of November, 1969, the said Industrial Development Co. did execute to the State of Nebraska, for the consideration therein mentioned, a conveyance of certain lands situated in Douglas County, Nebraska, which is set forth more particularly in Book 1401 Page 53, County of Douglas. In the office of the Register of Deeds of the State of Nebraska. That whereas in said conveyance through inadvertence, mistake, typographical error or omissions, the following was written:

thence northwesterly 126 degrees 24 minutes right a distance of 321.1 feet to the point on existing Highway Right of Way Line;

There will be no ingress or egress over the above described tract onto the remainder of said Northwest Quarter

Whereas the following should have been written:

thence northwesterly 126 degrees 34 minutes right a distance of 321.1 feet to a point on said existing Highway Right of Way Line;

There will be no ingress or egress over the above described tract onto the Highway Right of Way from the remainder of said Northwest Quarter.

The following description was intended and is correct:

F-446 (15)

AFE: R-734

Tract 1

A tract of land located in the Northwest Quarter of Section 35, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the North Quarter Corner of Section 35; thence southerly on the East Line of the Northwest Quarter of Section 35 a distance of 1,304.3 feet, more or less, to the point of beginning said point being on the southwesterly existing Highway Right of Way Line; thence continuing southerly on said East Line a distance of 18.7 feet; thence northwesterly 126 degrees 34 minutes right a distance of 321.1 feet to a point on said existing Highway Right of Way Line; thence southeasterly on said existing Highway Right of Way Line a distance of 310.4 feet to the point of beginning, containing 0.06 acre, more or less, being acreage hereby secured.

There will be no ingress or egress over the above described tract onto the Highway Right of Way from the remainder of said Northwest Quarter.

Also, a tract of land located in the Northwest Quarter of Section 35, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the North Quarter Corner of Section 35; thence southerly on the East Line of the Northwest Quarter of Section 35 a distance of 1,304.3 feet, more or less, to a point on the southwesterly existing Highway Right of Way Line; thence northwesterly 123 degrees 48 minutes right and on said existing Highway Right of Way Line a distance of 1,058.1 feet to the point of beginning; thence continuing northwesterly on the last described course produced and on said existing Highway Right of Way Line a distance of 183.4 feet; thence continuing northwesterly 16 degrees 03 minutes left and on said existing Highway Right of Way Line a distance of 82.4 feet; thence southeasterly on a 4,368.45 foot radius curve to the right (initial tangent of which forms an angle of 170 degrees 44 minutes left from the last described course) a distance of 201.4 feet; thence continuing southeasterly on a line which forms an angle of 00 degrees 49 minutes right from the final tangent last described curve, a distance of 62.2 feet to the point of beginning, containing 0.04 acre, more or less, being the acreage hereby secured.

There will be no ingress or egress over the above described tract onto the Highway Right of Way from the remainder of said Northwest Quarter.

Also, a tract of land lying over and across the Northeast Quarter of Section 35, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the North Quarter Corner of Section 35; thence southerly on the West Line of the Northeast Quarter of Section 35 a distance of 1,304.3 feet, more or less, to the point of beginning, said point being on the southwesterly existing Highway Right of Way Line; thence continuing southerly on said West Line a distance of 18.7 feet; thence southeasterly 53 degrees 26 minutes left a distance of 2,118.0 feet to a point on the South Line of said Northeast Quarter;

F-446 (15)

AFE: R-734

Tract 1

thence easterly on said South Line a distance of 24.7 feet to a point on said existing Highway Right of Way Line; thence northwesterly on said existing Highway Right of Way Line a distance of 2,212.8 feet to the point of beginning, containing 0.76 acre, more or less, being the acreage hereby secured.

There will be no ingress or egress over the above described tract onto the Highway Right of Way from the remainder of said Northeast Quarter, except over one drive, nonrestricted as to use, not to exceed 105 feet in width, the Centerline of which is located 570.2 feet southeasterly from the West Line of said Northeast Quarter as measured along the southwesterly Highway Right of Way Line.

And Also, a tract of land located in the Southeast Quarter of Section 35, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the East Quarter Corner of said Section 35, thence westerly on the North Line of said Southeast Quarter of said Section 35 a distance of 853.4 feet, more or less, to the point of beginning; said point being on the southwesterly existing Highway Right of Way Line; thence continuing westerly on said North Line a distance of 24.7 feet; thence southeasterly 142 degrees 40 minutes left a distance of 137.3 feet to the point of curvature; thence continuing southeasterly on a 5,614.58 foot radius curve to the right (initial tangent of which coincides with the last described course) a distance of 490.8 feet; thence continuing southeasterly on a line which forms an angle of 10 degrees 46 minutes right from the final tangent last described curve, a distance of 562.0 feet to a point on said existing Highway Right of Way Line; thence northwesterly on a line which forms an angle of 157 degrees 12 minutes left and on said existing Highway Right of Way Line a distance of 192.4 feet; thence continuing northwesterly on a 5,629.58 foot radius curve to the left (initial tangent of which forms an angle of 29 degrees 35 minutes left from the last described course) and on said existing Highway Right of Way Line a distance of 884.2 feet to the point of tangency; thence continuing northwesterly, tangent, and on said existing Highway Right of Way Line a distance of 117.6 feet to the point of beginning, containing 0.78 acre, more or less, being the acreage hereby secured.

That the State of Nebraska, Department of Roads, at all times has intended that the description as described and as corrected has been the property properly conveyed and no other was intended.

FURTHER, affiant says not.

Subscribed in my presence and sworn to before me this 28<sup>th</sup> day of July, 19 71

Halter E. Witt



Wilford C. Harris  
Notary Public

My commission expires on the 3<sup>rd</sup> day of March, 19 75.

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA, 18 DAY OF August 19 71 AT 9:18 A.M. G. HAROLD OSTLER, REGISTER OF DEEDS

925