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APR 26 2011 09:19 P 5

Fee amount: 42.50 FB: 03-80000 COMP: SB

Received – DIANE L. BATTIATO
Register of Deeds, Douglas County, NE



Upon recording return to: Mark B. Johnson, 11440 West Center Road, Suite C, Omaha, Nebraska 68144

## PARTIAL DEED OF RECONVEYANCE

The indebtedness secured by the Deed of Trust and Security Agreement and Fixture Financing Statement with Assignment of Leases and Rents (the "Deed of Trust") executed by Riverview Properties, LLC, ("Trustor") and Mark B. Johnson, as substitute trustee ("Trustee"), for the benefit of Pierce Street, LLC, as Beneficiary ("Beneficiary") dated January 18, 2005, and recorded in the Mortgage Records of the Office of the Register of Deeds of Douglas County, Nebraska, filed on January 20, 2005, as Instrument Number 2005-007257, has been partially paid, and the Beneficiary has requested, in writing, that this Partial Deed of Reconveyance be executed and delivered.

In accordance with the request of the Beneficiary, the Trustee reconveys to the person or persons entitled thereto all the right, title, interest and claim acquired by the Trustee pursuant to the Deed of Trust in the following described real property located in Omaha, Douglas County, Nebraska legally described on Exhibit "A" attached hereto and by this reference made a part hereof

Trustee releases the Deed of Trust only as to the property described on Exhibit "A". Nothing contained in this Partial Deed of Reconveyance shall be deemed to release or satisfy the obligations owed to Beneficiary and secured by the remaining property described in the Deed of Trust.

Dated this 21st day of April, 2011.

Trusted

Nothing Rublic

STATE OF NEBRASKA )
) ss
COUNTY OF DOUGLAS)

On this day of April, 2011, before me, the undersigned, a Notary Public within and for said county and state, personally came Mark B. Johnson, Trustee, to me personally known to be the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his/her respective voluntary act and deed as Trustee under said Deed of Trust.

Witness my hand and notarial seal the day and year last above written.

GENERAL NOTARY - State of Nebraska
DEBRA KAY LEACH
My Comm. Exp. May 28, 2014

# REQUEST FOR PARTIAL DEED OF RECONVEYANCE

The undersigned duly authorized representative of Pierce Street, LLC, beneficiary under that certain Deed of Trust and Security Agreement and Fixture Financing Statement with Assignment of Leases and Rents dated January 18, 2005 and recorded in the office of the Register of Deeds of Douglas County, Nebraska on January 20, 2005 as Instrument Number 2005-007257 (the "Deed of Trust"), requests the Trustee execute and deliver a Partial Deed of Reconveyance releasing the property described on the attached Exhibit "A" from the lien of the Deed of Trust. The Beneficiary acknowledges a partial payment of the obligation secured by the Deed of Trust.

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Dated this	
	Pierce Street. LLC,
	a Nebraska limited liability company, as Beneficiary
	By Mille
	Its: M. Pay Vaconx (Name)
	Mrm ber (Title)
STATE OF NEBRASKA )	. ,
)ss.	
COUNTY OF DOUGLAS )	
•	fore me on the 21 <sup>5t</sup> day of April, 2011 by Paul
Vacanti, the member of	f Beneficiary, on behalf of Beneficiary.
	Dinasko (od O
L CEDRA KAY LEACH	otary Public
My Comm. Exp. May 28, 2014	

### EXHIBIT "A"

#### LEGAL DESCRIPTION

PARCEL 1: 25-08180

03-80000

01-60000

23-31600

Part of Blocks 1 and 18, in CREDIT FONCIER, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska; together with Block 243 and part of Blocks 242, 244, 268 and 269, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, also together with part of Government Lot 4 in the Southwest Quarter (SW½) of Section 23, Township 15 North, Range 13 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, also together with part of vacated Pierce Street, Poppleton Avenue, William Street, 3rd Street, 4th Street and alleys contained within said blocks, a portion of which has been platted as QUAKER PLACE, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska, the entire parcel described as follows:

