



DEED 2016026678



APR 13 2016 14:41 P 4

Nebr Doc Stamp Tax
04-13-2016 Date
\$4513.50
By PN

Fee amount: 28.00
FB: 60-21563
COMP: PN

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
04/13/2016 14:41:45.00



2016026678

GENERAL WARRANTY DEED

THAT **10721 LHD, LLC**, a Nebraska limited liability company ("**Grantor**"), for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto **CCCP&M, LLC**, a Nebraska limited liability company, ("**Grantee**"), an undivided 63.00% interest in a certain tract of land in Omaha, Douglas County, Nebraska, more particularly described as follows:

Lot 1, in LAKESIDE HILLS REPLAT 4, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska

together with all rights, titles, and interests appurtenant thereto including, without limitation, Grantor's interest, if any, in any and all adjacent streets, alleys, rights of way and any adjacent strips and gores(collectively, the "**Property**").

This General Warranty Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject only to the matters set forth on Exhibit A attached hereto, to the extent the same are validly existing and applicable to the Property (collectively, the "**Permitted Exceptions**").

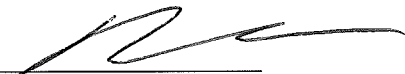
TO HAVE AND TO HOLD the Property, together with all the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND the title to the Property unto the said Grantee, its successors and assigns against every person whomsoever, subject to the Permitted Exceptions.

[Signature page to follow]

After Recording Return to:
Cynthia A. Troia
641 S 93rd Street
Omaha, NE 68114

EXECUTED as of April 11th, 2016

17021 LHD, LLC
a Nebraska limited liability company

By: 
Name: Robert N. Troia
Its: Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 11th day of April, 2016, by Robert N. Troia, the Manager of 17021 LHD, LLC, a Nebraska limited liability company, on behalf of the company.



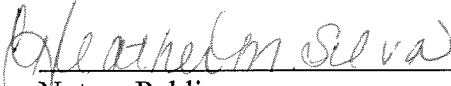

Notary Public

EXHIBIT "A" TO DEED
Permitted Exceptions

Easements as shown on the plat and as set forth in the Dedication of the Final Plat of Lakeside Hills recorded October 21, 1994, at Book 1990, Page 238 of the Deed Records of Douglas County, Nebraska, granted to Omaha Public Power District, U.S. West Communications and any company which has been granted to franchise to provide a cable television system in the area, to erect, operate and maintain utility facilities over, through, under and across and 8 foot wide strip of land abutting all streets dedicated by this plat; an 8 foot wide strip of land abutting the exterior lot lines adjacent to 168th Street and West Center Road; an 8 foot wide strip of land abutting exterior Lot lines adjacent to land which is surveyed; and a 16 foot wide strip of land abutting the remaining exterior lot lines adjacent to unplatted land, with provision for said 16 foot wide easements to be reduced to 8 feet. Further grants easement to Metropolitan Utilities District of Omaha on, through, under and across a 5 foot wide strip of land abutting all streets dedicated by this plat. (Subject property was platted from a portion of Lot 7, Lakeside Hills.)

- a. Plat Notes state that Outlot 1 shall be owned by the Lakeside Hills Property Owners Association and shall be a private access street, and that Outlots 2 through 7 shall be owned by the Lakeside Hills Property Owners Association and shall be private common areas restricted to entrance markers and landscaping.

Easements as shown on the plat and as set forth in the Dedication of the Final Plat of Lakeside Hills Replat 4 recorded December 29, 1999 at Book 2141, Page 27 of the Deed Records of Douglas County, Nebraska, granted to Omaha Public Power District, U.S. West Communications and any company which has been granted to franchise to provide a cable television system in the area, to erect, operate and maintain utility facilities over, through, under and across a 5 foot wide strip of land abutting the front and side boundary lot lines; an 8 foot wide strip of land abutting the rear boundary lines of all interior lots and all exterior lots that are adjacent to presently platted lots; and a 16 foot wide strip of land abutting the rear boundary lines of all exterior lots that are not adjacent to presently platted lots, with provision for said 16 foot wide easements to be reduced to 8 feet. Further grants easement to Metropolitan Utilities District of Omaha on, through, under and across a 5 foot wide strip of land abutting all cul-de-sacs

- a. Plat Survey reveals existing drainage, storm sewer, utility, landscaping easements affecting portions of subject property, and an ingress and egress easement in favor of Lots 1, 2 and 3 centered along the Southerly line of subject property.
- b. Plat Notes state that direct vehicular access to 171st Street will be right-in and right-out only.

