

DEED

2005163622



DEC 29 2005 14:16 P 1

Nebr Doc Stamp Tax 12-29-05 Date \$ EX-5 By JH

----[SPACE ABOVE THIS LINE FOR RECORDING DATA] ---



1

#### WARRANTY DEED

THOMAS J. ROHAN, a single individual, GRANTOR, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration received from GRANTEE, ARLINGTON, LLC, a Nebraska limited liability company, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

Lots 3 and 4, Block 115, Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

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

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

Executed: December 27, 2005.

Thomas J. Rohan

STATE OF NEBRASKA

) ss.

COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on the 27 day of December, 2005, by Thomas J. Rohan.

GENERAL NOTARY - State of Nebraska MICHAEL D. MATEJKA My Comm. Exp. Jan. 14, 2007

Michell D. Mate

Return to: Michael D. Matejka Fitzgerald, Schorr, Barmettler & Brennan, P.C., L.L.O. 13220 California Street, Suite 400 Omaha, NE 68154-5228

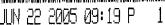
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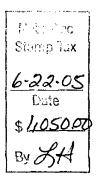


DEED

2005071677







Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
6/22/2005 09:19:22.83

#### **Warranty Deed**

KNOW ALL MEN BY THESE PRESENTS THAT, Goldome, LLC, a Nebraska limited partnership, herein called the Grantor whether one or more, in consideration of One Dollar and other valuable consideration received from Grantee, do hereby grant, bargain, sell, convey and confirm unto Thomas Rohan, herein called the Grantee whether one or more, the following described real property:

DIT

Lots 3 and 4, Block 115, Dundee Place, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantee and to Grantee's heirs and assigns forever.

And the Grantor does hereby covenant with the Grantee and with Grantee's heirs and assigns that Grantor is lawfully seized of said premises; that they are free from encumbrances except covenants, easements and restrictions of record; that all regular taxes and special assessments, except those levied or assessed subsequent to date hereof have been paid in full; that Grantor has right and lawful authority to convey the same; and that Grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated: 6-8-05

**Goldome Properties. LLC** 

By:

Howard M. Weiner, Pariner.

A. Richard Weiner, Partner

STATE OF NEBRASKA ) ss COUNTY OF POUGLAS )

Howard M. Weiner and A. Richard Weiner, the sole partners of Goldome Properties. LLC, personally appeared before me, whose identities were proven on the basis of satisfactory evidence to be the persons whose names are subscribed on this deed on behalf of the Grantor, and signed this instrument as their voluntary act and deed on this day of June, 2005.

Notary Public

My Commission expires:

Varranty Deed 05-0055

a

CLE OC

FE. 6. CD FE 39 - 0984 C

BKP \_\_\_\_\_\_ C/O \_\_\_\_ COMP \_\_\_\_\_

DEL \_\_\_\_\_ SCAN \_\_\_\_ FV \_\_\_\_

DENNIRAL PARDT

TO BE SELECTION OF SERVICE SOLUTION OF SERVICE SOL

Upon recording, please return to: Broker's Title & Escrow Services, 5002 Dodge Street, Suite 302. Omaha, NE 68132

HRE5 1

V 1438



2105 087 DEED



15152 98 087-088

RICHARD N. TAKECHI REGISTER OF DEEDS DOUGLAS COUNTY, NE 98 OCT 27 PM 1:51 RECEIVED

#### **WARRANTY DEED**

DUNDEE REALTY INVESTMENT COMPANY, a Nebraska general partnership, hereinafter called the "Grantor", in consideration of One Dollar (\$1.00) and other valuable consideration received from Grantee, does convey and confirm unto GOLDOME PROPERTIES, L.L.C., a Nebraska Limited Partnership, herein called the "Grantee", the real property in Douglas County, Nebraska more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantee and to Grantee's heirs and assigns forever.

And the Grantor does hereby covenant with the Grantee and with Grantee's heirs and assigns that Grantor is lawfully seized of said premises; that they are free from encumbrance except easements, restrictions and encumbrances of record, that Grantor has good right and lawful authority to convey the same; and that Grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated October 16, 1998.

