Pages 2 Doc Tax \$ 38.25 EX #	2018-2222 M-305A
Fee Amt \$ 16.00 Ck Pd \$ 54.25	111-3131
Cash PD \$Refund \$ Paid by #67 WOLLENBURCk # _ 1657 Ck #	State of Nebraska Gage County ss. Entered in Numerical Index and filed for record the day of AUGUST ,2018
CUSTOMER CHG CODE	at 8:15 o'clock A. M., and recorded as INSTRUMENT NO 2018- 2222
TRACT INDEX COMPUTER COMPARED PAGED	Register of Deeds  By Deputy

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

### TRUSTEE'S DEED

RETURN TO:

KNOW ALL MEN BY THESE PRESENTS:

NEBRASKA DOCUMENTARY
STAMP TAX
Date \_08-16-2018
\$ \_38.25 By JN

That a Deed of Trust was made and entered into on or about November 30, 2004, by and between Evelyn J. Tiemann, a single person, as Trustor, and CitiFinancial, Inc. (MD), Beneficiary, wherein Michael F. Kivett was named Trustee. This Deed of Trust was recorded December 1, 2004 in the Records of the Register of Deeds of Gage County, Nebraska as Instrument No. 2004-5091.

On or about February 8, 2017, CFNA Receivables (MD), Inc. f/k/a CitiFinancial, Inc. d/b/a CitiFinancial, Inc. (MD), Beneficiary, assigned all of its right, title and beneficial interest in the Deed of Trust to CitiFinancial Servicing, LLC. The Assignment was recorded February 21, 2017, in the office of the Register of Deeds of Gage County, Nebraska, as Instrument No. 2017-505.

On or about February 8, 2017, CitiFinancial Servicing, LLC, Beneficiary, assigned all of its right, title and beneficial interest in the Deed of Trust to Bayview Loan Servicing, LLC. The Assignment was recorded February 21, 2017, in the office of the Register of Deeds of Gage County, Nebraska, as Instrument No. 2017-506.

Camille R. Hawk, Attorney at Law, has been appointed Successor Trustee, pursuant to a Substitution of Trustee filed for record with the Register of Deeds of Gage County, Nebraska. Hereinafter the Successor Trustee, Camille R. Hawk, Attorney at Law, will be referred to as GRANTOR.

The GRANTOR in consideration of Sixteen Thousand Five Hundred Dollars and No Cents (\$16,500.00) and other valuable consideration received from Curtis L. Wollenburg and Laurie A. Wollenburg, husband and wife, as joint tenants with full rights of survivorship, hereinafter GRANTEES, does hereby grant, bargain, sell, convey and confirm unto GRANTEES the following described real property in Gage County, Nebraska:

Lot 1 and the East 30 feet of Lot 2, Pemberton Block Addition to Beatrice, Gage County, Nebraska

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

GRANTOR does hereby covenant with the GRANTEES and with the GRANTEES' successors and assigns:

(1) That Evelyn J. Tiemann, a single person, as Trustor, failed to pay the Beneficiary payments which were contractually due, and the GRANTOR, at the request of the Beneficiary, elected to declare the entire unpaid principal balance, together with interest thereon, at once immediately due and payable.

2018-2222

- (2) That a Notice of Default was recorded by GRANTOR on May 16, 2018, as Instrument No. 2018-01267, in the records of the Register of Deeds, Gage County, Nebraska. Within ten (10) days thereafter, a copy of the recorded Notice of Default was mailed by certified mail, postage prepaid, to all parties entitled to notice, pursuant to said Deed of Trust and in compliance with Neb. Rev. Stat. § 76-1008.
- (3) That Trustor, Evelyn J. Tiemann, a single person, failed to cure the default referenced in the Notice of Default within 30 days after the recording of the Notice of Default.
- (4) That a Notice of Trustee's Sale was executed by GRANTOR. At least twenty (20) days prior to the date of sale, a copy of the Notice of time and place of the Trustee's Sale was mailed by certified mail, postage prepaid, to all parties entitled to notice, pursuant to said Deed of Trust and in compliance with Neb. Rev. Stat. § 76-1008.
- (5) GRANTOR published the Notice of Trustee's Sale, to be held on August 9, 2018 at 10:00 a.m., at the South door of the Gage County Courthouse, 6th and Grant Streets, Beatrice, Gage County, Nebraska, which notice was published in *Beatrice Daily Sun* of Beatrice, Nebraska, once a week for five (5) consecutive weeks, commencing on June 26, 2018, and ending July 24, 2018. The last publication of Notice was at least ten (10) days prior to the Trustee's Sale, held on August 9, 2018, and said sale was not later than thirty (30) days after the last publication of Notice.
- (6) GRANTOR conducted the sale of the real property at public auction on August 9, 2018 at or about 10:00 a.m., at the South door of the Gage County Courthouse, 6th and Grant Streets, Beatrice, Gage County, Nebraska. GRANTOR accepted the bid of Curtis L. Wollenburg and Laurie A. Wollenburg, husband and wife, in the sum of Sixteen Thousand Five Hundred Dollars and No Cents (\$16,500.00) as the highest bid upon said real property. GRANTOR has complied with the requirements of Neb. Rev. Stat. §§ 76-1001 through 76-1018, in the exercise of the sale of the real property described herein at the Trustee's Sale held on August 9, 2018.

This Deed shall operate to convey to the GRANTEES, the GRANTOR'S title and all right, title, interest and claim of the Trustor, and his or her successors in interest and of all persons claiming by, through or under him or her, in and to the above-described real property, including all such right, title, interest and claim in and to such property acquired by the Trustor or his or her successors in interest subsequent to the execution of the Deed of Trust.

