



DEED 2016106598



DEC 21 2016 08:33 P 6

Nebr Doc Stamp Tax
12-21-2016 Date
\$8210.25
By SB

Fee amount: 40.00
FB: 61-14810
COMP: SB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/21/2016 08:33:16.00



2016106598

SPACE ABOVE RESERVED FOR REGISTER OF DEEDS OFFICE RECORDING INFORMATION

RETURN TO: Clay Arnold
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor,
Dallas, Texas 75204

SPECIAL WARRANTY DEED

FULL & COMPLETE LEGAL DESCRIPTION – OR ATTACH LEGAL DESCRIPTION ON PAGE 2 IF
ADDITIONAL SPACE IS NEEDED:

Legal Description:

10729 J Street, Omaha, Nebraska

The land is located in the County of DOUGLAS, State of Nebraska and described as follows:

Parcel One: All of Lot 2, and the North 100 feet of Lot 3, Hampton Commercial Plaza, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

Parcel Two: Easements for the benefit of subject property as created by Easement Agreement by and between Shoney's, Inc. and Omaha Hotel, Inc., dated January 22, 1988, filed January 25, 1988 in Miscellaneous Book 837 at Page 649.

Recording Requested By, and
When Recorded, Return to:

Clay Arnold
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, Texas 75204

This Instrument Prepared by:

Kyle B. Beaty, Esq.
Winstead PC
500 Winstead Building
2728 N. Harwood Street
Dallas, TX 75201

Special Warranty Deed

PWR-15- -10729 J ST LLC, a Delaware limited liability company ("Grantor"), whose address is c/o C-III Asset Management LLC, Attn: James Harbur, 5221 North O'Connor Blvd., Suite 600, Irving, TX 75039, for and in consideration of the sum of THREE MILLION SIX HUNDRED FORTY-EIGHT THOUSAND SEVEN HUNDRED FIFTY and NO/100 Dollars (\$3,648,750.00) cash and other good and valuable consideration to it paid by SRUSHTI HOSPITALITY, LLC, a Nebraska limited liability company ("Grantee"), whose mailing address is 100 N. 13th Street, Suite 300, P.O. Box 1623, Norfolk, Nebraska 68701, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto the Grantee that certain tract of land ("Land") described in **Exhibit "A"** hereto, together with all improvements thereon and all rights and appurtenances appertaining thereto (herein collectively called the "Property").

This conveyance is given and accepted subject to the permitted exceptions set forth on **Exhibit "B"** hereto and to any and all municipal or other governmental zoning laws, regulations and ordinances, if any, affecting the Property (herein called the "Permitted Encumbrances").

Grantee, by its acceptance hereof, agrees to assume and be solely responsible for payment of all ad valorem taxes pertaining to the Property that are due and payable in the calendar year 2016 and subsequent years; there having been a proper proration of same between Grantor and Grantee.

Grantee, by its acceptance hereof, 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.

TO HAVE AND TO HOLD the Property and all improvements located thereon, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its legal representatives, successors, and assigns forever; and Grantor does hereby bind itself, its legal representatives, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Encumbrances, unto Grantee, its legal representatives, 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.

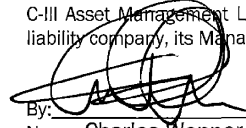
WITNESS THE EXECUTION HEREOF as of the 20th day of December, 2016.

to be effective

GRANTOR:

PWR-15- -10729 J ST LLC, a Delaware limited liability company

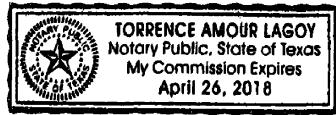
By: C-III Asset Management LLC, a Delaware limited liability company, its Manager



By: _____
Name: Charles Wenner
Title: Servicing Officer

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

This instrument was acknowledged before me on December 12, 2016, by Charles Wenner, Servicing Officer of C-III Asset Management LLC, a Delaware limited liability company, the Manager of PWR-15- -10729 J ST LLC, a Delaware limited liability company, on behalf of said entity.



Torrence A Lagoy
Notary Public # 128 250 50-5
My commission expires: 7-26-2018

Exhibit "A"

Legal Description

10729 J Street, Omaha, Nebraska

The land is located in the County of DOUGLAS, State of Nebraska and described as follows:

Parcel One: All of Lot 2, and the North 100 feet of Lot 3, Hampton Commercial Plaza, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

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Special Warranty Deed
Comfort Inn (Omaha)
4832-8244-5117v.1 51270-317

Exhibit A

Exhibit "B"

Permitted Encumbrances

- a. Liens for all current general and special real property taxes and assessments not yet due and payable;
- b. Covenants, conditions, restrictions, reservations, rights, rights of way, and easements of record, if any, including without limitation utility or municipal easements as presently installed;
- c. Any statement of facts an accurate survey and/or a personal inspection of the Property may disclose, including but not limited to any encroachments;
- d. Any laws, regulations, ordinances (including, but not limited to zoning, historic preservation, building and environmental) as to the use, occupancy, subdivision or improvement of the Property adopted or imposed by any governmental body, or the effect of any noncompliance with or any violation thereof, including but not limited to any disclosure and/or report required by ordinance;
- e. Rights of existing tenants and/or occupants of the Property, if any;
- f. Prior grants, reservations, exceptions or leases of coal, oil, gas, or other minerals;
- g. Any and all rights of redemption; and
- h. The following additional items:
 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
 3. Easements, claims of easement or encumbrances which are not shown by the public records.
 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
 5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
 6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
 7. Defects, liens, encumbrances, adverse claims or other matters, if any, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
 8. Notices of code violations, code enforcement, or similar notices, not appearing of record in the office of the Register of Deeds of Douglas County, Nebraska.
 9. Taxes and Assessments not yet due or payable and special assessments not yet certified to the county treasurer's office:
 2015 County taxes total \$87,969.40; First Half paid; Second Half paid
 Tax ID No: 3268 5009 12
 Taxed As: All Lot 2 & N 100 ft Lot 3 Hampton Commercial Plaza

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Exhibit B

10. Easements as set forth on the Plat and contained in the Dedication of Hampton Commercial Plaza filed December 16, 1987, as Book 1817, Page 297 Official Records. Disclaimer and Partial Release by Cox Cable, filed November 3, 1994, in Book 1133, Page 57, Official Records, Douglas County, Nebraska. Disclaimer and Partial Release by Omaha Public Power District, filed November 3, 1994, in Book 1133, Page 58, Official Records, Douglas County, Nebraska. Partial Release of Easement, by U S West Communications, Inc., filed November 3, 1994, in Book 1133, Page 59, Official Records, Douglas County, Nebraska.
11. Terms and conditions of limitations of access contained in Deed, filed December 5, 1962, as Book 1170, Page 277, Official Records, Douglas County, Nebraska.
12. Terms and conditions of Protective Covenants, filed January 22, 1988, as Book 837, Page 597, Official Records, Douglas County, Nebraska.
13. Terms and conditions of Right of Way Easement granted to Omaha Public Power District, filed October 7, 1986, as Book 791, page 245, Official Records, Douglas County, Nebraska.
14. Terms and conditions of Easement Agreement, filed January 25, 1988, as Book 837, Page 649, Official Records, Douglas County, Nebraska.
15. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) and/or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
16. The rights or interest of tenants in possession, as tenants only, pursuant to unrecorded or recorded leases, contracts and/or verbal agreements.

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Exhibit B