SERVED ON LOOMP OF SCAN OLL FV

NEBRASKA DOCUMENTARY STAMP TAX
Date Date Date Date

**Dundee Realty Investment Partnership** 

BY: O Mcharly Junh
A. Richard Weiner, Partner

By: My Welner, Partner

STATE OF NEBRASKA

) ss:

COUNTY OF DOUGLAS

Before me, a Notary Public qualified for said county, personally came A. Richard Weiner and Howard M. Weiner, partners of Dundee Realty Investment Partnership, a Nebraska general partnership, known to me to be the identical person or persons whose name is or names reaffixed to the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed

Witness my hand and notarial seal on the 11 day of October, 1998.

(98-493) 35



Churtine M. Coffay Notary Public

#### **EXHIBIT A**

PARCEL A: 5017 Underwood Ave.

39-09840

Lots 7 and 8, and the East 40 feet of Lot 9, in Block 100, in Dundee Place, an Addition to the City of Omaha, Douglas County, Nebraska.

39-09840

PARCEL B: 5019-21 Underwood Ave.

The West 10.00 feet of Lot 9 and all of lot 10, in Block 100, in Dundee Place, an Addition to the City of Omaha, Douglas County, Nebraska; and a strip of ground 7.0 feet wide North and South by 60.00 feet long East and West, being the North half of the vacated alley adjoining said property on the South;

And the East triangular part of the North 100.00 feet of Lot 11, in Block 100, in Dundee Place, an Addition to the City of Omaha, Douglas County, Nebraska, more particularly described as follows:

Commending at the Northeast Corner of said Lot 11 and running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly directly in a straight line to a point on the North line of said Lot 11, 6 inches West of the Northeast corner; thence East 6 inches to the Place of Beginning.

PARCEL C: 406 North 49th Street

39-09840

Lots 23 and 24, in Block 113, in Dundee Place, an Addition to the City of Omaha, Douglas County, Nebraska.

PARCEL D: 4907 and 4909 Davenport Street

39-09840Dundee Place, an Addition to

Lots 3 and 4, and the East 45 feet of Lot 5, in Block 115, in Dundee Place, an Addition to the City of Omaha, Douglas County, Nebraska.

PARCEL E: 3828 and 3830 Cass Street

11-04441

Lot 1, Brennan Place Replat 1, as surveyed, platted and recorded in Douglas County, Nebraska.

Century 21 Dundee Realty Co. 4645 Dodge St. PE(FIVE) Omaha, NE 68132	2025 711 DEED
NEBRASKA DOCUMENTARY EB 23 3 03 PM '96 STAMP TAX Date 2-2594 GEORGE J. BUGLEWICZ REGISTER OF DEEDS DOUGLAS GOUNTY, NE	01901 96 711-712
78-A-QUIT CLAIM DEED	Unitered and Faller & Wolf William No. 2015.
THIS INDENTURE, Made this day of	Huffman and Felton & Wolf, Walton, Ne. 68461  , in the year one thousand  E. Weiner
of the first part, and Dundee Realty Investment Partnership	Company, a Nebraska General
WITNESSETH, that the said partY of the first part, in valuable consideration————————————————————————————————————	er quit-claim unto the said part, of the second part, and
See Exhibit A attached hereto and made	a part hereof.
	DEE 640 COMP VP
*Pursuant to Divorce Decree filed Janua	ary 30, 1996 in Docker 920 Page 523.
TO HAVE AND TO HOLD the above described premises un	r with all and singular the hereditaments thereunto belonging, to the said grantee and to grantee's heirs and assigns forever so eir name and behalf, shall or will hereafter claim or demand any ad every one of them shall by these presents be excluded and
	Synn & Flirer Lynn E. Weiner
NOTARIAL SEAL REGISTER OF DE	AFFIXED EDS
Before me, a notary public quality and analyty person	, 10
STATE OF	Entered on numerical index and filed for record
County	·
	Reg. of Deeds

Lots 7 and 8, and the East 40 feet of Lot 9, in Block 100, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

21-1

The West 10.00 feet of Lot 9 and all of Lot 10, in Block 100, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska; and a strip of ground 7.00 feet wide North and South by 60.00 feet long East and West, being the North half of the vacated alley adjoining said property on the South;

21-1

And the East triangular part of the North 100.00 feet of Lot 11, In Block 100, In DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, more particularly described as follows:

21-1

Commencing at the Northeast corner of said Lot 11 and running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly directly in a straight line to a point on the North line of sald Lot 11, 6 inches West of the Northeast corner thereof; thence East 6 inches to the Place of Beginning;

