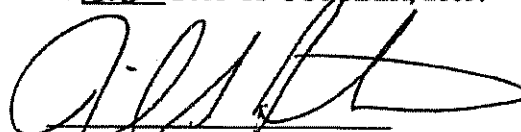


**CERTIFICATE OF PASSAGE OF  
ORDINANCE NO. 80109**

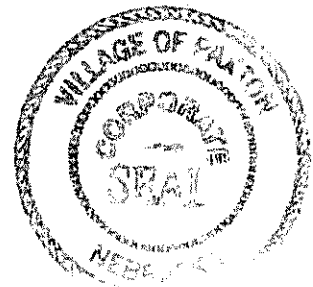
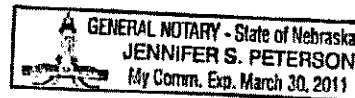
I, Lori Gamet, Village Clerk of Paxton Nebraska, hereby certify that Ordinance No. 80109, as attached herewith, was passed and approved by the Paxton Board of Trustees on the 14<sup>th</sup> day of October, 2009, and has been published in pamphlet form and is available at the Village Office on October 19<sup>th</sup>, 2009. The foregoing is a true copy of Ordinance 80109.

Lori Gamet  
Paxton Village Clerk

SUBSCRIBED AND SWORN BEFORE ME THIS 20<sup>th</sup> DAY OF OCTOBER, 2009.

  
Notary Public

My Commission expires: March 30, 2011



**ORDINANCE NO. 80109**  
**(Annexation Area #1)**

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE VILLAGE OF PAXTON, NEBRASKA BY ANNEXING THERETO A CERTAIN TRACT OF LAND LOCATED EAST OF THE CURRENT VILLAGE LIMITS, CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE VILLAGE; AND RELATED MATTERS.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF PAXTON, NEBRASKA:

Section 1. The Chairman and Board of Trustees (the "Board") of the Village of Paxton, Nebraska (the "Village") hereby find and determine that the following described territory comprised of the parcel described below, is situated contiguous and adjacent to the Village, to wit:

A tract of land described in Deed book 80, Page 328, Deed book 95, Page 248, Deed book 98, Page 186, Deed book 95, Page 249 and Deed book 95, Page 253 as described as follows:

Beginning at the E ¼ corner of Section 4, T.13 N., R.35 W. of the 6th P.M., Keith County, Nebraska; thence south on the east line of tract described in Deed book 95, Page 249 to the NW corner of Tract 1, described in Deed book 95, Page 253; thence east on the north line of said Tract 1 to the NE corner of said Tract; thence south on said east line to a point on the north Right-of-Way line of Highway #30; thence west on said Right-of-Way line to the SW corner of a tract described in Deed book 80, Page 328; thence north on the west line of said tract to the NW corner of said tract; thence east on the northerly lines of tracts described in said Deed book 80, Page 328 and Deed book 95, Page 248 to a point on the west line of a tract described in Deed book 98, Page 186; thence north on said west line to the NW corner of said tract; thence east on said north line of said tract to the NW corner of a tract described in Deed book 95, Page 249; thence east on the north line of said tract to the east line of Section 4; thence on said east line to the Point of Beginning.

And a tract of land described in Deed book 73, Page 139, as described as follows:

A tract of land in the Southwest Quarter (SW1/4) of Section 4, Township 13 North, Range 35 West of the 6th P.M., Keith County Nebraska, described as follows:

Commencing at a point 14.37 chains South of the one fourth Section Corner of Section 4-5, Township 13 North, Range 35 West, thence South a distance of 248.3 feet, thence North 82°22' East a distance of 763 feet, thence North a distance of 134.7 feet, thence in a Westerly direction along the South boundary line of U. S. Highway No. 30 a distance of 777.6 feet to the point of beginning, containing 3.2 acres, and Lots 1, 2, 3, 4, 5 and 6 in Block 1 and Lots 1, 2; 3, 4, 5 and 6 in Block 2 in Coleman's Second Subdivision of Lots 8, 9 and 10 of Clarkson's Subdivision to the Village of Paxton, Nebraska, located in Section 5, Township 13 North, Range 35 West of the 6th P.M., South of Highway No. 30, now vacated, all in Keith County, Nebraska reserving unto the Grantors the East 40 feet of the vacated street adjacent to the West line of Block Three (3) of Coleman's Second Subdivision.

