



DEED 2014008611



FEB 03 2014 11:18 P 3

Nebr Doc Stamp Tax
02-03-2014 Date
\$ Ex005
By MB

Fee amount: 22.00  
FB: 63-16040  
COMP: MB

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
02/03/2014 11:18:56.00



2014008611

Record and Return to:

Keith Halperin, Esq  
Levy & Halperin, LLP  
381 Park Avenue South  
Suite 713  
New York, NY 10016

**QUITCLAIM DEED**

The *Grantor*, **WIENER OMAHA I, LLC** a limited liability company, organized and existing under and by virtue of the laws of the State of Nebraska, and having a business address of 600 Mamaroneck Avenue, Harrison, New York 10528, in consideration of the sum of One Dollar and other good and valuable consideration received, does quitclaim, grant, bargain, sell, convey, and confirm unto its wholly owned subsidiary, **FOX RIDGE APARTMENTS, LLC** a Delaware limited liability company duly authorized to transact business in the State of Nebraska, having a business address of 600 Mamaroneck Avenue, Harrison, New York 10528, herein called the *Grantee*, the following described real property in the City of Omaha, Douglas County, Nebraska:


having a street address of  
**10834 Cottonwood Lane, Omaha, Nebraska, and  
and more particularly described on Schedule A hereto**

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.

[SIGNATURE ON NEXT PAGE]

In witness whereof, Grantor has executed this instrument effective as of January 31 , 2014.

**WIENER OMAHA I, LLC**  
a Nebraska limited liability company

By:   
Eric R. Wiener, in his capacity as  
manager of the Wiener Acquisition  
Company, LLC, the manager of The  
MAXX Wiener Company, LLC (which  
is the manager of the Grantor)

STATE OF COLORADO        )  
  ) ss:  
COUNTY OF DENVER        )

The foregoing instrument was acknowledged before me this 28 day of January, 2014, by Eric R. Wiener in his capacity as manager of the Wiener Acquisition Company, LLC, the manager of The MAXX Wiener Company, LLC, which is the manager of the Grantor

  
Notary Public

**MICHELLE E. ENDSLEY**  
NOTARY PUBLIC - STATE OF COLORADO  
Notary ID: 20104034318  
My Commission Expires Sept. 1, 2014

## SCHEDULE A

That part of Lot 2, in HEIDE HEIGHTS, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of said Lot 2; thence North  $18^{\circ} 08' 35''$  East (assumed bearing), 428.89 feet, on the East line of said Lot 2, to the Northeast corner of Lot 2; thence North  $89^{\circ} 53' 55''$  West, 262.91 feet, on the North line of said Lot 2; thence South  $00^{\circ} 06' 05''$  West, 70.00 feet, on a line 260.00 feet East of and parallel to the Northerly portion of the West line of said Lot 2; thence South  $12^{\circ} 06' 05''$  West, 84.83 feet; thence South  $00^{\circ} 06' 05''$  West, 254.93 feet, on a line 150.00 feet East of and parallel to the Southerly portion of the West line of said Lot 2, to the South line of said Lot 2; thence South  $89^{\circ} 56' 20''$  East, 147.72 feet, on the South line of said Lot 2, to the Point of Beginning;

And,

Lot 2, in HEIDE HEIGHTS, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, EXCEPT that part more particularly described as follows:

Beginning at the Southeast corner of said Lot 2; thence North  $18^{\circ} 08' 35''$  East (assumed bearing), 428.89 feet, on the East line of said Lot 2, to the Northeast corner of Lot 2; thence North  $89^{\circ} 53' 55''$  West, 262.91 feet, on the North line of said Lot 2; thence South  $00^{\circ} 06' 05''$  West, 70.00 feet, on a line 260.00 feet East of and parallel to the Northerly portion of the West line of said Lot 2; thence South  $12^{\circ} 06' 05''$  West, 84.83 feet; thence South  $00^{\circ} 06' 05''$  West, 254.93 feet, on a line 150.00 feet East of and parallel to the Southerly portion of the West line of said Lot 2, to the South line of said Lot 2; thence South  $89^{\circ} 56' 20''$  East, 147.72 feet, on the South line of said Lot 2, to the Point of Beginning;

Together with non-exclusive easements for use and enjoyment including maintenance and installation of utilities, driveways and parking, and use of recreational facilities over, under and upon subject property as contained in Cross Easement Agreement dated June 21, 1988 and recorded June 21, 1988, in Book 852 at Page 588 of the Miscellaneous Records of Douglas County, Nebraska.