This Deed is subject to all easements, restrictions or covenants of record which GRANTOR is not entitled to convey pursuant to Neb. Rev. Stat. § 76-1010(2).

DATED this \_\_/O day of August, 2018.

Camille R. Hawk, Attorney at Law, Successor Trustee.

By:\_\_\_

Camille R. Hawk (#20395)

For

Walentine O'Toole, LLP

11240 Davenport Street, P.O. Box 540125

Omaha, NE 68154-0125

(402) 330-6300

chawk:a;walentineotoole.com

STATE OF NEBRASKA

] ss.

**COUNTY OF DOUGLAS** 

On this day of August, 2018, before me the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Camille R. Hawk, Attorney at Law, Successor Trustee, and personally known to me to be the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her voluntary act and deed.

WITNESS my hand and notarial seal the date last aforesaid.

General Notary - State of Nebraska CAROLYN LISKE My Comm. Exp. Sept. 21, 2019. , Notary Public

Pages 2 Doc Tax \$EX #		M-305A 2010-352
Fee Amt \$ 16.00 Ck Pd \$		State of Nebraska Gage County ss. Entered in Numerical Index and filed for record the
CUSTOMER CHG CODERETURN TO_#67 WOLLENBURG		INSTRUMENT NO 2018- 2230
WILL PICK UP	COMPUTER COMPARED	Register of Deeds  Deputy

## REVOCABLE TRANSFER ON DEATH DEED (Husband and Wife joint tenants with rights of survivorship)

#### **Notice to Owner**

This form must be recorded with the Register of Deeds of the County in which the property is located before your death and it also must be recorded with the Register of Deeds of the County in which the property is located within 30 days after it was signed. If either of these requirements is not met, this form will not be effective.

#### **Identifying Information about Owners**

Name of Owners
Curtis L Wollenburg
Laurie A Wollenburg

Mailing Address of Owners
1810 Park St
Beatrice, NE 68310

#### **Notice to Register of Deeds**

This is a transfer on death deed and a Real Estate Transfer Statement, Form 521 is not required with the filing of this Transfer on Death deed under Neb. Rev. Stat. 76-214(2)(b).

#### **Legal Description**

The following real estate is transferred by this document, effective at the death of the Owners to the Primary Beneficiaries as provided below.

# Lot 1 and the East 30 feet of lot 2, Pemberton Block Addition to Beatrice, Gage County, Nebraska

#### **Primary Beneficiaries**

I designate the following beneficiaries of this revocable transfer on death deed if the beneficiaries survive us. (1/2 share of the real estate each)

Name of Primary Beneficiaries	Mailing Address of Primary Beneficiaries
Justin L Wollenburg	1023 High St Beatrice, NE 68310
Brandon D Wollenburg	1924 Jefferson St Beatrice, NE 68310

#### **Transfer on Death**

At my death, I transfer my interest in the described property to the beneficiaries as designated above. The transfer occurs at the death of the Transferor.

#### **Survivorship Required**

Under Nebraska law, the interest of a designated beneficiary is contingent on the designated beneficiaries surviving the transferor by one hundred twenty (120) hours.

#### This TOD Deed is Revocable

Before my death, I have the right to revoke this deed.

#### **Legally Required Warnings in the TOD Deed:**

Please pay close attention to the following warnings.

2018-2230

#### Warning

The property transferred remains subject to inheritance taxation in Nebraska to the same extent as if owned by the transferor at death. Failure to timely pay inheritance taxes is subject to interest and penalties as provided by law.

#### Warning:

The designated beneficiary is personally liable, to the extent of the value of the property transferred, to account for Medicaid reimbursement to the extent necessary to discharge any such claim remaining after application of the assets of the transferor's estate. The designated beneficiary may also be personally liable, to the extent of the value of the property transferred, for claims against the estate, statutory allowances to the transferor's surviving spouse and children, and the expenses of administration to the extent needed to pay such amounts by the personal representative.

#### Warning:

The Department of Health and Human Services may require revocation of this deed by a transferor, a transferor's spouse, or both a transferor and the transferor's spouse in order to qualify or remain qualified for Medicaid assistance.

#### Signature of Owners Making This Transfer on Death Deed

We, Curtis L Wollenburg and Laurie A Wollenburg, husband and wife, joint transferors, each sign my name to this instrument this 16th day of August, 2018, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this transfer on death deed to transfer my interest in the described real property and that I sign it willingly or willingly direct another to sign for me, that I execute it as my free and voluntary act for the purposes therein expressed, that I am eighteen years of age or older or am not at this time a minor, and that I am of sound mind and under no constraint or undue influence.

Cart S. W. May	Laurie a (Nollanbura	
Curtis L Wollenburg (Transferor)	Laurie A Wollenburg (Transferor)	
We, Dave Jones and the transferor signs and executes this transfer on death deed to transfer his or her interest in the described real property and that he or she signs it willingly or willingly directs another to sign for him or her, and that he or she execute it as his or her free and voluntary act for the purposes therein expressed, and that each of us, in the presence and hearing of the transferor, hereby signs this deed as witness to the transferor's signing, and that to the best of our knowledge the transferor is eighteen (18) years of age or older or is not at this time a minor and the transferor is of sound mind and under no constraint or undue influence.		
Cavid June.	Leng Foxers	
STATE OF NEBRASKA ) ) ss.		
COUNTY OF GAGE )		
Subscribed, sworn to, and acknowledged before me by Curtis L Wollenburg and Laurie A Wollenburg, the transferor, and subscribed and sworn to before me by <u>David</u> <u>Jones</u> and <u>Kim Tolkerts</u> , witnesses, on the 16th day of August, 2018.		
GENERAL NOTRRY - State of Nebraska DAWN HILL My Comm. Exp. April 14. 2020	Notary Public	