

31

FILED

BOOK 2008 PAGE 3809

2008 JUL -3 PM 1:31

**THIS INSTRUMENT PREPARED BY:**

D. Helen Ford, Esq.  
Greenberg Traurig, P.A.  
450 South Orange Avenue, Suite 650  
Orlando, Florida 32801

*Carol Stevens*  
DODGE COUNTY  
REGISTER OF DEEDS  
COMPARE INDEX FEE \$ 15.50

~~LandAmerica National Commercial Services~~  
LandAmerica National Commercial Services  
450 S. Orange Avenue, Suite 170  
Orlando, FL 32801  
Attention: **Christi Pawlak** *08-514*

NEBRASKA DOCUMENTARY  
STAMP TAX  
Date *7-3-08*  
\$1800 - By *CA*

TAX PARCEL ID NO. 270130011

**SPECIAL WARRANTY DEED**

This Indenture, entered into this 27<sup>th</sup> day of June, 2008, by and between CNL APF PARTNERS, LP, a Delaware limited partnership, whose post office address is 450 South Orange Avenue, 11<sup>th</sup> Floor, Orlando, Florida, 32801-3336, Attention: Asset Management ("Grantor") and D & P HOLDINGS I, LLC, an Iowa limited liability company, whose post office address is 1302 NW Cedarwood Drive, Ankeny, Iowa 50023 ("Grantee").

**WITNESSETH** that: Grantor, for Ten Dollars (\$10.00) and other valuable consideration, in hand paid at and before the sealing and deliver of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed, and by these presents, does grant, bargain, sell, alien, convey and confirm unto the said Grantee, its successors and assigns, that certain real property legally described on the attached **Exhibit A** (the "Property");

**SUBJECT TO** all taxes, assessments, liens, easements, encumbrances and restrictions of record and all matters that an accurate inspection or survey of the property would disclose;

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to the only proper use, benefit and behalf of Grantee, its successors and assigns forever, in fee simple;

**AND** the Grantor, subject to the matters set forth above, hereby binds itself to warrant and defend title to the Property as against all acts of the Grantor and those claiming by, through or under Grantor herein and none other.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

~~Not to be returned to:~~  
→ PROFESSIONAL TITLE & ESCROW CO.  
222 S. 15TH ST # 249N  
OMAHA NEBRASKA 68102  
ORL 297,008,813v2 6-26-08 108683.016300

*X1206C - Record 2nd*

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on the day and year first above written by its undersigned lawful officer hereunto duly authorized.

Signed, sealed and delivered this in the presence of:

CNL APF PARTNERS, LP, a Delaware limited partnership

By: CNL APF GP, LLC, a Delaware limited liability company, its sole general partner

[Signature]  
Print Name: Debra L. Mack  
[Signature]  
Print Name: Lillian T. Spivey

[Signature]  
By: \_\_\_\_\_  
Name: Thomas G. Kindred  
Title: Authorized Signatory

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 27th day of June, 2008, by Thomas G. Kindred, as Authorized Signatory of CNL APF GP, LLC, a Delaware limited liability company, the sole general partner of CNL APF PARTNERS, LP, a Delaware limited partnership, on behalf of the company and partnership. He/She is  personally known to me or  has produced as identification.



[Signature]  
NOTARY PUBLIC  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**

Legal Description of the Property

**The West 237.00 feet of Lot 1, Block 1, Howard Williams Fifth Addition, an Addition to the City of Fremont, Dodge County, Nebraska, together with easement rights for ingress and egress as contained within the Agreement filed April 22, 1998 in Book 1998 at Page 2365 of the Records of Dodge County, Nebraska.**