

**ALTA COMMITMENT - 1970 Rev.**

Application No. TA - 11173

*[Signature]*  
**SCHEDULE A**

**Spence Title Services, Inc.**  
1905 Harney Street Omaha, Nebraska 68102  
(402) 345-8844

- Effective Date: October 1, 1984 at 8:00 A.M.
- Policy or Policies to be issued:  
"ALTA" OWNER'S POLICY Form B-1970:  
-Amended 10-17-70 \$ 450,000.00

Premium: \$1,082.50

Proposed Insured: **OAK RIDGE PARTNERSHIP,**  
a Nebraska Partnership

"ALTA" LOAN POLICY 1970 Rev. \$ 450,000.00  
Proposed Insured: **FIRST NATIONAL BANK OF BELLEVUE, TRUSTEE** 25.00 TOTAL \$1,107.50

- The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple, and title thereto is at the effective date hereof vested in:  
**MIDLAND PROPERTIES, INC.,**  
a Kansas Corporation
- The land referred to in this Commitment is described as follows:  
  
Lot 5 and the South 70 feet of Lot 6, in BELLEVUE BUSINESS PARK, an Addition to the City of Bellevue, as surveyed, platred and recorded, in Sarpy County, Nebraska. *per Journal 10-4-84*

**SCHEDULE B**

In addition to the Standard Exceptions and Conditions and Stipulations recited on the face of this Commitment and the Conditions and Stipulations and Exclusions from Coverage in the Company's usual form of policy, the land referred to is, as of the effective date hereof, subject to the following:

- General taxes due and payable at date hereof:  
Lot 5: 1983: \$140.83 total paid in full; Key Number: 010950168.  
Lot 6: 1983: \$81.94 total paid in full; Key Number: 010950141. (Taxed as all of Lot 6.)

2. Special taxes or assessments now assessed or levied, but payable in future installments; Special assessments certified to the Office of the County Treasurer at date hereof:

- Lot 5:
- Paying District Phase I Assessment levied Oct. 23, 1978 in the sum of \$847.14; seven installments paid; three due.
  - Paying District Phase II Assessment levied Oct. 23, 1978 in the sum of \$4587.59; seven installments paid; three due.
  - Storm Sewer Assessment levied Oct. 23, 1978 in the sum of \$1781.26; seven installments paid; three due.
  - Water Extension Assessment levied Sept. 8, 1980 in the sum of \$8616.42; five installments paid; five due.

- All of Lot 6:
- Paying District Phase I Assessment levied Oct. 23, 1978 in the sum of \$506.82; seven installments paid; three due.
  - Paying District Phase II Assessment levied Oct. 23, 1978 in the sum of \$2744.63; seven installments paid; three due.
  - Storm Sewer Assessment levied Oct. 23, 1978 in the sum of \$1065.68; seven installments paid; three due.
  - Water Extension Assessment levied Sept. 8, 1980 in the sum of \$4971.01; five installments paid; five due.

3. Electric Transmission Line Easement granted to Omaha Public Power District by instrument dated Jan. 5, 1974, filed Mar. 6, 1974, in Book 47 at Page 123 of the Miscellaneous Records of Sarpy County, Nebraska, over, above, under, in and across a 100 foot wide strip of land affecting part of Lot 5, Bellevue Business Park. (See copy attached.)  
Warranty Deed dated Mar. 1, 1974, filed Mar. 6, 1974, in Book 149 at Page 433 of the Deed Records of Sarpy County, Nebraska, wherein O.P.P.D. conveys a 50 foot wide strip of land back to the grantors of the aforesaid easment. (See copy attached.)  
Plat Survey of Bellevue Business Park filed Jan. 3, 1979, in Book 7 at Page 72 of the Plat Records of Sarpy County, Nebraska, reveals a 100 foot wide Overhead Power Line Easement affecting a portion of Lot 5. (See copy attached.)

