

110-124

WARRANTY DEED

THIS INDENTURE, made this 13th day of September, 1962, by and between SWIFT & COMPANY, a corporation organized and existing under the laws of the State of Illinois, Party of the First Part, and BENSON FEED MILLS, INC., a corporation organized and existing under the laws of the State of Nebraska, Party of the Second Part,

WITNESSETH:

THAT the said Party of the First Part for and in consideration of the sum of Ten Dollars (\$10.00) and other consideration paid by the said Party of the Second Part to the said Party of the First Part, the receipt whereof is hereby confessed and acknowledged, doth hereby GRANT, BARGAIN, SELL, CONVEY, and CONFIRM unto the said Party of the Second Part and to its successors and assigns, the following described real estate situated in the County of Sarpy, Nebraska, to wit:

All that part of Tax Lot 6 in Sec. 27, Township 14 North, Range 13 East of the 6th P.M., lying North and West of the Union Pacific Railroad right-of-way and containing 2.90 acres (being Tax Lot 6b); also all that part of Tax Lot 6 in Section 26, Township 14, North Range 13 East of the 6th P.M., lying North and West of the Union Pacific Railroad right-of-way, and containing 1.97 acres (being Tax Lot 6a2), all being more particularly described as follows: Commencing at the NE corner of Sec. 27, Township 14, N. Range 13, E. of the 6th P.M., and running thence S. on Section line 674.52 ft. to the NE corner of Tax Lot 6 in said Section 27, and being the point of beginning, running thence W. on claim line 161.7 ft. to the NW corner of said Tax Lot 6; thence S. on the W. line of said Tax Lot 6, 963.27 ft. to the northerly and westerly margin of the Union Pacific R.R. right of way; thence in a northeasterly direction along said right of way margin 1050.06 ft. to the N. line of Tax Lot 6 in Sec. 26, Township 14 N., Range 13 E. of the 6th P.M.; thence W. along claim line 264.26 ft. to place of beginning, containing in all 4.87 acres, more or less. Also, beginning at the northeast corner of Sec. 27, Township 14 N., Range 13 E.; thence N. on section line 700 ft. to a stake; thence E. 612 ft. to a



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stake on the west line of the right of way of the Union Pacific Railway; thence S. 13° 50' W. along said west line of said right-of-way 1229 ft. to a stake; thence on a 2° curve to the right 191.8 ft. to a stake on the west line of said right-of-way; thence N. 89° 18' W. 2164.6 ft.; thence N. 651.1 ft. to the north line of Sec. 27; thence E. on section line 1897.5 ft. to the place of beginning, containing 42.831 acres, more or less, said above property being also known and described as follows:

Tax Lot 18, Sec. 23, Township 14 North, Range 13, East of the 6th P.M., containing approximately 8-1/2 acres;

Tax Lot 5, Sec. 26, Township 14 North, Range 13, East of the 6th P.M., containing approximately 5-1/2 acres;

Tax Lot 1, Sec. 27, Township 14 North, Range 13, East of the 6th P.M., containing approximately 29 acres,

However, excepting therefrom that portion of Tax Lot Six B (6B) in Section twenty-seven (27), Township Fourteen (14) North, Range Thirteen (13), East of the 6th P.M., described as follows:

Beginning at a point where the west line of Tax Lot Six B (6B) intersects the west line of the Railroad right of way (Union Pacific), thence North a distance of 60.0 feet to an iron pipe, thence east along the North line of Avery West Road a distance of twenty-nine and six tenths feet (29.6 ft.) to an iron pipe; thence Southwesterly a distance of 69.12 feet to point of beginning, containing .02 acres, more or less, said portion having been conveyed by the undersigned Swift & Company to the County of Sarpy, State of Nebraska for road purposes,

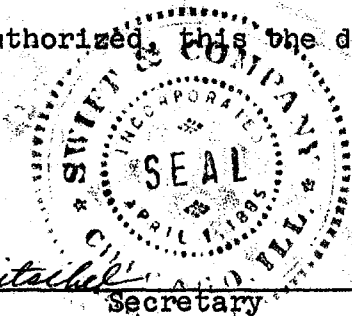
together with all buildings, improvements, equipment and machinery located thereon.

TO HAVE AND TO HOLD, the premises herein conveyed, together with the rights, privileges and appurtenances thereunto belonging or in anywise appertaining, unto the said Party of the Second Part, its successors and assigns forever. And said Party of the First Part does hereby covenant with the said Party of the Second Part, its successors and assigns, that it is lawfully seized of said premises; that they are free from incumbrance and that it has good right and lawful authority to convey the same,

and it does hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, subject to

- (1) consolidated taxes for the year 1962 and current assessments not yet delinquent,
- (2) a power line agreement dated June 8, 1948 by and between Swift & Company and the Omaha Public Power District, as supplemented May 12, 1949, wherein the District has the right to construct and maintain one 13,200 volt electric power line, which agreement as supplemented is hereby assigned, transferred and delivered to said Party of the Second Part,
- (3) a water pipe line agreement originally entered into by and between Wertheimer & Degan Feed Yards, Inc., and Union Pacific Railroad Company by agreement dated August 10, 1933, and now effective by successive assignments by and between the Party of the First Part, assignee, and said Railroad by agreement dated August 2, 1946, as further supplemented by agreement dated February 2, 1948,
- (4) easements of any public highways affecting the above described premises or any part thereof.

IN WITNESS WHEREOF, Swift & Company has caused these presents to be sealed with its corporate seal and to be signed by its Vice President and to be attested by its Secretary, thereunto duly authorized, this the day and year first above written.



ATTEST:

A. H. Fritschel
Secretary

SWIFT & COMPANY

By

E. D. Fletchall
Vice President

IN PRESENCE OF:

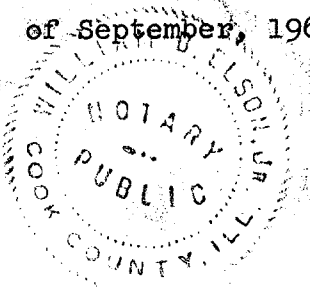
M. Katherine Work

STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, **WILLIAM B. ELSON, JR.** do hereby certify that

E. D. FLETCHER, personally known to me to be the Vice President of Swift & Company, an Illinois corporation, and A. H. Fritschel, personally known to me to be the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President and Secretary, respectively, they signed and delivered the said instrument as Vice President and Secretary, respectively, of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 13th day of September, 1962.



William B. Elson, Jr.
Notary Public
Cook County, Illinois

WBE:MKW