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CASS COUNTY, NE.

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David Fisher by S

REGISTER OF DEEDS

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As to Parcel No. 1:

A non-exclusive permanent easement through a tract of land located in the Southeast Quarter (SE 1/4) of Section 9, Township 12 North, Range 10 East of the Sixth Principal Meridian, Cass County, Nebraska. Said easement being thirty (30) feet wide and also being fifteen (15) feet on both sides of the following-described centerline:

Beginning at the Southwest corner of said Southeast Quarter (SE 1/4); thence North 108.76 feet, along the West line of said Southeast Quarter (SE 1/4), to a point; thence Northeasterly, with a deflection angle of 19 degrees 20 minutes 27 seconds right, a distance of 224.50 feet to a point of curvature; thence Northeasterly, on a curve to the right, said curve having a radius of 415.00 feet, a deflection angle of 61 degrees 37 minutes 16 seconds right, an arc length of 446.33 feet and a long chord of 425.13 feet to a point of reverse curvature; thence Northeasterly, on a curve to the left, said curve having a radius of 300.00 feet, a deflection angle of 68 degrees 49 minutes 49 seconds left, an arc length of 360.40 feet and a long chord of 339.11 feet to a point of tangency; thence Northeasterly, a distance of 243.64 feet to a point of curvature; thence Northeasterly, on a curve to the left, said curve having a radius of 400.00 feet, a deflection angle of 9 degrees 52 minutes 23 seconds left, an arc length of 68.93 feet and a long chord of 68.84 feet to a point of tangency; thence Northerly, a distance of 557.65 feet to a point of curvature; thence Northeasterly, on a curve to the right, said curve having a radius of 5000.00 feet, a deflection angle of 6 degrees 24 minutes 45 seconds right, an arc length of 559.59 feet and a long chord of 559.30 feet to a point of tangency; thence Northeasterly, a distance of 346.78 feet to a point on the Southerly right-of-way line of the Burlington Northern Santa Fe Railway Company. Said easement contains 2.00 acres, more or less.

As to Parcel No. 2:

A fee simple title to a tract of land and all improvements thereon, if any, for railway purposes located in the Northeast Quarter (NE 1/4) of Section 9, Township 12 North, Range 10 East of the Sixth Principal Meridian, Cass County, Nebraska. Said easement being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter (NE 1/4); thence West 1605.47 feet, along the South line of said Northeast Quarter (NE 1/4), to a point on the Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company; thence Northwesterly along said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, with a deflection angle of 47 degrees 13 minutes 34 seconds right, a distance of 194.95 feet to the true point of beginning; thence continuing Northwesterly along said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, a distance of 60.94 feet to a point on the Southerly right-of-way line of Interstate Highway 80; thence Northeasterly, with a deflection angle of 78 degrees 37 minutes 04 seconds right, along said Southerly right-of-way line of Interstate Highway 80, a distance of 51.00 feet to a point on a line 50.00 feet Northerly of and parallel to said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company; thence Southeasterly, with a deflection angle of 101 degrees 22 minutes 56 seconds right, along said line 50.00

feet Northerly of and parallel to said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, a distance of 71.00 feet to a point; thence Southwesterly, with a deflection angle of 90 degrees 00 minutes 00 seconds right, a distance of 50.00 feet to the point of beginning. Said easement contains 0.08 acres, more or less.

As to Parcel No. 3:

Fee simple title to a tract of land and all improvements thereon, if any, for railway purposes located in the Northeast Quarter (NE 1/4) of Section 9, Township 12 North, Range 10 East of the Sixth Principal Meridian, Cass County, Nebraska. Said easement being more particularly described as follows:


Commencing at the Northwest corner of said Northeast Quarter (NE 1/4); thence South 1519.03 feet, along the West line of said Northeast Quarter (NE 1/4), to a point on the Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company; thence Southeasterly, with a deflection angle of 43 degrees 32 minutes 42 seconds left, along said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, a distance of 143.28 feet to the true point of beginning; thence continuing Southeasterly along said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, a distance of 781.41 feet to a point on the Northerly right-of-way line of Interstate Highway 80; thence Northeasterly, with a deflection angle of 101 degrees 22 minutes 56 seconds left, along said Northerly right-of-way line of Interstate Highway 80, a distance of 70.70 feet to a point; thence Northerly, with a deflection angle of 30 degrees 32 minutes 08 seconds left, along said Northerly right-of-way line of Interstate Highway 80, a distance of 58.13 feet to a point; thence Northeasterly, with a deflection angle of 33 degrees 09 minutes 09 seconds right, along said Northerly right-of-way line of Interstate Highway 80, a distance of 84.94 feet to a point; thence Northwesterly, with a deflection angle of 90 degrees 00 minutes 00 seconds left, a distance of 65.36 feet to a point of curvature; thence Westerly, on a curve to the left, said curve having a radius of 40.00 feet, a deflection angle of 79 degrees 44 minutes 15 seconds left, an arc length of 55.67 feet and a long chord of 51.28 feet to a point of tangency; thence Southwesterly, a distance of 39.64 feet to a point of curvature; thence Westerly, on a curve to the right, said curve having a radius of 60.00 feet, a deflection angle of 88 degrees 30 minutes 11 seconds right, an arc length of 92.68 feet and a long chord of 83.74 feet to a point of tangency on a line 50.00 feet Northerly of and parallel to said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company; thence Northwesterly, along said line 50.00 feet Northerly of and parallel to said Northerly right-of-way line of the Burlington Northern Santa Fe Railway Company, a distance of 556.17 feet to a point; thence Southwesterly, with a deflection angle of 90 degrees 00 minutes 00 seconds left, a distance of 50.00 feet to the point of beginning. Said easement contains 1.29 acres more or less.

#206


We assess all damages in the sum of \$ 150,800 , which sum we award as follows:

Adolph L. Fedde and Mary Ann Fedde	\$ <u>150,800</u>
Rodney Fedde	\$ <u>0</u>
Cass County, Nebraska	\$ <u>0</u>

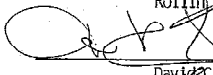
GIVEN our hands this 27th day of December, 2006.



 George Tesar Jr.



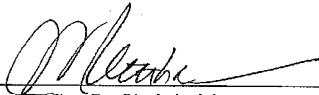
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 David Chebatoris

SUBSCRIBED and sworn to before me this 27th day of December, 2006.





 Hon. John F. Steinheider