



DEED 2005019182



FEB 22 2005 08:11 P 3

Nebr Doc Stamp Tax
2/23/05
Date
\$ 5.00
By DC

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/22/2005 08:11:15.30



2005019182

When recorded, return to:

John S. Katelman, Esq.
Blackwell Sanders Peper Martin LLP
1620 Dodge Street, Suite 2100
Omaha, NE 68102

Space Above for Recorder's Use Only

6 Deed
 3 FEE 16.00 FB 07-39566
 2 BKP C/O COMP
 DEL SCAN FV PS

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF OMAHA, a municipal corporation of the State of Nebraska ("Grantor"), in consideration of the sum of One Dollar (\$1.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto RIVERFRONT CAMPUS DEVELOPERS II, LLC, a Nebraska limited liability company ("Grantee"), the following described real estate (the "Property") located in the City of Omaha, Douglas County, State of Nebraska, to-wit:

Lot 12, Union Pacific Place , a subdivision, as surveyed, platted and recorded in Omaha, Douglas County, Nebraska, together with, without limitation, a 62 foot ingress and egress easement in favor of said Lot 12 and a 36 foot ingress and egress easement on favor of said Lot 12, both lying over and across the adjoining Lot 3, Union Pacific Place, a subdivision in Omaha, Douglas County, Nebraska, as set forth on the Plat and Dedication of Union Pacific Place recorded December 3, 2002, in Book 2228 and Page 111 of the Records of Douglas County, Nebraska;

together with all the tenements, hereditaments, and appurtenances thereunto belonging, and all the estate, right, title, interest, claim or demand whatsoever of the Grantor of, in, or to any part thereof.

TO HAVE AND TO HOLD the Property, together with the tenements, hereditaments, and appurtenances thereunto belonging and all the estate, right, title, interest, claim or demand whatsoever of the Grantor of, in, or to any part thereof, unto the Grantee, and to its successors and assigns forever, and the Grantor, for itself and its successors and assigns, does hereby covenant with the Grantee, its successors and assigns, that Grantor is lawfully seized of the Property; that the Property is free from encumbrances except for the easements, covenants, agreements and restrictions set forth on Exhibit "A" attached hereto and by this reference incorporated herein; that Grantor has good right and lawful authority to sell and convey the same; and that Grantor, and its successors and assigns, shall warrant and defend the same unto

EXHIBIT "A"

1. Easements set forth on the Plat and Dedication of Union Pacific Place recorded on December 3, 2002, in Book 2228 at Page 111 of the Deed Records of Douglas County, Nebraska.
2. Declaration of Restrictive Covenants dated November 3, 2000 filed November 3, 2000 in Book 1357 at Page 297 of the Records of Douglas County, Nebraska.
3. Declaration of Restrictive Covenants and Waiver dated July 26, 2001 filed August 2, 2001 in Book 1392 at Page 547 of the Records of Douglas County, Nebraska.
4. Declaration of Restrictive Covenants dated June 29, 2001 filed August 21, 2001 in Book 1395 at Page 741 of the Records of Douglas County, Nebraska.
5. Terms, conditions, restrictions, reservations, provisions and limitations contained within Ordinance No. 35543 together with the Redevelopment Agreement and all Amendments attached thereto as referenced, and further amended by Ordinance No. 36004, passed July 23, 2002 and contained in instrument filed July 31, 2003 as instrument number 2003144737 of the Records of Douglas County, Nebraska.