Lots 23 and 24, in Block 113, in DUNDEE PLACE, an. Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

21-1

The East 54 feet of the South 155.50 feet of the North

53-37 53 A - 53

270 feet of Lot 9, in Block 4, in PARK PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska; and Lot 6, in Block 2, in BRENNAN PLACE, an Addition to

the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska;

16-141

Lots 3 and 4, and the East 45 feet of Lot 5, in Block 115, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

21-1

Joint Driveway Easement dated May 6, 1927; filed June 20, 1927, in Bock 80 at Page 235 of the Records of Douglas County, Nebraska, wherein a perpetual joint driveway is established in the West 6 feet of Lot 6, Block 100, and the East 6 feet of Lot 7, Block 100, Dundee Place;

21-1

Joint Driveway Easement as contained in Warranty Deed filed December 9, 1975, in Book 1534 at Page 94 of the Deed Records of Douglas County, Nebraska, which provides for a driveway easement for ingress and egress only over the East 8.5 feet of Lot 22, Block 113, and the West 1.5 feet of Lot 23, Block 113, Dundee Place;

21-1

All structures, buildings and improvements of every kind and description now or at any time hereafter located or placed on the above described real estate;

All other or greater rights and interest of every nature in the real estate described above and in the possession or use thereof and income therefrom, now owned by Transferors.

## BOOK 1829 PAGE 668

#### PARTNERSHIP WARRANTY DEED

TSORISS PARTNERSHIP,

Nebraska general

Partnership, GRANTOR, in consideration of

One Dollar (\$1.00) and other valuable consideration

DUNDEE REALTY INVESTMENT COMPANY, a Nebraska general partnership

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

See Exhibit "A" attached hereto and incorporated herein by this reference.

(\*) March 2, 1988, in Book 3199 of Mortgages at Page 644, Register of Deeds, Douglas County, Nebraska, between Grantor herein as Trustor and Goldome Credit Corporation, a Delaware corporation ("Goldome"), as Beneficiary, the obligations secured by the same, as amended by an Amended Deed of Trust dated July \_\_\_\_\_, 1988, by and between Grantee herein as Trustor and Goldome as Beneficiary, being hereby assumed by Grantee; No covenant or warranty, either express or implied, is made or given relative to the physical condition or habitability of the herein described real property, all of which is conveyed in "as is" condition.

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

(1) is lawfully selsed of such real estate and that it is free from encumbrances except the following: rights of tenants in possession; easements, covenants and restrictions of records; any matters that would be disclosed by an accurate survey of each of the properties conveyed hereby; County of Douglas - City of Omaha consolidated real estate taxes; and any other matters of record including but not limited to a deed of trust dated February 29, 1988, filed (\*)

(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. RECEIVED Grantor 1958 JUL 11 FM 2: 34 GEORGE ULBATIE BOZ REGISTER UF BEECS DOUGLAS COUNTY, HEAR. STATE OF NEBRASKA COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me on Dale A. Hahn, H. Steven Rothenberg and Jack C. Rothenberg TSORISS PARTNERSHIP, , a Partnership. GENERAL NOTARY-Statu of Nebraska CHARLES O. FORREST My Comm. Exp. July 26, 1989 Notary Public

STATE OF NEBRASKA, County of ....DOUGLAS

My commission expires .

G 669 - N 70 21-1 DEL 1/K MC 11 County or Deputy County Clerk
Register or Deputy Register of Deeds

## BOOK 1829 PAGE 669

Lots 7 and 8, and the East 40 feet of Lot 9, in Block 100, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

3

The West 10.00 feet of Lot 9 and all of Lot 10, in Block 100, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska; and a strip of ground 7.00 feet wide North and South by 60.00 feet long East and West, being the North half of the vacated alley adjoining said property on the South;

And the East triangular part of the North 100.00 feet of Lot 11, in Block 100, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, more particularly described as follows:

Commencing at the Northeast corner of said Lot 11 and running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly directly in a straight line to a point on the North line of said Lot 11, 6 inches West of the Northeast corner thereof; thence East 6 inches to the Place of Beginning;

Lots 23 and 24, in Block 113, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

The East 54 feet of the South 155.50 feet of the North 270 feet of Lot 9, in Block 4, in PARK PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska; and