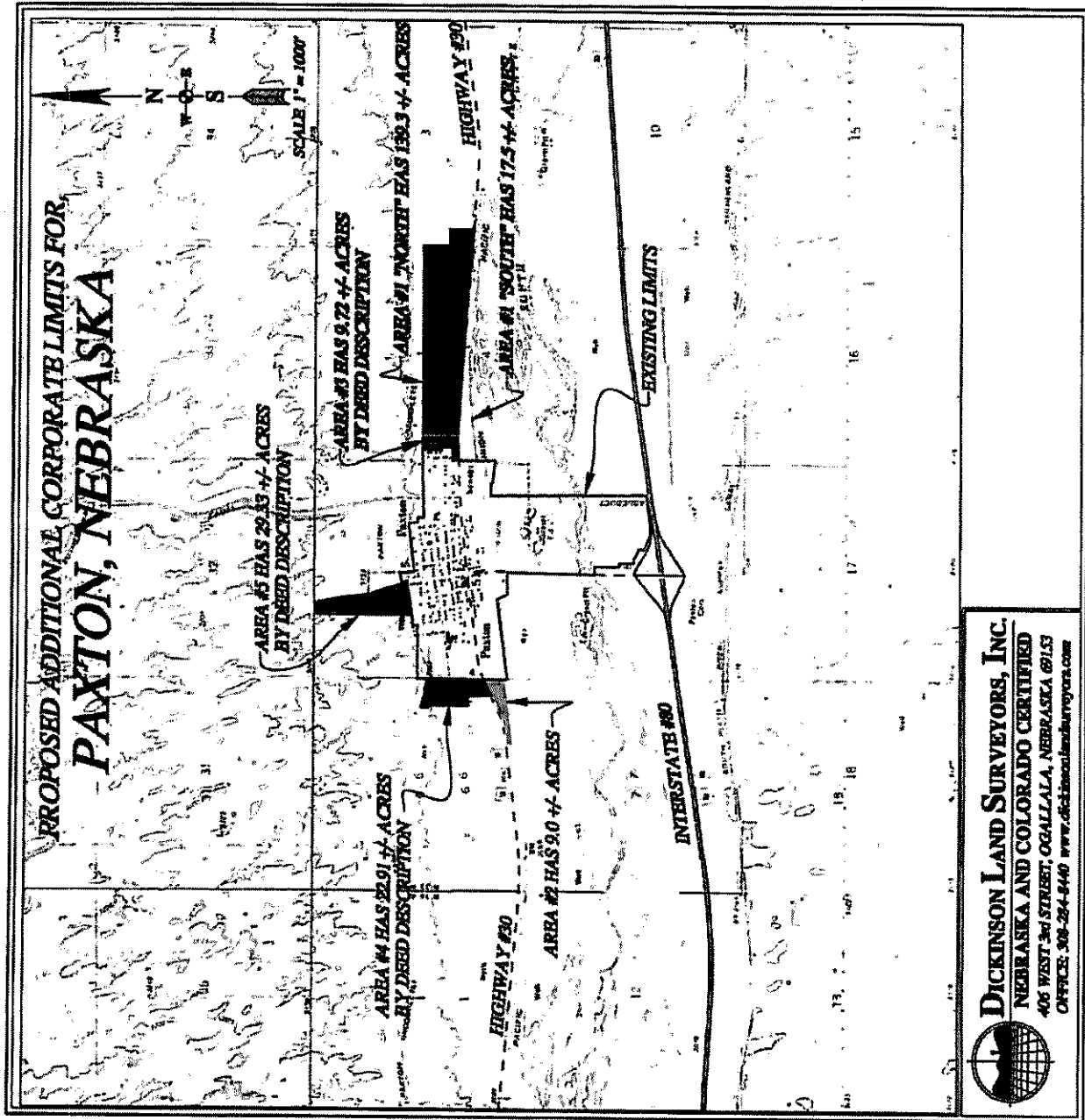
And a tract of land described in Deed book 88, Page 215, as described as follows:

Keith County, Nebraska:

and within the Southwest Quarter of Section 4, Township 13 North, Range 35 West of the 6th PM, more particularly described as that part of said Quarter lying South of the Highway 30 right-of-way, North of the UPRR right-of-way and East from a line which is 759 feet East from the West line of Section 4, containing 1.25 acres, more or less.

(The "Annexed Territory".) The Annexed Territory is urban or suburban in character within the meaning of Neb. Rev. Stat. § 17-405.01 (Reissue 2007), as amended, and is contiguous and adjacent in character within the meaning of Neb. Rev. Stat. § 17-405.02 (Reissue 2007), as amended. The Annexed Territory is shown as Annexation Area #1 on that map attached as Exhibit "A" and incorporated by this reference.

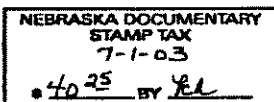
Section 2. Pursuant to Neb. Rev. Stat. § 17-405.01 (Reissue 2007), as



**DICKINSON LAND SURVEYORS, INC.**  
 NEBRASKA AND COLORADO CERTIFIED  
 405 WEST 3rd STREET, OGALLALA, NEBRASKA 69153  
 OFFICE: 308-284-6440 www.dickinsonlandsurveyors.com



Exhibit "A"



STATE OF NEBRASKA ) ss  
County of Keith  
Filed in this office of County Clerk  
the 1st day of July  
2003 at 3:30 P M  
and recorded in Book 95  
Page 248  
Donna M. Resermit LL  
County Clerk

WARRANTY DEED

Korty Land & Cattle Co., a Nebraska Corporation, GRANTOR, in consideration of TWENTY TWO THOUSAND TWO HUNDRED EIGHTY TWO DOLLARS (\$22,282.00) received from GRANTEE, Titan Industries, Inc., a Nebraska Corporation, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. §76-201):

Tract 9:

Parcel in the West Half of Section 4, Township 13 North, Range 35 West of the 6th P.M., Keith County, Nebraska, described as follows:

A 10.40 acre parcel of land located in Government Lots 5 and 6 of Section 4, beginning at a point on the North line of Lot 5 at a distance N 90°00' E 1289.33 feet from the Northwest corner thereof; thence, along said North line, N 90°00' E 513.14 feet; thence, parallel with the West line of Lot 5, S 0°22'15" W 901.44 feet to the North line of the highway right-of-way; thence, along said North line, along a curve to the West, concave to the South, from an initial radial bearing N 4°45'07", with a radius of 17248.8 feet, through a central angle of 1°42'28", for an arc length of 514.10 feet; thence, parallel with said West line N 0°22'15" E 866.59 feet to the point of beginning,

The above-described real estate is the same real estate, which is described as Tract 9 of Robert D. Temple, L.S. No.303 Survey recorded in Book 72 Miscellaneous, Page 410 of the Keith County real estate records.

