

10-15-12

TRUSTEES WARRANTY DEED

The grantors, WILLIS G. FARRINGTON, J. FREDERIC SCHLOTT and RICHARD H. HAYS, Trustees, in consideration of One and no/100 - - (\$1.00) Dollar and other valuable consideration, received from grantee, does grant, bargain, sell, convey and confirm unto DENNY'S, INC. herein called the grantee, the following described real property in Omaha, Douglas County, Nebraska:

That part of the SW 1/4 of the NE 1/4 of Section 10, Township 15 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, more particularly described as follows:

Commencing at the center of Section 10, Township 15 North, Range 12, East of the 6th P.M. in Douglas County, Nebraska, thence North along the West line of the SW 1/4 of the NE 1/4 a distance of 183.0 feet; thence East on a line parallel with and 183.0 feet North of the South line of the SW 1/4 of the NE 1/4 a distance of 80.0 feet to the true point of beginning; thence North on a line parallel with and a distance of 80.0 feet East of the West line of the SW 1/4 of the NE 1/4 a distance of 105.0 feet; thence East parallel with the South line of the SW 1/4 of the NE 1/4 a distance of 15.0 feet; thence North parallel with the West line of the SW 1/4 of the NE 1/4 a distance of 12.0 feet; thence East parallel with the South line of the SW 1/4 of the NE 1/4 a distance of 85.0 feet; thence South parallel with the West line of the SW 1/4 of the NE 1/4 a distance of 117.0 feet; thence West parallel with the South line of the SW 1/4 of the NE 1/4 a distance of 100.0 feet to the true point of beginning. (Containing 11,520 sq. ft.) The above described property being subject to a permanent 40-foot storm sewer and a drainage easement.

This Deed is subject to certain restrictive covenants, a copy of which is attached hereto, marked Exhibit "1" and made a part of this Deed by reference; Said covenants run with the land and shall be binding upon the assignees and successors of the Grantee herein.

This conveyance is also subject to all easements and restrictive covenants of record.

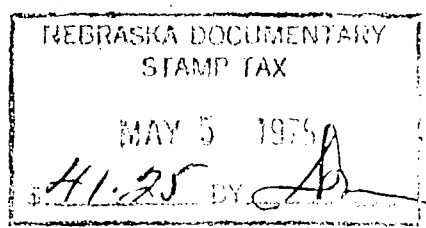
To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's successors and assigns forever.

And the Grantors for theirselves and their successors do hereby covenant with the grantee and with grantee's successors and assigns that grantors are lawfully seised of said premises; that they are free from encumbrance except easements and encumbrances of record; that grantors have good right and lawful authority to convey the same; and that grantors warrant and will defend the title to said premises against the lawful claims of all persons whatsoever.

In witness whereof, the grantors have hereunto signed this instrument.

DATED March 8, 1975.

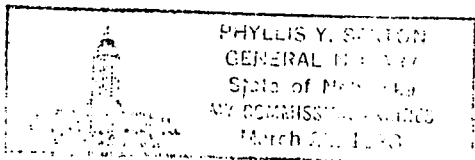
*J. Frederic Schlott*  
Trustee  
*R. H. Hays*  
Trustee  
*Willis G. Farrington*  
Trustee



STATE OF NEBRASKA )  
( ss.  
COUNTY OF DOUGLAS )

Before me, a notary public qualified in said county, personally came WILLIS G. FARRINGTON, J. FREDERIC SCHLOTT and RICHARD H. HAYS, known to me to be the identical persons who signed the foregoing instrument as Trustees, and acknowledged the execution thereof to be their voluntary act and deed as Trustees and their voluntary act and deed as individuals.

WITNESS my hand and notarial seal on May 2, 1975.



Phyllis Y. Sexton  
Notary Public

COVENANTS

1. The Grantee conveys rights of ingress and egress and common parking rights to the Grantor on the asphalt parking area. The Grantor conveys rights of ingress and egress and mutual parking privileges to the Grantee and the customers of either the Grantor or the Grantee on the property adjoining on the East to 89th Street a distance of approximately 190 feet East of the East property line of the land conveyed herein and which property extends to the North a distance of approximately 180 feet North of the North property line of the land conveyed herein. The parking privileges to include the double bay of the parking on the North side of the building located at 3015 No. 90th Street. The Grantor and the Grantee will maintain in good condition at all times, parking areas under their control and keep said area free from clutter, accumulation of snow and trash.

2. The Grantor will also grant permanent rights of usage for ingress and egress to the Grantee across and along a frontage road which will lie between the land conveyed herein and 90th Street.

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