Lot 6, in Block 2, in BRENNAN PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 3 and 4, and the East 45 feet of Lot 5, in Block 115, in DUNDEE PLACE, an Addition to the City of 3 Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska;

EXHIBIT "A" (Page 1 of 2)

## BOOK 1829 PAGE 670

Joint Driveway Easement dated May 6, 1927, filed June 20, 1927, in Bock 80 at Page 235 of the Records of Douglas County, Nebraska, wherein a perpetual joint driveway is established in the West 6 feet of Lot 6, Block 100, and the East 6 feet of Lot 7, Block 100, Dundee Place;

------

Joint Driveway Easement as contained in Warranty Deed filed December 9, 1975, in Book 1534 at Page 94 of the Deed Records of Douglas County, Nebraska, which provides for a driveway easement for ingress and egress only over the East 8.5 feet of Lot 22, Block 113, and the West 1.5 feet of Lot 23, Block 113, Dundee Place;

All structures, buildings and improvements of every kind and description now or at any time hereafter located or placed on the above described real estate;

All other or greater rights and interest of every nature in the real estate described above and in the possession or use thereof and income therefrom, now owned by Transferors.

EXHIBIT "A" (Page 2 of 2)

Huffman and Felton & Wolf, Walton, Ne. 68461

#### KNOW ALL MEN BY THESE PRESENTS:

THAT	I or	We.	GOLDO	ME	CREDIT	CORPORATION,	а	corporation	organized	and	existing	under	the
					Delawar								

NEBRASKA DOCUMENTARY

, herein called the grantor whether one or more,

in consideration of One Dollar (\$1.00) and other valuable consideration

received from grantee, do hereby grant, bargain, sell, convey and confirm unto TSORISS PARTNERSHIP, a general partnership organized and existing under the laws of the State of Nebraska,

herein called the grantee whether one or more, the following described real property in

Douglas

County, Nebraska

See legal description of property on Exhibit "A" on the reverse side hereof which is incomporated herein by reference.

RECEIVED	BK <u>18</u>
1988 MAR -2 PM 1: 44	7-21
1988 MAR - 2	JA Lu
GEORGE J. BUGLEHICZ REGISTER OF DEEDS REGISTER OF DEEDS	
REGISTER OF DEER.	ribed premises

sucçessors

together with all tenements, hereditaments and appur-To ha

tenances thereto belonging unto the grantee and to grantee's heirs and assigns forever. successors

And the granter does hereby covenant with the grantee and with grantee's heirs and assigns that granter is lawfully seised of said premises; that they are free from encumbrance, except the following: (a) rights of tenants in possession: (b) easements, and restrictions of record; (c) any matters that would be disclosed by an ac rivey of each of the premises conveyed; (d) County of Douglas-City of Omaha co I real estate taxes; and (e) other matters of record: other matters of record;

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever claiming by, through or under grantor.

Dated	February	25	, 19 88.
Attes	ti		
	Man To	use.	J

February 25

GOLDOME CREDIT CORPORATION, a Delaware corporation

Its Assistant Secretary

By: William A. Reul

. Vice President .....

STATE OF ALABAMA

On this 25th day of February, 19 88, before

me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came William G Reich , the Vice President of Goldome Credit Corporation, a



Delaware corporation,

to me known to be the identical person or persons whose name is or names are affixed to the foregoing instrument and acknowledged the execution thereof to be his her or their voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal the day and your pist appro

Kerri C Ransom

My Commission expires the 30th day of December

STATE	OF	١			•		•		•						•	]
County			٠.									 				\   

Entered on numerical index and filed for record in the Register of Deeds Office of said County the 

Reg. of Deeds

By ...... Deputy

#### EXHIBIT "A"

#### LEGAL DESCRIPTION OF PREMISES

Arlington Apartments and Duplex 528,523,

39.09800

Lots 3, 4 and the East 45 feet of Lot 5, in Block 115, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

of Genoa and Sagamore Apartments

11-29440

The East 54 feet of the South 155.50 feet of the North 270 feet of Lot 9, in Block 4, x Park Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

11-4440x

Lot 6, in Block 2, in Brennan Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

Glendale Apartments 21/58

39-09840

Lots 23 and 24, in Block 113, in Dundee Place, an Addition to the City of Omaha, as xx surveyed, platted and recorded, Douglas County, Nebraska.