And

Tract 5:

A tract of land located West Half (W1/2) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 569.29 feet; thence S89°39'38"W a distance of 3089.41 feet to the Point of Beginning; thence N00°03'22"E a distance of 963.27 feet; thence N45°11'58"W a distance of 84.53 feet; thence S89°32'41"W a distance of 360.00 feet; thence S00°03'22"W a distance of 1309.46 feet to the Northerly Right-of-Way of U.S. Highway 30; thence S86°31'34"E along said Right-of-Way a distance of 390.68 feet; thence N00°03'22"E a distance of 342.96 feet to the Point of Beginning, said tract containing 11.81 acres, more or less.

The above-described real estate is the same real estate, which is described as Tract 5 of Miller & Associates Survey recorded in Book 78 Miscellaneous, Page 347 of the Keith County real estate records.

Easement: All of the above real estate is subject to a permanent easement, for the purpose of constructing and maintaining a sewer line, across a tract of land located in the part of the South Half (S1/2) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 1148.24 feet to the Northerly Right-of-Way of U.S. Highway 30; thence N85°58'24"W along said Right-of-Way a distance of 1286.66 feet to the Point of Beginning; thence continuing along said Northerly Right-of-Way N85°57'17"W a distance of 239.77 feet; thence continuing along said Northerly Right-of-Way S85°15'32"W a distance of 101.40 feet; thence continuing along said Northerly Right-of-Way N86°03'51"W a distance of 399.77 feet; thence continuing along said Northerly Right-of-Way N 74°59'53" W a distance of 101.97 feet; thence continuing along said Northerly Right-of-Way N86°08'41" W a distance of 971.40 feet; thence continuing along said Northerly Right-of-Way N 86°31'34" W a distance of 390.88 feet; thence N00°03'22"E a distance of 30.06 feet; thence S 86°31'34" E a distance of 390.95 feet; thence S85°57'27"E a distance of 1811.25 feet; thence S 00°18'50"E a

distance of 30.09 feet to the Point of Beginning, said tract containing 1.66 acres, more or less.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) Is lawfully seized of such real estate and that it is free from encumbrances, except: easements, restrictions, reservations of record; subject to the Deed of Trust from Kory Land and Cattle Co., as Trustor, to James E. Schneider, as Trustee, for the benefit of Frances and Douglas Macke and Louise and Joseph Connolly, as Beneficiary, to secure \$90,000.00, dated April 13, 1994, due on March 1, 2015, and recorded April 15, 1994 in Book "110", Page 7 of the Mortgage records of Keith County, Nebraska and; facts which would be disclosed by a comprehensive survey of the real estate.
- (2) Has legal power and lawful authority to convey the same;
- (3) Warrants and will defend title to the real estate against the lawful claims of all persons.

Executed June 27, 2003.

Korty Land & Cattle Co., a Nebraska Corporation

*Dennis S. Schulz*  
BY: Dennis S. Schulz, President

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF KEITH )

Dennis S. Schulz, President of Korty Land & Cattle Co., a Nebraska Corporation, acknowledged the foregoing instrument before me on the \_\_\_\_\_ day of June 2003.

PLEASE RETURN FILED DOCUMENT TO  
NEIL E. WILLIAMS, ATTY  
P.O. Box 389  
Ogallala, NE 69153

*Neil E. Williams*  
Notary Public  
My Commission Expires \_\_\_\_\_

GENERAL NOTARY-State of Nebraska  
NEIL E. WILLIAMS  
My Comm. Exp. Sept. 8, 2003

NEBRASKA DOCUMENTARY  
STAMP TAX  
7-1-03  
13475 BY EL

STATE OF NEBRASKA }  
County of Keith }  
Filed in this office of County Clerk  
on 10<sup>th</sup> day of July  
2003 at 3:30 P.M.  
and recorded in Book 45  
Page 249  
Dennis D. ... County Clerk

**SPECIAL JOINT TENANCY WARRANTY DEED**

Korty Land & Cattle Co., a Nebraska Corporation, GRANTOR, in consideration of SEVENTY-SIX THOUSAND THIRTY-THREE and 09/100 Dollars (\$76,033.09) received from GRANTEES, Mark S. McConnell and Alice S. McConnell, conveys to

GRANTEES, as joint tenants with rights of survivorship, and not as tenants in common, the following described real estate (as defined in Neb. Rev. Stat. § 76-201):

**Tract No. 3 -**

A tract of land located in the South Half (S1/2) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 569.29 feet; thence S89°39'38"W a distance of 1285.24 feet to the Point of Beginning; thence continuing S89°39'38"W a distance of 1804.17 feet; thence S00°03'22"W a distance of 342.96 feet to the Northerly Right-of-Way of U.S. Highway 30; thence S86°08'41"E along said Right-of-Way a distance of 971.40 feet; thence S74°59'53"E continuing along said Right-of-Way a distance of 101.97 feet; thence S86°03'51"E continuing along said Right-of-Way a distance of 399.77 feet; thence N85°15'32"E continuing along said Right-of-Way a distance of 101.40 feet; thence S85°57'17"E continuing along said Right-of-Way a distance of 239.77 feet; thence N 0°18' 50"W a distance of 480.88 feet to the Point of Beginning, said tract containing 17.21 acres, more or less.

