



MISC 2005155078



DEC 08 2005 13:35 P 7

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE

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**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

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7/3 ^{*2-16-12*} BKP 11-16-12 ^{*2*} CTD COMP _____

DEL _____ SCAN _____ FV _____

RETURN: David C. Nelson
1601 Dodge Street Ste 3700
Omaha, NE 68102

✓ 11727
✓ 11655

PROPERTY LINE AGREEMENT

Agreement entered into this 28th day of September, 2005 by and between CONAGRA LONERGAN CORPORATION, a Nebraska corporation, whose address is One ConAgra Drive, Omaha, NE 68102 ("ConAgra"), and SCOTT D. WILT AND JANET K. WILT, husband & wife, whose address is 13240 North 74th Street, Omaha, NE 68122, (whether one or more "Adjoining Landowner")

In consideration of their mutual covenants the parties do hereby agree that:

1. The perimeter fence location to be built, or as currently existing, as the case may be, at or near the recorded boundary of ConAgra's property in Douglas County, Nebraska legally described on Exhibit "A" attached hereto (the "ConAgra Property"), is not in all cases situated directly on the property line of the ConAgra Property and therefore does not represent the actual legal boundary line between the ConAgra Property and the property of Adjoining Landowner in Douglas County, Nebraska legally described on Exhibit "B" attached hereto (the "Adjoining Property").

2. The correct legal boundary line of the ConAgra Property and the Adjoining Property are their common boundary as described in Exhibit "A" and Exhibit "B" attached hereto (the "Legal Boundary").

3. Any use by either ConAgra or Adjoining Landowner or their respective successors, licensees, invitees, tenants, contractors or agents of the property lying between the perimeter fence and the Legal Boundary was and is solely permissive and is not adverse.

4. ConAgra and Adjoining Landowner hereby disclaim for all time any right, title or interest in the property of the other party legally described herein by virtue of the location of any perimeter fence or any use or occupancy of any area between the fence and the Legal Boundary, whether by adverse possession or any means other than by a deed of conveyance from one party hereto to the other for valuable consideration.

5. Adjoining Landowner will be conclusively presumed not to be adversely possessing or claiming any right, title or interest in the ConAgra Property unless and until Adjoining Landowner gives ConAgra written notice of its intent to do so by certified U.S. Mail (return receipt requested) addressed to the attention of the Vice President of Real Estate and Facilities at the address above and to the address listed with the Douglas County, Nebraska Assessor for sending real estate tax statements on the ConAgra Property, annually for a period to eleven (11) years and ConAgra fails to take reasonable steps to reassert its exclusive ownership rights within said period.

6. ConAgra will be conclusively presumed not to be adversely possessing or claiming any right, title or interest in the Adjoining Property unless and until ConAgra gives Adjoining Landowner written notice of its intent to do so by certified U.S. Mail (return receipt requested) addressed to the address above and to the address listed with the Douglas County, Nebraska Assessor for sending real estate tax statements on the Adjoining Property, annually for a period to eleven (11) years and Adjoining Landowner fails to take reasonable steps to reassert its exclusive ownership rights within said period.

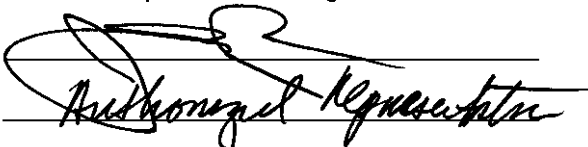
7. This Agreement shall be binding on and inure to the benefit of the heirs, grantees, tenants, licensees, successors or assigns of the parties.

8. Either party has the right to record this Agreement with the Douglas County Register of Deeds.

CONAGRA LONERGAN CORPORATION,
A Nebraska corporation "ConAgra"

By: _____

Its: _____



ADJOINING LANDOWNER:

Scott D. Wilt
SCOTT D. WILT
Janet K. Wilt
JANET K. WILT

EXHIBIT "A"

All of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 2, Township 16 North, Range 12 East of the 6th P.M. Douglas County, Nebraska plus all of Section 11, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, except the North 840.0 feet of the East 518.0 feet of said Section 11, along with a 1 acre tract described as follows. Beginning at a point 198.0 feet north of the Southeast corner of said Section 11; thence West 220.0 feet; thence North 198.0 feet; thence East 220.0 feet; thence South 198.0 feet to the point of beginning. Also except that portion along the south line of said Section 11 taken for State Highway right-of-way. Said tract of ground is also subject to existing County Road right-of-way which abuts said tract.