4. Easement granted for utilities by Plat and Dedication filed Jan. 3, 1979, in Book 7 at Page 72 of the Plat Records of Sarpy County, Nebraska, on, over, through, under and across a five foot wide strip of land abutting all front and side boundary lot lines; and an eight foot wide strip of land abutting the rear boundary lines of all interior lots.  
Said lots 5 and 6 are interior lots.  
Plat Survey reveals a ten foot wide utility easement affecting the Easterly 10 feet of subject property. (See copy attached.)
5. Mortgage dated Sept. 24, ~~1974~~, filed Nov. 13, 1974, in Book 193 at Page 3944 of the Mortgage Records of Sarpy County, Nebraska, executed by Midland Properties, Inc., in favor of Bank of Bellevue, securing the sum of \$85,000.00. (Covers other property also.)  
REQUIRE partial release of said mortgage for subject property.
6. Mortgage dated Oct. 30, ~~1975~~, filed Oct. 31, 1975, in Book 194 at Page 4036 of the Mortgage Records of Sarpy County, Nebraska, executed by Midland Properties, Inc., in favor of Bank of Bellevue, securing the sum of \$175,000.00. (Covers other property also.)  
REQUIRE partial release of said mortgage, for subject property.
7. Mortgage dated Apr. 27, 1981, filed May 1, 1981, in Book 200 at Page 1935 of the Mortgage Records of Sarpy County, Nebraska, executed by Midland Properties, Inc., in favor of First National Bank of Bellevue, securing the sum of \$170,000.00. (Covers other property also.)  
REQUIRE partial release of said mortgage, for subject property.
8. REQUIRE waiver of Subdivision Requirement for the lot split of Lot 6 to be approved by the appropriate governmental authority and a stamped survey revealing said approval be filed in the Records of Sarpy County, Nebraska.
9. REQUIRE Certificate of Partnership for Oak Ridge Partnership, a Nebraska Partnership be filed in the Records of Sarpy County, Nebraska and a complete copy of the Partnership Agreement be provided for this company's file.
10. REQUIRE Corporation Warranty Deed from Midland Properties, Inc., a Kansas Corporation, in due corporate form, and in accordance with their articles of incorporation, in favor of Oak Ridge Partnership, a Nebraska Partnership.
11. REQUIRE deed from Oak Ridge Partnership, a Nebraska Partnership, in accordance with their Partnership Agreement, in favor of the County of Sarpy, Nebraska.
12. REQUIRE execution of the security instrument in favor of First National Bank of Bellevue, Trustee, by the County of Sarpy, Nebraska, securing the sum of \$450,000.00.
13. REQUIRE execution of Lease by the County of Sarpy, Nebraska, as Lessor and Oak Ridge Partnership, a Nebraska Partnership, as Lessee, and a Memorandum of same be filed in the Records of Sarpy County, Nebraska.
- 14.

*Miss wa  
IDA  
BOND*

56-293

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

CITY OF BELLEVUE, ) DOC. 55 PG. 1/

Plaintiff, )

vs. )

MIDLAND PROPERTIES, INC., et al, ) LIS PENDENS

Defendants. )

TO WHOM IT MAY CONCERN:

You are hereby notified that on the 16 day of <sup>May</sup> April, 1983, the City of Bellevue, as plaintiff, filed its petition in the above entitled case against Midland Properties, Inc., et al, defendants.

The object and prayer of said petition are to foreclose plaintiff's lien for special assessments upon the following described real estate, to-wit:

- Lot 18, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 19, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 20, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 21, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 22, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 23, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 24, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 25, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska
- Lot 26, Bellevue Business Park, an addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska

*Not a cross*

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Plaintiff prays that the amount found due in each of the several cause of action in said case be adjudged and decreed by the Court to be a lien upon the real estate described in such causes of action; that if the amounts so found due are not paid that each of said tracts of real estate be sold for the satisfaction of the amounts so found due; that the right, title, Lien, equity of redemption, or other interest of the defendants, and each of them be cancelled, extinguished, foreclosed and forever barred; that plaintiff have such other, further or different relief as to the Court may seem just and equitable.

CITY OF BELLEVUE, Plaintiff

BY Dean J. Jungers  
Dean J. Jungers, #12118  
Attorney for the Plaintiff  
101 W. Mission Avenue  
Bellevue NE 58005

FILED 56-293A

DATE 293

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REGISTER OF DEEDS