**Tract No. 4 -**

A tract of land located Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Beginning at the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 569.29 feet; thence S89°39'38"W a distance of 3089.41 feet; thence N00°03'22"E a distance of 963.27 feet; thence N89°32'41"E a distance of 3083.71 feet to said East line; thence S00°03'12"E along said East line a distance of 399.18 feet to the Point of Beginning, said Tract containing 68.42 acres, more or less.

The above-described real estate is the same real estate, which is described as Tract 3 and 4 of Miller & Associates Survey recorded in Book 78 Miscellaneous, Page 347 of the Keith County real estate records.

Excepting and reserving for the benefit of the Village of Paxton a permanent easement, for the purpose of constructing and maintaining a sewer line, across a tract of land located in the part of the South Half (S1/2) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

*EL*

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 1148.24 feet to the Northerly Right-of-Way of U.S. Highway 30; thence N85°58'24"W along said Right-of-Way a distance of 1286.66 feet to the Point of Beginning; thence continuing along said Northerly Right-of-Way N85°57'17"W a distance of 239.77 feet; thence continuing along said Northerly Right-of-Way S85°15'32"W a distance of 101.40 feet; thence continuing along said Northerly Right-of-Way N86°03'51"W a distance of 399.77 feet; thence continuing along said Northerly Right-of-Way N 74°59'53" W a distance of 101.97 feet; thence continuing along said Northerly Right-of-Way N86°08'41" W a distance of 971.40 feet; thence continuing along said Northerly Right-of-Way N 86°31'34" W a distance of 390.88 feet; thence N00°03'22"E a distance of 30.06 feet; thence S 86°31'34" E a distance of 390.95 feet; thence S85°57'27"E a distance of 1811.25 feet; thence S 00°18'50"E a distance of 30.09 feet to the Point of Beginning, said tract containing 1.66 acres, more or less.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEES that GRANTOR:

- (1) Is lawfully seized of such real estate and that it is free from encumbrances, except: easements, restrictions, reservations of record, subject to the Deed of Trust from Korty Land and Cattle Co., as Trustor, to James E. Schneider, as Trustee, for the benefit of Frances and Douglas Macke and Louise and Joseph Connolly, as Beneficiary, to secure \$90,000.00, dated April 13, 1994, due on March 1, 2015, and recorded April 15, 1994 in Book "110", Page 7 of the Mortgage records of Keith County, Nebraska and; facts which would be disclosed by a comprehensive survey of the real estate.

The GRANTOR hereby represents and warrants to the GRANTEE that the GRANTOR will paid the sums secured by the Deed of Trust recorded in Book "110", Page 7 of the Mortgage records of Keith County, Nebraska, as the payments become due until paid;

- (2) Has legal power and lawful authority to convey the same;
- (3) Warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof through, by or under Grantor.

Executed June 14, 2003

Korty Land & Cattle Co.

By: Dennis S. Schulz  
Dennis S. Schulz, President

STATE OF NEBRASKA  
COUNTY OF KEITH

)  
) SS  
)

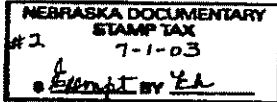
The foregoing instrument was acknowledged before me on June 14, 2003 by Dennis S. Schulz, President of Korty Land & Cattle Co., a Nebraska Corporation.

Neil E. Williams  
Notary Public  
My Commission Expires \_\_\_\_\_

PLEASE RETURN FILED DOCUMENT TO  
NEIL E. WILLIAMS, ATTY  
P.O. Box 389  
Ogallala, NE 69153

GENERAL NOTARY-State of Nebraska  
NEIL E. WILLIAMS  
My Comm. Exp. Sept. 8, 2008





STATE OF NEBRASKA )  
 County of Keith ) ss  
 Filed in this office of County Clerk  
 the 15<sup>th</sup> day of July  
 2003 at 3:43 P.M.  
 and recorded in Book 95  
 Page 253  
 Donna Trautman, Clerk  
 County Clerk

**WARRANTY DEED**

Korty Land & Cattle Co., a Nebraska Corporation, GRANTOR, in consideration of Fifty-Five Thousand Seven Hundred Sixty-Five Dollars (\$55,765.00) received from GRANTEE, Village of Paxton, County of Keith, State of Nebraska, conveys to GRANTEE, Village of Paxton, County of Keith, State of Nebraska, the following described real estate (as defined in Neb. Rev. Stat. §76-201):

**TRACT 1:** An undivided 6/10th interest in a tract of land located in the Southwest Quarter (SW 1/4) of Section 3, Township 13 North, Range 35 West, of the 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the West Quarter (W1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the West line of said Section a distance of 569.29 feet to the Point of Beginning; thence continuing S00°03'12"E along said West line a distance of 578.95 feet to the Northerly Right-of-Way of U.S. Highway 30; thence S85°17'44"E along said Right-of-Way a distance of 450.96 feet; thence N00°03'12"W parallel with said West line a distance of 618.60 feet; thence S89°39'38"W a distance of 449.40 feet to the Point of Beginning, said tract containing 6.18 acres, more or less,

The above-described real estate is the same real estate, which is described as Tract 1 of Miller & Associates Survey recorded in Book 78 Miscellaneous, Page 347 of the Keith County real estate records.