Terms and provisions of Easement and Covenants Agreement dated January 17, 1992 and recorded January 22, 1992 at Book 994, Page 6, of the Miscellaneous Records of Douglas County, Nebraska.

Terms and provisions of Mixed Use District Development Agreement dated July 13, 1994, a Memorandum of which was recorded December 12, 1994 at Book 1135, Page 636 of the Miscellaneous Records of Douglas County, Nebraska.

- a. Unrecorded First Amendment to Mixed Use District Development Agreement dated on or about October 29, 1996.
- b. Unrecorded Amendment No. 2 to Mixed Use District Development Agreement dated on or about November 20, 1998.
- c. Amendment No. 3 to Mixed Use District Development Agreement dated November 29, 2000 and recorded December 13, 2000 at Book 1361, Page 604 of the Miscellaneous Records of Douglas County, Nebraska.

Covenants, conditions and restrictions contained in Declaration of Covenants, Conditions and Restrictions dated December 12, 1994 and recorded December 13, 1994 at Book 1136, Page 1 of the Miscellaneous Records of Douglas County, Nebraska.

- a. Provisions for pedestrian access, vehicular access, temporary encroachment, association, utility and other easements provided therein.
- b. Provisions for membership in an association and for dues and assessments set forth therein.

- c. Provisions for architectural control and approval of construction plans set forth therein.
- d. Amendment No. 1 to Declaration of Covenants, Conditions and Restrictions dated July 18, 1996 and recorded July 22, 1996 at Book 1182, Page 617 of the Miscellaneous Records of Douglas County, Nebraska.
- e. Amendment No. 2 to Declaration of Covenants, Conditions and Restrictions dated June 30, 1997 and recorded June 30, 1997 at Book 1224, Page 508 of the Miscellaneous Records of Douglas County, Nebraska.
- f. Amendment No. 3 to Declaration of Covenants, Conditions and Restrictions dated July 13, 2000 and recorded December 13, 2000 at Book 1361, Page 599 of the Miscellaneous Records of Douglas County, Nebraska.

Terms and provisions of Declaration of Restrictions and Grant of Easements dated January 4, 2000 and recorded January 12, 2000 at Book 1323, Page 259 of the Miscellaneous Records of Douglas County, Nebraska.

Terms and provisions of Declaration of Landscaping Easement dated June 5, 1997 and recorded June 6, 1997 at Book 1212, Page 96 of the Miscellaneous Records of Douglas County, Nebraska, granted to Lakeside Hills Property Owners Association, to construct, operate and maintain landscaping, drainage ways and storm sewers and appurtenances in, through, over and under a portion of subject property.

Permanent Sidewalk Easement dated July 7, 1997 and recorded July 10, 1997 at Book 1215, Page 591 of the Miscellaneous Records of Douglas County, Nebraska, granted to Sanitary and Improvement District No. 381 of Douglas County, Nebraska, to construct and maintain sidewalks in, through and over portions of subject property.

Permanent Sewer Easement dated July 6, 1995 and recorded August 29, 1997 at Book 1221, Page 26 of the Miscellaneous Records of Douglas County, Nebraska, granted to Lakeside Hills Association, Inc., to construct, operate and maintain drainage ways and storm sewers and appurtenances in, through, over and under a portion of subject property.

Permanent Sewer Easement dated July 6, 1995 and recorded August 29, 1997 at Book 1221, Page 42 of the Miscellaneous Records of Douglas County, Nebraska, granted to Sanitary and Improvement District No. 381 of Douglas County, Nebraska, to construct, operate and maintain drainage ways and storm sewers and appurtenances in, through, over and under a portion of subject property.

Permanent Utility Easements dated October 24, 1997 and recorded November 3, 1997 at Book 1227, Page 366 of the Miscellaneous Records of Douglas County, Nebraska, granted to U.S. West Communications and Cox Communications, to construct, operate and maintain their utilities and appurtenances upon, over, along, through, under and across a portion of subject property.

Deed of Trust dated December 28, 2012, recorded December 31, 2012 at Instrument No. 2012133447 of the Records of Douglas County, Nebraska, executed by 17021 LHD, LLC, in favor of Access Bank, Trustee, and Access Bank, Beneficiary, securing the sum of \$2,406,240.64 and any other amounts payable under the terms thereof.

Assignment of Rents dated December 28, 2012, recorded December 31, 2012 at Instrument No. 2012133448, of the Records of Douglas County, Nebraska, executed by 17021 LHD, LLC in favor of Access Bank.

UCC Financing Statement, recorded December 31, 2012 at Instrument No. 2012133449 in the Office of the Register of Deeds of Douglas County, Nebraska, from 17021 LHD LLC, as Debtor in favor of Access Bank, as Secured Party.