

COMPARED

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22002

REC044520



Pottawattamie County Rec John F. Sciortino  
FEE BOOK 9904-22002 4/12/2004 @ 05:43EM  
W D WARRANTY DEED Book:104 Page:21913 #: 2  
Total Fees Collected: \$26.00

Preparer

Information Vacanti & Randazzo Construction Company, 11205 John Galt Blvd., Omaha, Nebraska 68137. Phone: (402) 339-3777

SPACE ABOVE THIS LINE FOR RECORDER

Address Tax Statement: V & R Joint Venture, 11205 John Galt Blvd., Omaha, Nebraska 68137

WARRANTY DEED

For the consideration of One (\$1.00) Dollar(s) and other valuable consideration, Vacanti & Randazzo Construction Company, a Nebraska corporation, does hereby Convey to V & R Joint Venture, a Nebraska general partnership, the following described real estate in Pottawattamie County, in the City of Council Bluffs, Iowa:

See attached Exhibit "A" attached hereto and incorporated herein by this reference.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and Convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

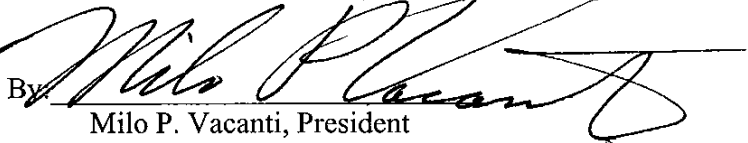
Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

EXEMPT NO. 21

Dated:

4/6/04

VACANTI & RANDAZZO CONSTRUCTION COMPANY, a Nebraska corporation,

By:   
Milo P. Vacanti, President

Entered for Taxation

APR 12 2004



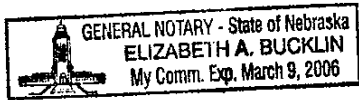
COUNTY AUDITOR

BK 104 PG 21913

LEGAL DESCRIPTION CORRECTED BY AUDITORS OFFICE WITH PHONE PERMISSION BY PAUL VACANTI 4/13/04

STATE OF NEBRASKA, DOUGLAS COUNTY, ss:

On this 19<sup>th</sup> day of April, before me, the undersigned, a Notary Public in and for said State, personally appeared Milo P. Vacanti, the President of Vacanti & Randazzo Construction Company, a Nebraska corporation, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed on behalf of said corporation.



*Elizabeth A. Bucklin*  
Notary Public

(This form of acknowledgment for corporate grantor(s) only)

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#### EXHIBIT A

#### Legal Description of Property

A part of the West  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 3 and a part of the East  $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 4 all in Township 74 North, Range 44 West of the 5th PM, Pottawattamie County in the City of Council Bluffs, Iowa, which is more particularly described as follows:

Commencing at the West  $\frac{1}{4}$  corner of said Section 3 thence North, 1355.00 feet; thence West 496.19 feet to the point of beginning being also a point on the Northeasterly right-of-way line of 35th St. Diagonal; thence along the Southerly right-of-way line of a railroad easement N53°12'15"E, 35.33 feet; thence Northeasterly 282.46 feet along a 435.28 foot radius curve to the right; thence S89°37'E, 204.28 feet; thence South, 28.00 feet; thence S89°37'E, 38.77 feet; thence S00°23'W, 70.05 feet; thence S36°47'45"E, 286.24 feet; thence Southwesterly 55.19 feet along a 316.48 foot radius curve to the left with chord bearing S58°12'W, 55.13 feet; thence S53°12'15"W, 319.85 feet; thence S74°37'40"W, 41.07 feet; thence N81°47'45"W, 21.21 feet; thence N44°14'50"W, 38.56 feet; thence along the Northeasterly right-of-way line of 35th St. Diagonal N36°47'45"W, 526.80 feet to the point of beginning.

**Note:** The West line of the NW $\frac{1}{4}$  of Section 3 is assumed to bear North-South.