

95-22833

RECORDED

REPRESENTATIVE OF RECORDS

2001 10 15 55
\$245.00 *Plut*

20
207.50
CASH
CASH

WARRANTY DEED

D-M-F COMPANY, L.P., a Kansas limited partnership, GRANTOR, in consideration of Two Dollars (\$2.00) and other good and valuable consideration received from GRANTEE, LANDMARK ENTERPRISES, INC., a Nebraska corporation, conveys to GRANTEE the real estate (as defined in Neb. Rev. Stat. 76-201) described in EXHIBIT A attached hereto and incorporated herein by this reference.

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seised of such real estate, that it is free from encumbrances except as set forth in EXHIBIT B attached hereto and incorporated herein by this reference and except a pro-rated share of current real estate taxes and subsequent taxes and assessments;
- (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 except as provided in paragraph (1) above.

Executed December 14, 1995.

D-M-F COMPANY, L.P., a Kansas limited partnership

By: M D MANAGEMENT, INC., a Missouri corporation, General Partner

By: Thomas S. Morgan
Name: Thomas S. Morgan
Vice President

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STATE OF KANSAS)
COUNTY OF JACKSON) SS.

The foregoing instrument was acknowledged before me on
DECEMBER 14, 1995, by THOMAS S. MORGAN, VICE
President of M D MANAGEMENT, INC., a Missouri corporation,
General Partner of D-M-F COMPANY, L.P., a Kansas limited
partnership, on behalf of said corporation as general partner of
said limited partnership.

(Seal)

Eric Dove
Notary Public

My Commission Expires:

Eric Dove
Notary Public - State of Kansas
My Appt. Expires 8/24/95

75-22833B

EXHIBIT A

Attached to and forming a part of
Warranty Deed dated December 14, 1995,
from D-M-F COMPANY, L.P., as Grantor, to
LANDMARK ENTERPRISES, INC., as Grantee

Legal Description of the Real Estate

Lot 185, BALLENA, a subdivision, as surveyed, platted and
recorded in Sarpy County, Nebraska.

EXHIBIT B

Attached to and forming a part of
Warranty Deed dated December 14, 1995,
from D-M-F COMPANY, L.P., as Grantor, to
LANDMARK ENTERPRISES, INC., as Grantee

Exceptions to Title

1. All building and use restrictions, utility easements not exceeding 10 feet in width abutting the boundary of the Property, and covenants now of record (including, without limitation, those matters listed hereinbelow).
2. Special assessments not yet certified to the Office of the County Treasurer at the date hereof.
3. Easements granted for utilities by Plat and Dedication filed May 7, 1993, as Instrument No. 93-09665, in, over, through, under and across a five foot wide strip abutting all front and side lot lines; and eight foot wide strip adjoining the rear boundary lot lines of all interior lots; and a sixteen foot wide strip adjoining the rear boundary lot lines of all exterior lots.

Plat survey reveals an AT&T cable easement along part of the Northern boundary of the Property.

4. Easement granted to American Telephone and Telegraph by instrument dated September 25, 1940, filed October 3, 1940, in Book 10 at Page 345, for communication systems upon, over and under a part of the Property.

Assigned to Northwestern Bell Telephone Company by instrument dated February 22, 1977, filed March 16, 1977, in Book 50 at Page 183.

Further assigned to AT&T Communications of the Midwest, Inc., an Iowa corporation, by instrument dated December 19, 1983, filed January 4, 1984, in Book 57 at Page 8.

5. Easement granted to Omaha Public Power District by instrument dated March 30, 1989, filed May 2, 1989, as Instrument No. 89-05098, for electric facilities over, upon, above, along, under, in and across a part of the Property.