Norton Theater Building

39-29841

The West 10.00 feet of Lot 9 and all of Lot 10, in Block 100, Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County,

being the North half of the vacated alley adjoining said property on the South; and a strip of ground 7.00 feet wide North and South by 60:00 feet long East and West,

and the East triangular part of the North 100.00 feet of Lot-11, in Block 100, said Dundee Place, more particularly described as follows: Commencing at the Northeast corner of Lot 11, Block 100, Dundee Place and running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly direction in a straight line to a point on the North line of said Lot 11, 6 inches West of the Northeast corner thereof; thence East 6 inches to the Place of Beginning.

Royeroft Apartments

79-09840

Lots 7, 8 and the East 40 feet of Lot 9, in Block 100, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

## 800x 1821 MGE 207

#### TRUSTEE'S DEED UNDER NEBRASKA TRUST DEEDS ACT



#### KNOW ALL MEN BY THESE PRESENTS:

That I, Joseph Polack, a member of the Nebraska State Bar Association, Trustee upon five certain Deed of Trusts made and entered into on or about September 30, 1985, by and between WARNICK PROPERTIES III LIMITED PARTNERSHIP, a Nebraska limited partnership, as Trustor and GOLDOME CREDIT CORPORATION, Beneficiary, herein called the "Grantor", which Deeds of Trust were recorded on October 1, 1985, in the Office of the Register of Deeds of Douglas County, Nebraska, as follows:

Mortgage Book 2843	Page 430	RECEIVED
Mortgage Book 2843	Page 472	1988 MAR -2 PM 1: 43
Mortgage Book 2843	Page 493	1300 HAN -Z FM 1- 43
Mortgage Book 2843	Page 556	GEORGE J. BUGLEYICZ
Mortgage Book 2843	Page 514	REGISTER OF DEEDS

and modified by an Amendment to Loan Documents dated as of rebruary 10, 1987, executed by and between Goldome Credit Corporation and James M. Rothenberg, Trustee, and recorded February 17, 1987, in Miscellaneous Record Book 804, Page 583 in the Office of the Register of Deed of Douglas County, Nebraska, and in consideration of One Dollar (\$1.00), and other valuable consideration, received from Grantee, does hereby grant, bargain, sell, convey and confirm unto GOLDOME CREDIT CORPORATION, a Delaware corporation, herein called the "Grantee", the following described property in Douglas County, Nebraska:

#### Parcel I:

Arlington Apartments and Duplex 21/528,523,507

39-09840

Lots 3, 4 and the East 45 feet of Lot 5, in Block 115, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

#### Parcel II:

Genoa and Sagamore Apartments

11-79440

The East 54 feet of the South 155.50 feet of the North x 53 A City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

AND

11-4440

Lot 6, in Block 2, in Brennan Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

#### Parcel III:

Glendale Apartments 21-528

Lots 23 and 24, in Block 113, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

Parcel IV:

Norton Theater Building

PG 207-299 DEL /H MCW C Del Jan 39-09840 The COMP F/B 11-4-4-20

The West 10.00 feet of Lot 9 and all of Lot 10, in Block 100, Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska;

202/209,203.

85 lang

#### 800x 1821 PAGE 208

and a strip of ground 7.00 feet wide North and South by 60.00 feet long East and West, being the North half of the vacated alley adjoining said property on the South;

21

and the East triangular part of the North 100.00 feet of Lot X 11, in Block 100, said Dundee Place, more particularly described as follows: Commencing at the Northeast corner of Lot 11, Block 100, Dundee Place and running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly direction in a straight line to a point on the North line of said Lot 11, 6 inches West of the Northeast corner thereof; thence East 6 inches to the Place of Beginning,

#### Parcel V:

Roycroft Apartments

530

Lots 7, 8 and the East 40 feet of Lot 9, in Block 100, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

to have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to the Grantee's successors and assigns.

The Grantor does hereby covenant with the Grantee and with Grantee's successors and assigns forever:

- That the Trustor failed to pay the Beneficiary payments which were contractually due and the Grantor, at the request of the Beneficiary, elected to declare the entire unpaid balance, together with interest thereon at once immediately due and payable.
- 2. That Notices of Default were filed by Grantor on December 11, 1987, in the Office of the Register of Deeds of Douglas County, Nebraska as follows:

Miscellaneous Records Book 834 Page 183 Parcel II Miscellaneous Records Book 834 Page 184 Parcel III Miscellaneous Records Book 834 Page 186 Parcel IV Miscellaneous Records Book 834 Page 181-182 Parcel V Miscellaneous Records Book 834 Page 187

A copy of the Notices of Default were served upon Trustor and persons claiming through Trustor by Certified Mail, postage prepaid on or about December 16, 1987.

