




Nebr Doc Stamp Tax
<u>8.11.04</u> Date
<u>\$396.550</u>
By <u>CL</u>

Received - RICHARD TAKECHI
 Register of Deeds, Douglas County, NE
 8/11/2004 08:35:10.80

 2004106468

[For Recording Purposes]

SPECIAL WARRANTY DEED

FIRST DATA RESOURCES INC., a Delaware corporation ("Grantor"), in consideration of TEN DOLLARS (\$10.00) received from **KEWANEE WG, L.L.C.**, an Illinois limited liability company ("Grantee"), conveys to Grantee, the real estate legally described on Exhibit "A" (the "Property") attached hereto and by this reference made a part hereof.

Grantor covenants with Grantee that Grantor:

- (1) is lawfully seised of such Property and that it is free from encumbrances, subject, however, only to the Permitted Exceptions listed on the attached Exhibit "B" and incorporated herein by reference;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the Property against the lawful claims of all persons claiming the same or any part thereof through, by or under Grantor, subject only to the Permitted Exceptions listed on the attached Exhibit "B" and incorporated herein by this reference.

CL
 FEE 20.50 FB _____
 4/11 BKP _____ C/O _____ COMP 3
 DEL _____ SCAN _____ FV _____

Dated as of August 10, 2004.

FIRST DATA RESOURCES INC., a Delaware corporation

By: *Jeffrey J Zallaps*

Name: *Jeffrey J Zallaps*
Title: *Assistant Secretary*

STATE OF *Colorado*)
) ss.
COUNTY OF *Douglas*)

On this *9* day of *August* , 2004, before me, a notary public in and for said county and state, personally came *Jeffrey J Zallaps* , the *Assistant Secretary* of FIRST DATA RESOURCES INC., known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and notarial seal at _____, in said county and state, the day and year last above written.

[SEAL]
Notary Public

 Jennifer Highbarger



EXHIBIT A

Description of the Property

Lot 3 in Ak-Sar-Ben Business & Education Campus Replat 4, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

EXHIBIT B

Permitted Encumbrances

1. Taxes for the year 2004 and thereafter.
2. Easements granted by the Plat and Dedication of Ak-Sar-Ben Business & Education Campus Replat 1 recorded April 12, 2001, in Book 2177 at Page 665 of the Deed Records of Douglas County, Nebraska.
3. Easements granted by the Plat and Dedication of Ak-Sar-Ben Business & Education Campus Replat 4 recorded August 11, 2004, as Instrument No. 2004 106466 of the Records of Douglas County, Nebraska.
4. Terms and provisions of Redevelopment Agreement dated May 20, 1997 and recorded June 27, 1997, in Book 1214 at Page 252 of the Miscellaneous Records of Douglas County, Nebraska, and Ordinance No. 34186 of the City of Omaha, Nebraska approving same, executed by and among the City of Omaha, Nebraska, a municipal corporation, First Data Resources Inc., a Delaware corporation, Ak-Sar-Ben Future Trust, a Nebraska non-profit corporation, Pappio-Missouri River Natural Resources District, a political subdivision of the State of Nebraska, Douglas Recreation Corp., a Nebraska non-profit corporation, and Douglas County, Nebraska, a body corporate and politic existing under the laws of the State of Nebraska.

Amended by unrecorded amendment thereto bearing Doc. No. 1300 of May 20, 1997.

Amended by Second Amendment to Redevelopment Agreement dated November 21, 2000 and recorded November 27, 2000, in Book 1359 at Page 602 of the Miscellaneous Records of Douglas County, Nebraska.

Amended by Third Amendment to Redevelopment Agreement dated June 29, 2004.
5. Covenants, conditions, restrictions and easements contained in Declaration of Covenants and Restrictions For The Ak-Sar-Ben – Business & Education Campus dated June 27, 1997 and recorded June 27, 1997, in Book 1214 at Page 414 of the Miscellaneous Records of Douglas County, Nebraska.

Amended and Restated Declaration of Covenants and Restrictions For The Ak-Sar-Ben Business & Education Campus dated June 28, 2004 and recorded July 6, 2004, as Instrument No. 2004088370, and re-recorded July 8, 2004, as Instrument No. 2004090157, both of the Records of Douglas County, Nebraska.
6. Subdivision Agreement Ak-Sar-Ben Business and Education Campus Replat 4 dated June 29, 2004, between First Data Resources Inc. and City of Omaha.