



DEED 2012121322



NOV 29 2012 14:56 P 6

Nebr Doc Stamp Tax
11-29-2012 Date
\$6637.50
By LM

Fee amount: 30.50  
FB: 43-44825  
COMP: LM

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/29/2012 14:56:57.00



### SPECIAL WARRANTY DEED

THE STATE OF NEBRASKA       §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF DOUGLAS       §

THAT U.S. BANK NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE, SUCCESSOR-IN-INTEREST TO BANK OF AMERICA, N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF GMAC COMMERCIAL MORTGAGE SECURITIES, INC. MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 1998-C2 (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by ESI PROPERTIES, LLC, a Nebraska limited liability company (hereinafter referred to as "Grantee"), whose mailing address is c/o Dan Wiederin, 5335 IZARD STREET, Omaha, NE 68132, the receipt and sufficiency of which consideration are hereby acknowledged, and upon and subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee all of the real property situated in Douglas County, Nebraska, described on Exhibit A attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and together with any right, title and interest of Grantor in and to all improvements located thereon and any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "Property").

This conveyance is made subject and subordinate to those encumbrances and exceptions set forth on Exhibit B attached hereto and made a part hereof for all purposes and all other matters of record affecting the Property (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, as aforesaid, unto Grantee, its successors and assigns, forever; and Grantor does hereby bind itself and its successors, to WARRANT AND FOREVER DEFEND all and singular the Property unto

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Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

By acceptance of this Special Warranty Deed, Grantee acknowledges and agrees that any and all liability hereunder of Grantor, its agents, representatives or employees, including the Special Warranty of title herein contained, shall be limited to and satisfied solely from the Grantor's proceeds from the Property.

By acceptance of this Special Warranty Deed, Grantee assumes payment of all real property taxes on the Property for the year 2012 and subsequent years.

**[THE BALANCE OF THIS PAGE IS BLANK]**

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor to be effective as of November 28, 2012.

**GRANTOR:**

U.S. BANK NATIONAL ASSOCIATION, AS  
SUCCESSOR TRUSTEE, SUCCESSOR-IN-INTEREST  
TO BANK OF AMERICA, N.A., AS TRUSTEE FOR  
THE REGISTERED HOLDERS OF GMAC  
COMMERCIAL MORTGAGE SECURITIES, INC.  
MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 1998-C2

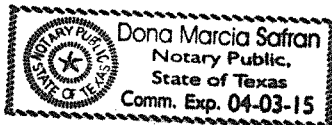
By: Berkadia Commercial Mortgage LLC,  
a Delaware limited liability company  
Its: Special Servicer and Attorney-in-Fact

*WS*

By: *[Signature]*  
Name: Sylvan Rothschild  
Its: Authorized Representative

THE STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS           §

This instrument was acknowledged before me on November 19, 2012, by Sylvan Rothschild, the Authorized Representative of Berkadia Commercial Mortgage LLC, a Delaware limited liability company, the Special Servicer and Attorney-in-Fact for U.S. Bank National Association, as Successor Trustee, successor-in-interest to Bank of America, N.A., as Trustee for the Registered Holders of GMAC Commercial Mortgage Securities, Inc. Mortgage Pass-Through Certificates, Series 1998-C2, on behalf of said limited liability company, acting for and on behalf of said national association.



*[Signature]*  
Notary Public

Dona Marcia Safran  
Printed/Typed Name of Notary

My Commission Expires: 4-3-15

**EXHIBIT A**

Legal Description

Lot 8, in World Communications Park, an Addition to the City of Omaha, Douglas County, Nebraska.

## EXHIBIT B

### Permitted Exceptions

1. Liens arising from labor, services or materials provided after the date hereof or otherwise created by, through or under the insured.
2. Taxes due December 31, 2012, none now due and payable, and subsequent special taxes of assessments now pending, assessed or levied, but payable in future installments; except those recorded in the Office of the County Treasurer at the date hereof, of which there are none. (Key No. 4475 5514 25).
3. Easements granted for utilities by Plat and Dedication filed June 15, 1994 in Book 1980 at Page 306 of the Deed Records of Douglas County, Nebraska, on over, through, under and across a five foot wide strip of land abutting the front and side boundary lines of all lots; an eight foot wide strip of land abutting the rear boundary lines of all interior lots; and a sixteen foot wide strip of land abutting the rear boundary lines of all exterior lots.
  - a. Plat survey reveals a 15 foot sewer and drainage easement to the City of Omaha along the Westerly boundary line of said Lot 8.
  - b. Plat survey reveals the will be no direct access onto 72nd Street from Lot 8.
  - c. Ratification of Plat filed June 17, 1994 at Book 1122 at Page 112.
  - d. Ratification of Plat filed October 1, 1996 at Book 1189 at Page 542.
4. Limitation of access contained in Trustee's Deed dated August 30, 1968, filed October 23, 1968 in Book 1366 at Page 107 of the Deed Records of Douglas County, Nebraska and also Deed of Correction dated May 5, 1969, filed July 2, 1969 in Book 1386 at Page 733 of the Deed Records of Douglas County, Nebraska.
5. Terms, provisions, covenants, conditions, restrictions and easements contained in Declaration of Restrictions and Grant of Easement dated May 6, 1994, filed May 6, 1994 in Book 1118 at Page 218 of the Miscellaneous Records of Douglas County, Nebraska.
6. Easement granted to the City of Omaha, Nebraska by instrument dated November 28, 1994, filed December 6, 1994 in Book 1135 at Page 304 of the Miscellaneous Records of Douglas County, Nebraska, for storm water detention basin.
7. Terms, provisions, covenants, conditions and restrictions contained in Special Warranty Deed dated September 30, 1996, filed October 1, 1996 in Book 2044 at Page 139 of the Deed Records of Douglas County, Nebraska.

8. Terms and provisions of unrecorded Mixed Use District Development Agreement by and between the City of Omaha, Prairie Systems, Inc., and MCI Telecommunications Corporation dated last May 5, 1994.