**EASEMENT:** Quit Claim, without warranty or representation, a permanent easement, for the purpose of constructing and maintaining a sewer line, across a tract of land located in part of the Southwest Quarter of Section 3, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

A tract of land 20 feet wide, lying 10 feet each side of the following described centerline; a line parallel with and lying 307.0 feet Easterly of the West line of said Section 3, from the Southerly Right-of-Way of the Union Pacific Railroad, Southerly through accretion lands to the high bank of the South Platte River, said tract containing 0.25 acres, more or less.

**TRACT 2:** A tract of land located in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 569.29 feet to the Point of Beginning; thence continuing S00°03'12"E along said East line a distance of 578.95 feet to the Northerly Right-of-Way of U.S. Highway 30; thence N85°58'24"W along said Right-of-Way a distance of 1286.66 feet; thence N01°18'50"W a distance of 480.88 feet; thence N89°39'38"E a distance of 1285.24 feet to the Point of Beginning, said tract containing 15.63 acres, more or less.

The above-described real estate is the same real estate, which is described as Tract 2 of Miller & Associates Survey recorded in Book 78 Miscellaneous, Page 347 of the Keith County real estate records.

**EASEMENT:** A permanent easement, for the purpose of constructing and maintaining a sewer line, across a tract of land located in the part of the South Half (S1/2) of Section 4, Township 13 North, Range 35 West, 6th P.M., Keith County, Nebraska, more particularly described as follows:

Referring to the East Quarter (E1/4) Corner of said Section; thence S00°03'12"E (an assumed bearing with all other bearings shown hereon relative thereto) along the East line of said Section a distance of 1148.24 feet to the Northerly Right-of-Way of U.S. Highway 30; thence N85°58'24"W along said Right-of-Way a distance of 1286.66 feet to the Point of Beginning; thence continuing along said Northerly Right-of-Way N85°57'17"W a distance of 239.77 feet; thence continuing along said Northerly Right-of-Way S85°15'32"W a distance of 101.40 feet; thence continuing along said Northerly Right-of-Way N86°03'51"W a distance of 399.77 feet; thence continuing along said Northerly Right-of-Way N 74°59'53" W a distance of 101.97 feet; thence continuing along said Northerly Right-of-Way N86°08'41" W a distance of 971.40 feet; thence continuing along said Northerly Right-of-Way N 86°31'34" W a distance of 390.88 feet; thence N00°03'22"E a distance of 30.06 feet; thence S 86°31'34" E a distance of 390.95 feet; thence S85°57'27"E a distance of 1811.25 feet; thence S 00°18'50"E a distance of 30.09 feet to the Point of Beginning, said tract containing 1.66 acres, more or less.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) Is lawfully seized of such real estate and that it is free from encumbrances, except easements, restrictions, reservations of record and facts which would be disclosed by a comprehensive survey of the real estate;
- (2) Has legal power and lawful authority to convey the same;
- (3) Warrants and will defend title to the real estate against the lawful claims of all persons.

Executed June 24, 2003.

Korty Land & Cattle Co., a Nebraska Corporation

Dennis S. Schulz  
By: Dennis S. Schulz, President

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF KEITH )

The foregoing instrument was acknowledged before me on June 24, 2003 by Dennis S. Schulz, President of Korty Land & Cattle Co., a Nebraska Corporation.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_

PLEASE RETURN FILED DOCUMENT TO  
NEIL E. WILLIAMS, ATTY  
P.O. Box 389  
Ogallala, NE 69153

GENERAL NOTARY-State of Nebraska  
NEIL E. WILLIAMS  
My Comm. Exp. Sept. 8, 2003

6-28-05  
NEBRASKA DOCUMENTARY  
STAMP TAX  
\$43.75 By JB

STATE OF NEBRASKA ) ss  
County of Keith  
Filed in this office of County Clerk  
the 28 day of June  
2005 at 9:28 AM  
and recorded in Book 98  
Deed Page 186  
Danna Messersmith, ss  
County Clerk

CORPORATION WARRANTY DEED

Titan Industries, Inc, a Corporation organized and existing under the laws of the State of Nebraska, GRANTOR, in consideration of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) received from GRANTEE, Nebraska Pork Partners, a Nebraska General Partnership, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. §76-201):

A tract of land in the West Half of Section 4, Township 13 North, Range 35 West of the 6th P.M., Keith County, Nebraska more particularly described as follows:

Referring to the East Quarter Corner of Section 4, Township 13 North, Range 35 West of the 6th P.M., Keith County, Nebraska; thence S 89° 58' 42" W (an assumed bearing) on the north line of the South Half of said Section 4, a distance of 3478.73 feet to the POINT OF BEGINNING; thence N 0° 20' 51" E, a distance of 421.59 feet; thence N 89° 51' 07" E, a distance of 360.00 feet; thence S 44° 52' 54" E, a distance of 42.23 feet; thence S 0° 22' 53" W, a distance of 1302.71 feet to the northerly Highway 30 right-of-way; thence N 86° 13' 10" W on said right-of-way, a distance of 390.68 feet; thence N 0° 23' 54" E, a distance of 884.35 feet to the POINT OF BEGINNING; said described tract containing 11.80 acres, more or less.