Beginning at a point 15.00 feet South of the Southwest corner of Lot 7, Block 244, said point being on the extended West line thereof; thence South 89°46'42" West (assumed bearings), for 40.44 feet, parallel with and 15.00 feet South of the South line of Lot 6, in said Block 244, to the East right-of-way line of the Burlington Northern Railroad; thence North 39°54'59" West, for 143.75 feet, along said East right-of-way line, to the West line of Lot 5, Block 244; thence North 00°31'06" East, for 48.74 feet, along said West line of Lot 5, Block 244; thence South 89°44'49" East, for 33.95 feet, parallel with and 10.00 feet North of the North line of Lot 5, Block 244; thence North 00°26'07" East, for 82.82 feet, parallel with and 32.00 feet West of the East line of Lot 4, Block 244, to the North line thereof; thence South 89°55'05" East, for 114.16 feet, along said North line of Block 244; thence North 00°32'13" West, for 130.30 feet; thence North 89°04'06" East, for 5.04 feet; thence North 00°32'17" West, for 128.08 feet, to the South property line of the Union Pacific Railroad; thence North 89°24'59" East, for 173.60 feet, along said South property line; thence South 00°35'54" East, for 61.96 feet, along said South property line; thence North 89°25'08" East, for 477.39 feet, along said South property line and the North line of Quaker Place, to the West right-of-way line of Burlington Northern Railroad's Quaker Oats Company spur line and the East line of Quaker Place; thence South 09°46'40" East, for 362.31 feet, along said West right-of-way line and the East line of Quaker Place; thence South 06°11'40" East, for 477.44 feet, along said West right-of-way line and the East line of Quaker Place, to the Southeast corner thereof; thence South 05°35'23" East, for 85.46 feet, along said West right-of-way line; thence South 06°14'47" East, for 529.18 feet, to a point 10.00 feet South of (measured perpendicular to) the South line of Lot 1, Block 18, Credit Foncier; thence North 89°58'44" West, for 125.38 feet, to the extended West line of Lot 2, in said Block 18, Credit Foncier; thence North 00°09'19" East, for 226.93 feet, along said West line extended North; thence North 89°59'00" West, for 81.91 feet, parallel with and 15.00 feet South of the South line of Lots 5 and 6, Block 1, Credit Foncier; thence North 00°10'17" East, for 341.50 feet, parallel with and 16.00 feet West of the West line of Lots 3 and 6, of said Block 1, Credit Foncier; thence South 89°59'00" West, for 64.97 feet; thence North 00°01'56" East, for 42.62 feet, to the South line of said Quaker Place; thence North 89°26'53" West, for 4.98 feet, to the most Southerly Southwest corner of said Ouaker Place; thence North 00°00'41" West, for 14.99 feet, parallel with and 20.00 feet West of the West line of Lot 5. Block 269; thence North 89°45'03" West, for 308.44 feet, along the South line of said Block 268 and the Easterly extension thereof; thence North 2743'42" West, for 74.80 feet, to the West line of said Block 268; thence South 89°40'25" East, for 66.01 feet, to the West line of Lot 6, Block 268; thence North 00°05'06" East, for 302.84 feet, along the West line of Lots 3 and 6, Block 268 and the Northerly extension thereof, to the South line of said Quaker Place; thence North 88'18'24" West, for 85.62 feet, along said South line, to the Southwest corner thereof; thence South 89°26'39" West, for 64.84 feet; thence North 00°18'08" West, for 162.95 feet, along a line 15.00 feet East of and parallel to the East line of Lot 8, of said Block 244; thence South 89°59'46" West, for 4.63 feet, to an existing building corner; thence South 88°55'18" West, for 10.40 feet, along said building line, to the extended East line of Lot 1, in said Block 244; thence South 00°19'14" East, for 5.64 feet, along said extended East line of Lot 1; thence North 89°52'38" West, for 131.70 feet, parallel with and 10.00 feet North of the North line of Lots 7 and 8, Block 244; thence

South 00°14'57" East, for 157.11 feet, along the West line of said Lot 7, Block 244, to the Point of Beginning;

#### **EXCEPT** that part thereof described as follows:

25-08180

23-31620

That part of Blocks 1 and 18, in CREDIT FONCIER, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, together with part of Lot 1, in QUAKER PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, an also together with part of vacated Pierce Street, Poppleton Avenue, William Street, 3<sup>rd</sup> Street and vacated alleys contained within said blocks, the entire parcel described as follows:

Beginning at a 5/8 inch solid bar at the intersection of the centerline of the vacated East-West alley in said Block 18 with the Southerly extension of the West line of Lot 2, in said Block 18; thence North 02°10'42" West (assumed bearings), for 226.89 feet, along the West line of said Lot 2, Block 18, extended North, to a star drill hole at the South line of the vacated North 15.00 feet of William Street; thence South 87°43'38" West, for 81.92 feet, along said South line parallel with and 15.00 feet South of the South line of Lots 5 and 6, said Block 1, to a 5/8 inch solid bar; thence North 02°07'55" West, for 341.29 feet, parallel with and 16.00 feet West of the West line of Lots 3 and 6, said Block 1, to a 1 inch solid bar at the center line of vacated Poppleton Avenue; thence South 87°44'00" West, for 65.06 feet, along said center line, to a star drill hole; thence North 02°14'51" West, for 42.66 feet, to the South line of said Quaker Place; thence South 88°16'42" West, for 4.98 feet, along said South line, to a 4 inch brass cap at the most Southerly Southwest corner of said Quaker Place; thence North 02°17'52" West, for 14.94 feet, along the West line of said Quaker Place, to a 4 inch brass cap at the North right-of-way line of Poppleton Avenue; thence South 87°56'21" West, for 44.95 feet, along said right-of-way line; thence North 02°10'31" West, for 316.04 feet, to a survey spike with washer stamped LS 692 that is 15.00 feet West of the West rail of the East track of the Quaker Oats spur line; thence along a line parallel with and 15.00 feet West of said rail, the following four (4) courses; 1. thence North 48°31'25" West, for 91.35 feet; 2. thence along a curve to the right (having a radius of 725.30 feet and a long chord bearing North 44°16'45" West, for 59.26 feet), for an arc length of 59.28 feet, to a survey spike with washer stamped LS 692; 3. thence along a curve to the right (having a radius of 300.10 feet and a long chord bearing North 26°46'32" West, for 168.93 feet), for and arc length of 171.24 feet, to a survey spike with washer stamped LS 692; 4. thence North 10°25'43" West, for 238.22 feet, to the South right-of-way line of the Union Pacific Railroad and the North line of said Quaker Place; thence North 87°05'33" East, for 349.77 feet, along said right-of-way line, to the West right-ofway of the Burlington Northern Railroad and the Northeast corner of said Quaker Place; thence South 12°06'15" East, for 362.31 feet, along said right-of-way line and the East line of said Quaker Place; thence South 08°31'16" East, for 477.44 feet, continuing along said right-of-way line, to the Southeast corner of said Quaker Place; thence South 07°53'43" East, for 85.46 feet, continuing along said right-of-way line; thence South 08°04'53" East, for 296.66 feet, continuing along said right-of-way line; thence along a curve to the left (having a radius of 5,701.78 feet and a long chord bearing South 09°12'26" East, for 232.55 feet), for an arc length of 232.56 feet, continuing along said right-of-way line, to the center line of said vacated East-West alley in said Block 18; thence South 87°43'02" West, for 125.40 feet, along said center line, to the Point of Beginning.