- That Grantor published notice of the Trustee's Sale held on February 23, 1988, at 11:00 A.M., on the First Floor outside the Jury Assembly Room in the Hall of Justice, 17th & Farnam Streets, Omaha, Nebraska, which notice was published in The Daily Record once a week for five (5) consecutive weeks commencing on January 14, 1988, and ending on February 11, The last publication of notice was at least ten (10) days prior to the Trustee's sale. Notice of the Trustee's sale was duly served upon the Trustor and persons claiming through Trustor by Certified Mail, postage prepaid, on or about February 2, 1988.
- Grantor conducted the sale of the premises at public auction on February 23, 1988, at 11:00 A.M., on the First Floor outside the Jury Assembly Room in the Hall of Justice, 17th & Farnam Streets, Omaha, Nebraska. Grantor accepted the bid of Grantee as the highest bid upon said real property. Grantor has complied with the requirements of the Nebraska Statutes 76-1001 through 76-1018 R.R.S., 1981 as amended, in the exercise of the sale of the real property described herein, at the Trustee's sale held on February 23. 1988.

## BOOK 1821 PAGE 209

This Deed shall operate to convey to the Grantee, without right of redemption, the Grantor's title and all right, title, interest and claim of the Trustor and its successors in interest, and of all persons claiming by, through or under it, in and to the property sold, including all such right, title, interest and claim in and to such property acquired by the Trustor or its successors in interest subsequent to the execution of this Trust Deed.

DATED this 24 day of February, 1988.

Joseph Polack, Trustee Attorney at Law

STATE OF NEBRASKA ) )ss.
COUNTY OF DOUGLAS )

On this 14 day of February, 1988, before me, the undersigned, a Notary Public, duly commissioned and qualified for and in said county, personally came Joseph Polack, Attorney at Law, Trustee, known to me to be the identical person who executed the foregoing instrument and he acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal the day and year last above written.

A GEREFAL HOTARY-State of Rebrasks
SPELLY L MATHISON
Why Comm. Eyg. Jan. 20, 1990

Shelly Z. Mathison Notary Public

# SIM

## BOOK 1790 PAGE 407

#### TRUSTEE'S DEED



KNOW ALL MEN BY THESE PRESENTS:

William H. Coates, a member of the Nebraska State THAT I, Bar Association, Trustee upon the Deed of Trust made and entered into on or about September 30, 1985 by and between Joseph R. Warnick, Gerald S. Boeckman, James F. Scherer, Alan C. Brown, James O. Koller, Patricia Koller and Warnick Properties III Limited Partnership, a Nebraska limited partnership as "Trustor" and James M. Rothenberg, Regina L. Rothenberg, Dale A. Hahn and H. Steven Rothenberg, Beneficiary, which Deed of Trust was recorded on the 1st day of October, 1985 in Book 2843 at Page 725 in the office of the Register of Deeds of Douglas County, Nebraska, herein called the Grantor, in consideration of one and - No Solar (5/00) and other valuable from Grantee, consideration, received does hereby sell, grant, bargain, convey and confirm unto <u>James M. Rothen berg, Truste</u> herein called the Grantee, the following described property in Douglas County, herein called the Nebraska:

Lots 3, 4 and the East 45 feet of Lot 5, in Block 115, in Dundee Place, an addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereunto belonging unto the Grantee and to Grantee's heirs and assigns forever.

And the Grantor does hereby covenant with the Grantee and with the Grantee's heirs and assigns:

- 1) That the Trustors failed to pay the beneficiary payments which were contractually due and the Grantor at the request of the beneficiary elected to declare the entire unpaid balance, together with interest thereon at once immediately due and payable;
- 2) That a Notice of Default was filed by Grantor on August 15, 1986 in Book 785 Page 724 in the office of the Register of Deed of Douglas County, Nebraska. That a copy of the Notice of Default was duly served upon the Trustor by certified mail, postage prepaid on or about August 20, 1986.