Notwithstanding any discrepancies in the metes and bounds description, the Lot 5 described herein is the same Lot 5 described in the Miller & Associates Survey recorded in Book 78 Misc., Page 347, of the Keith County, Nebraska real estate records.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, except easements, restrictions, reservations of record and facts which would be disclosed by a comprehensive survey of the real estate;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed June 25, 2005.

(CORP. SEAL)

Titan Industries, Inc. Grantor

By:

*John Stuchlik*  
John Stuchlik, President, Grantor

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF Keith )

The foregoing instrument was acknowledged before me on June 25, 2005 by John Stuchlik, President of Titan Industries, Inc., a Nebraska Corporation, on behalf of the Corporation.

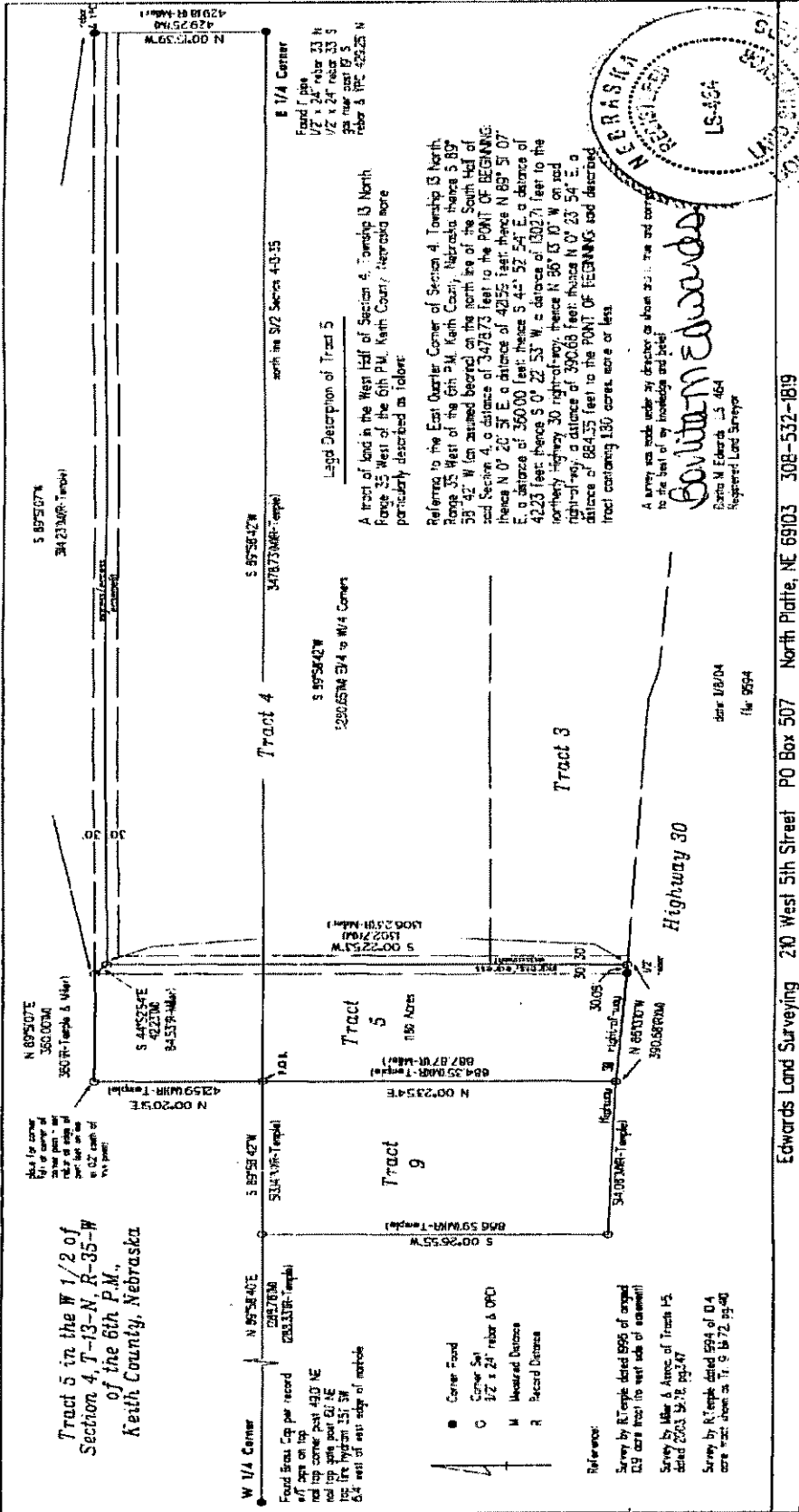
*Neil E. Williams*

Notary Public  
My Commission Expires \_\_\_\_\_

PLEASE RETURN FILED DOCUMENT TO  
NEIL E. WILLIAMS, ATTY  
P.O. BOX 389  
OGALLALA, NE 69153

GENERAL NOTARY - State of Nebraska  
NEIL E. WILLIAMS  
My Comm. Exp. Sept. 9, 2007