2-16-12

NW NW
SW SW
NE NE
SE SE

SW NW
SW SW
NE NE
SE SE

NE NW
SW SW
NE NE
SE SE

Said Property is more particularly described by metes and bounds as follows:

Beginning at a point on the west line of Section 11, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, and said point being on the north right-of-way line of State Highway No. 36 and 60.0 feet north of the Southwest corner of said Section 11; thence N 00 deg. 00 min. 00 sec. E (assumed Bearing) along the west line of said Section 11 a distance of 2571.59 feet to the West quarter corner of said Section 11; thence N 00 deg. 07 min. 31 sec. W a distance of 2642.18 feet to the Northwest corner of said Section 11; thence N 89 deg. 53 min. 52 sec. E a distance of 2632.42 feet to the North Quarter corner of said Section 11, thence N 00 deg. 03 min. 50 sec. W a distance of 1320.65 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 2, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska; thence North 89 deg. 46 min. 21 sec. E a distance of 1320.02 feet to the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 2; thence S 00 deg. 06 min. 27 sec. E a distance of 1322.30 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 2; thence North 89 deg. 50 min. 46 sec. E along the North line of said Section 11 a distance of 804.18 feet to a point and said point being 518.00 feet west of the

SE NW
SW SW
NE NE
SE SE

Northeast corner of said Section 11; thence S 00 deg. 06 min. 27 sec. W along a line parallel to the East line of said Section 11 a distance of 840.00 feet to a point; thence N 89 deg. 50 min. 46 sec. E a distance of 518.00 feet to a point on the East line of said Section 11; thence S 00 deg. 06 min. 27 sec. W a distance of 1799.99 feet to the East Quarter Corner of said Section 11; thence S 00 deg. 07 min. 58 sec. W along the East line of said Section 11 a distance of 2244.36 feet to a point; thence N 89 deg. 52 min. 02 sec. W a distance of 220.00 feet to a point; thence S 00 deg. 07 min. 58 sec. W a distance of 198.00 feet to a point; thence S 89 deg. 52 min. 02 sec. E a distance of 220.00 feet to a point on the East line of said Section 11; thence S 00 deg. 07 min. 58 sec. W along the East line of said Section 11 a distance of 165.00 feet to a point on the northerly right-of-way line of State Highway No. 36 and said point being 33.00 feet north of the Southeast corner of said Section 11; thence S 89 deg. 53 min. 30 sec. W along the northerly right-of-way line of State Highway No. 36 and said line being parallel to the south line of said Section 11 a distance of 392.72 feet to a point; thence in a northwesterly direction along the northerly right-of-way line of State Highway No. 36 which is curving to the left and said curve having a radius of 2,954.79 feet, an arc distance of 581.32 feet and the bearing of the chord being N 84 deg. 28 min. 20 sec. W a chord length of 580.38 feet to a point and said point being 90.00 feet north and 970.30 feet west of the Southeast Corner of said Section 11; thence S 89 deg. 53 min. 30 sec. W along the northerly right-of-way line of State Highway No. 36 which is 90.00 feet north of and parallel to the South line of said Section 11 a distance of 1658.69 feet to a point on the North-South centerline of said Section 11; thence N 89 deg. 06 min. 35 sec. W continuing along this northerly right-of-way line of State Highway No. 36 a distance of 638.90 feet to a point which is 100.00 feet North of the South line of said Section 11; thence S 89 deg. 46 min. 24 sec. W continuing along the northerly right-of-way line of State Highway No. 36 a distance of 1300.00 feet to a point 95.00 feet North of the South line of said Section 11; thence S 87 deg. 05 min. 35 sec. W continuing along the northerly right-of-way line of State Highway No. 36 a distance of 691.68 feet to the point of beginning.

Also except that property described as follows:

A part of the NE 1/4 of Section 11, T16N, R12E of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the E 1/4 Corner of said Section 11, thence S 89°50'50"W (assumed bearing) along the South line of said NE 1/4, 2,194.79 ft., thence N 00°01'58"W 1016.93 ft., thence S 56°40'13"E 58.39 ft., thence S 48°39'05"E 198.31 ft., thence S 41°13'18"E 168.16 ft., thence S 68°05'29"E 50.00 ft., thence N 54°54'51"E 62.76 ft., thence N 25°04'05"E 50.25 ft., thence N 00°45'05"E 151.08 ft., thence N 06°05'29"W 516.00 ft., thence N 20°19'58"W 203.25 ft., thence N 05°40'37"E 49.03 ft., thence N 48°55'00"E 48.83 ft., thence N 69°09'31"E 722.00 ft., thence N 31°51'17"E 52.81 ft., thence N 06°09'39"W 48.55 ft., thence N 25°18'13"W 51.61 ft., thence S 89°53'33"E 660.22 ft., thence S 00°06'27"W 316.89 ft., thence N 89°50'46"E 518.00 ft. to the East line of said NE 1/4, thence S 00°06'27"W 1799.99 ft. to the point of beginning. Described tract contains 88.00 Acres, more or less.

EXHIBIT "B"

Lot 5, Lonergan Lake Estates, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.