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- 3) That Grantor published notice of the Trustee's Sale held on October 24, 1986 at 10:00 a.m. on the first floor outside the Jury Assembly Room in the Hall of Justice in the City of Omaha, Douglas County, Nebraska, which notice was published in the Daily Record once a week for five consecutive weeks commencing on September 16, 1986 and ending on October 14, 1986. The last publication of notice was at least 10 days prior to the Trustee's Sale held on October 24, 1986. Notice of the Trustee's Sale was duly served upon the Trustor by certified mail, postage prepaid on or about September 18, 1986.
- 4) Grantor conducted the sale of the real property at public auction on October 24, 1986 at 10:00 a.m. outside the Jury Assembly Room in the Hall of Justice in the City of Omaha, Douglas County, Nebraska. Grantor accepted the bid of Grantee as the highest bid upon said real property. Grantor has complied with the requirements of Neb. Statute Section 76-1001 through Section 76-1018 R.R.S., 1981 as amended, in the exercise of the sale of the real property described herein, at the Trustee's Sale held on October 24, 1986.

This Deed shall operate to convey to the Grantee, without right of redemption, the Grantor's title and all right, title, interest and claim of the Trustors and their successors in interest and of all persons claiming by, through or under them, in and to the property sold, including all such right, title, interest and claim and to such property acquired by the Trustors or their successors in interest subsequent to the execution of the Trust Deed.

subject to easements, restrictions or Deed is encumbrances of record which Grantor is not entitled to convey pursuant to Neb. Statute 76-1001 through 76-1018 R.R.S. 1981 as amended.

Dated this 24th day of October, 1986.

William & Contex William H. Coates, Attorney at

Law, Trustee

STATE OF NEBRASKA) SS. COUNTY OF DOUGLAS)

On this 24th day of October, 1986 before me, the undersigned, a Notary Public, duly commissioned and qualified for in said county, personally came WILLIAM H. COATES, Attorney Trustee, known to me to be the identical person who the foregoing estimate and he acknowledged the at Law. execution thereof to be his voluntary act and deed.

## BOOK 1790 PAGE 409

hand and notarial seal the day and year last Witness my above written.

Notary Public

GENERAL MOTARY - State of Nebraska
ROBERT M. ZUBER
My Commission Expires
August 8, 1988

### mm1764 me738 PARTNERSHIP WARRANTY DEED

ARLINGTON APARTMENTS LIMITED PARTNERSHIP,

Partnership, GRANTOR, in consideration of

Two Dollars (\$2.00) and other valuable consideration

SOM received from GRANTEE.

WARNICK PROPERTIES III LIMITED PARINETSHIP, a Nebraska Limited Partnership conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

Lot 3 and 4 in Block 115, in DUNDEE PLACE, an Addition to the City of Omaha, as surveyed platted and recorded in Douglas County, Nebraska.

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 to easements, restrictions and reservations of record, to a pro-rated share of current real estate

taxes and to all subsequent taxes or special	l assessments.
(2) has legal power and lawful authority to convey the	same;
(3) warrants and will defend title to the real estate ag	ainst the lawful claims of all persons.
Executed 1985	
	ARLINGTON APARIMENTS LIMITED PARTNERSHIP, a Nebraska Limited Partnership
Date 10.7:85	By General Pariner.
STATE () NEBRASKA ) SS.	By James M. Rotherberg  By General James M. Rotherberg  General Partner  Dale A. Ham  Dale A. Ham
The foregoing instrument was acknowledged before me of	Partner  1985
by James M. Rothenberg and Dale A. Hahn, as Ge	neral PartnerSon behalf of
ARLINGTON APARTMINTS LIMITED PARTNERSHIP,	a Nebraska Limited % Partnership.
A SEPENAL REPORT - Such of Balancias Anna L. Openacos Anna L. Openacos By Comm. Eq. Bay 5, 100	Notary Public My commission expires 5 5 8 8

STATE OF NEBRASKA, County of .....

Filed for record and entered in Numerical Index on. recorded in Deed Record . . . . . Page . . . . S Camp\_ County or Deputy County Clerk Register or Deputy Register of Deeds

Copyright \* 1979 Nebraska State Bar Association

PARTNERSHIP WARRANTY DEED PAGE 1 of 1 PAGE a Ne

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