**Tract 5 in the W 1/2 of  
Section 4, T-13-N, R-35-W  
of the 6th P.M.,  
Keith County, Nebraska**



W 1/4 Corner  
N 89°56'42\"/>

Found Brass Cap per record  
w/ 1/2\"/>

Found Brass Cap per record  
w/ 1/2\"/>

Found Brass Cap per record  
w/ 1/2\"/>

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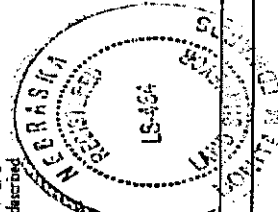
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**Bartholomew Edwards**  
Bartholomew Edwards, L.S. 464  
Registered Land Surveyor

A survey was made under my direction on these lands, the end corners to the West of the 6th P.M. Keith County, Nebraska, and the

**Legal Description of Tract 5**  
A tract of land in the West Half of Section 4, Township 13 North, Range 35 West of the 6th P.M. Keith County, Nebraska, more particularly described as follows:  
Referring to the East Quarter Corner of Section 4, Township 13 North, Range 35 West of the 6th P.M. Keith County, Nebraska, thence S 89° 56' 42\"/>

Edwards Land Surveying 210 West 5th Street PO Box 507 North Platte, NE 68103 308-532-1819



# WARRANTY DEED

ROBERT D. TEMPLE, a single man..... Grantor, whether one or more,  
in consideration of Thirty-five hundred dollars (\$3500.00)

, receipt of which is hereby acknowledged, conveys to

TIMOTHY J. and DEBRA A. HOLZFASTER, husband and wife ..... Grantee,  
the following described real estate (as defined in Neb. Rev. Stat. § 78-201) in

Keith County, Nebraska:

and within the Southwest Quarter of Section 4, Township 13 North,  
Range 35 West of the 6th PM, more particularly described as that  
part of said Quarter lying South of the Highway 30 right-of-way,  
North of the UPRR right-of-way and East from a line which is 759  
feet East from the West line of Section 4, containing 1.25 acres,  
more or less.

Grantor covenants (jointly and severally, if more than one) with the Grantee that Grantor:

- (1) is lawfully seised of such real estate and that it is free from encumbrances
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Executed: 10<sup>th</sup> day of July, 1998.

.....  
ROBERT D. TEMPLE

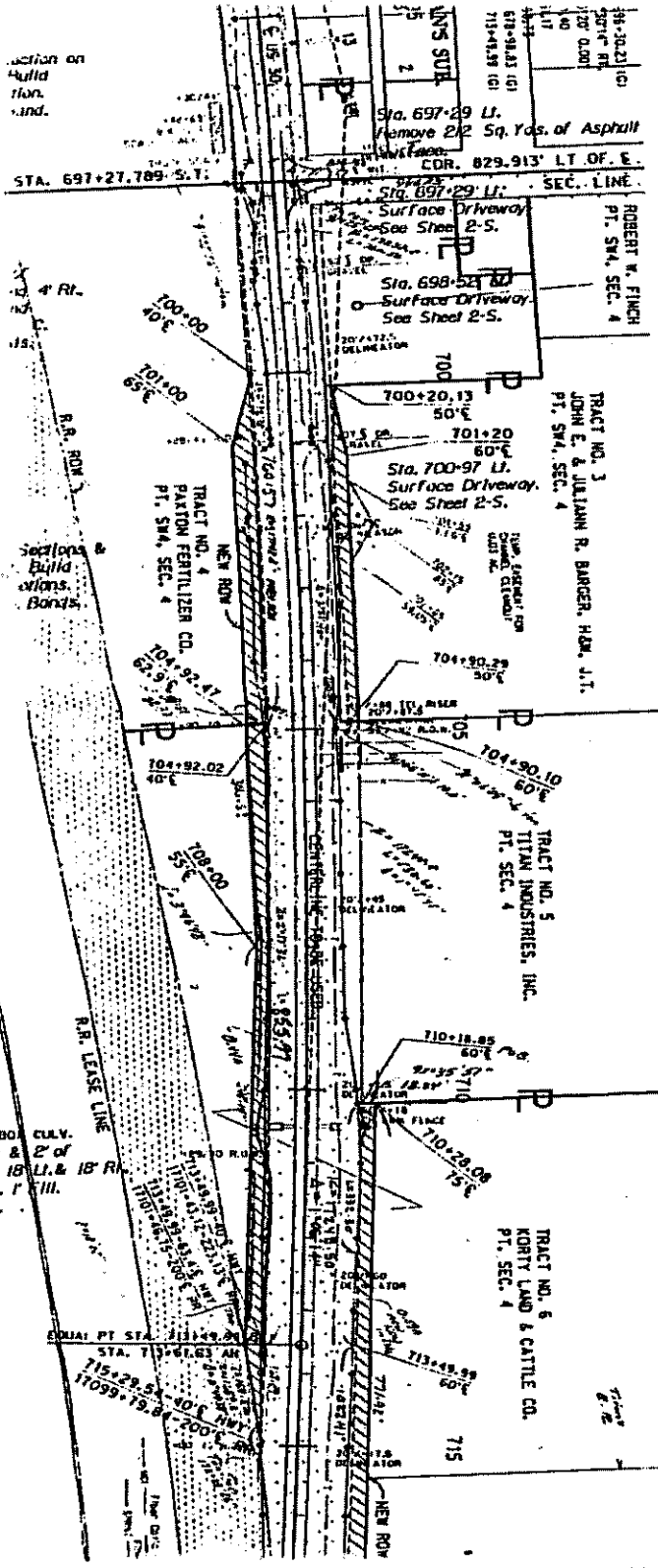
STATE OF NEBRASKA ) ss  
County of Keith )  
Filed by this office of CANNY CLARK  
the 27 day of Jan  
19 99 at 12:15 P M  
and recorded in Book 88  
Book Page 215  
Donald Dammert CL  
County Clerk

State of Nebraska  
County of Keith.....