PARCEL 2:

03-80000

Part of Lots 1 and 2, in Block 267, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, together with the vacated West 20.00 feet of 4th Street abutting said Lot 1, the entire parcel described as follows:

Beginning on the extended North line of said Lot 1, 20.00 feet East of the Northeast corner thereof; thence South 00°24'20" East (assumed bearings), for 132.06 feet, along a line parallel with and 20.00 feet East of the East line of said Lot 1, to the North line of the East-West 20.00 foot public alley in said Block 267; thence North 89°44'37" West, for 43.59 feet, along said North line, to the East right-of-way line of the Burlington Northern Railroad; thence North 32°48'50" West,

for 157.15 feet, along said East right-of-way line, to the South right-of-way line of Pierce Street; thence South 89°54'11" East, for 127.82 feet, along said South right-of-way line, to the Point of Beginning.

PARCEL 3:

Part of Lot 8, in Block 267, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, described as follows:

03-80000

Beginning at the Northeast corner of said Lot 8; thence South 01°10'12" West (assumed bearings), for 17.63 feet, along the East line of said Lot 8, to the East right-of-way line of the Burlington Northern Railroad; thence North 32°17'06" West, for 20.69 feet, along said East right-of-way line, to the North line of said Lot 8; thence North 89°19'02" East, for 11.41 feet, to the Point of Beginning.

PARCEL 4:

Lots 1 and 2 and part of Lots 3 and 4, in Block 2, in CREDIT FONCIER, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, together with the West 15.00 feet of vacated 3rd Street abutting said Lot 1, the entire tract described as follows:

25-08180

Beginning at a point 15.00 feet East of the Northeast corner of said Lot 1 on the extended North line thereof; thence South 00°10'48" West (assumed bearings), for 132.08 feet, along a line 15.00 feet East of and parallel to the East line of said Lot 1, to the extended South line thereof; thence North 89°47'15" West, for 159.53 feet, along the South line of said Lots 1, 2 and 3, to the East right-of-way line of the Burlington Northern Railroad; thence North 32°11'08" West, for 156.64 feet, along said East right-of-way line, to the North line of said Lot 4; thence South 89°44'48" East, for 243.38 feet, along the North line of said Lots 1, 2, 3 and 4, and the Easterly extension thereof, to the Point of Beginning.

PARCEL 5:

25-08180

Part of Lots 7 and 8, in Block 2, in CREDIT FONCIER, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, together with the West 15.00 feet of vacated 3rd Street abutting said Lot 8, also together with the North 15.00 feet of vacated William Street from the East right-of-way line of the Burlington Northern Railroad to a line 15.00 feet East of the East line of said Lot 8, the entire tract described as follows:

Beginning at a point 15.00 feet East of the Northeast corner of said Lot 8 on the extended North line thereof; thence South 00°11'04" West (assumed bearings), for 146.99 feet, parallel with and 15.00 feet East of the East line of said Lot 8, to a point 15.00 feet South of the South line of said Lot 8; thence North 89°47'15" West, for 57.41 feet, parallel with and 15.00 feet South of the South line of said Lot 8, to the East right-of-way line of the Burlington Northern Railroad; thence North 31°08'32" West, for 172.27 feet, along said East right-of-way line, to the North line of said Lot 7; thence South 89°44'17" East, for 146.98 feet, to the Point of Beginning.

PARCEL 7:

Easement Rights for a Private Roadway in instrument datedMarch 6, 1959 and recorded April 3, 1959, in Book 340 at Page 489 of the Miscellaneous Records of Douglas County, Nebraska.

PARCEL 8:

Easement Rights for pedestrian and vehicular ingress and egress as contained in instrument dated December 8, 1999 and recorded December 10, 1999, in Book 1319 at Page 606 of the Miscellaneous Records of Douglas County, Nebraska.