The foregoing instrument was acknowledged before me on July 10, 1998  
by Howard Hansen.....



L. BEVERIDGE  
& 1/4 OF COLEMAN'S SUB.



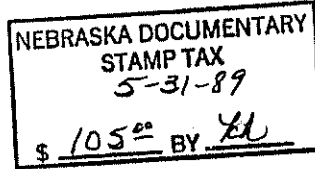
SEC. 4-T13N-R13W

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SCALE

WARRANTY DEED

GLENN C. ANDERSON and VICKI BERNICE ANDERSON, Husband and Wife, GRANTOR, in consideration of SEVENTY THOUSAND DOLLARS AND NO/100--(\$70,000.00)----- DOLLARS received from GRANTEE, PAXTON FERTILIZER COMPANY, A Nebraska Corporation, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

See Exhibit A Attached hereto.



GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

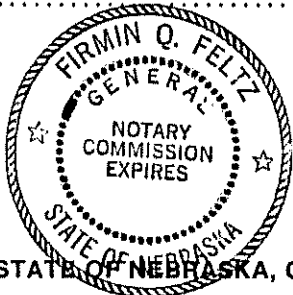
- (1) is lawfully seised of such real estate and that it is free from encumbrances EXCEPT easements or restrictions on or of record on said real estate.
(2) has legal power and lawful authority to convey the same;
(3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed May 31 19 89.

Signatures of Glenn C. Anderson and Vicki Bernice Anderson with dotted lines for names.

STATE OF NEBRASKA )
) ss.
COUNTY OF Keith )

The foregoing instrument was acknowledged before me on May 31 19 89 by Glenn C. Anderson and Vicki Bernice Anderson, Husband and Wife.



Signature of Notary Public and text: My commission expires March 26, 1990

STATE OF NEBRASKA, County of Keith

Filed for record and entered in Numerical Index on May 31 19 89 at 12:30 o'clock P. M., and recorded in Deed Record 73 Page 139

Signature of Lesta Wood, County or Deputy County Clerk, Register or Deputy Register of Deeds

CORPORATION WARRANTY DEED

KORTY LAND AND CATTLE CO. a Corporation organized and existing under the laws of NEBRASKA GRANTOR, In consideration of THIRTEEN THOUSAND (\$13,000.00) DOLLARS received from GRANTEE, TITAN INDUSTRIES, INC., a Nebraska Corporation

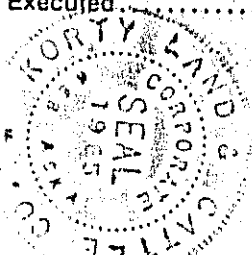
conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

A 10.01 acre tract of land located in Government Lot 5 of Section 4, Township 13 North, Range 35 West of the 6th P.M. in Keith County, Nebraska, described as follows: Beginning at the Northwest corner of said Lot; thence, along the North line thereof, N 90°00' E 759.00 feet; thence, parallel with the West line thereof, S 0°22'15" W 33 feet to the true point of beginning; thence, parallel with said West line, S 0°22'15" W 813.56 feet to the North line of the Highway 30 right-of-way; thence, along said North line, along a curve to the Southeast, concave to the South, from an initial radial bearing North 1°16'54" East with a radius of 17248.8 feet, through a central angle of 1°45'45", for an arc distance of 530.60 feet; thence, N 0°22'15" E 833.59 feet; thence N 90°00' W 530.33 feet to the true point of beginning.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) is lawfully seised of such real estate and that it is free from encumbrances EXCEPT, easements, rights-of-way, restrictions and reservations of record;
(2) has legal power and lawful authority to convey the same;
(3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed June 1 19 94



KORTY LAND AND CATTLE CO., a Nebraska Corporation Grantor

By Dennis S. Schulz President

STATE OF NEBRASKA )
COUNTY OF KEITH ) SS.

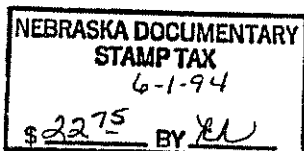
The foregoing instrument was acknowledged before me on June 1 19 94 by Dennis S. Schulz President of KORTY LAND AND CATTLE CO. a Nebraska Corporation, on behalf of the Corporation.



Karen Campbell Notary Public My commission expires 5-3-97

STATE OF NEBRASKA, County of Keith

Filed for record and entered in Numerical Index on June 1 1994 at 3:30 o'clock P.M., and recorded in Deed Record 80 Page 328.



Donna Messersmith County or Deputy County Clerk Register or Deputy Register of Deeds