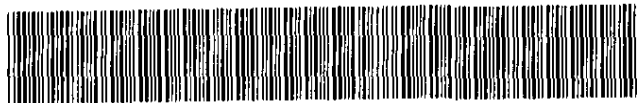


DEED 2010028746



APR 06 2010 09:02 P 5

Nebr Doc
Stamp Tax

4/6/10
Date

\$3460⁵⁰

By MAN

Deed

FEE 2550 FB 01-11246

BKP _____ C/O _____ CO SB

DEL _____ SCAN _____ FV _____

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/6/2010 09:02:42.48

2010028746

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Return To: #9 _____

Check Number
002670

SPECIAL WARRANTY DEED

5104 L.L.C., a Nebraska limited liability company, GRANTOR, whether one or more, in consideration of one dollar and other valuable consideration received from GRANTEE, Jasper Stone Empire Park II LLC, a Nebraska limited liability company, whether one or more, conveys and confirms to GRANTEE the following described real estate (as defined in Neb. Rev. Stat. ss76-201):

See Exhibit A attached hereto

Grantor covenants (jointly and severally, if more than one) with the Grantee that Grantor:

- (1) is lawfully seized of such real estate and that it is free from encumbrances except for the "Permitted Exceptions" set forth on Exhibit B attached hereto;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof through, by or under Grantor, but not otherwise.

Executed on this 30 day of March, 2010.

5104 L.L.C., a Nebraska limited liability company

By: [Signature]
Print Name: Rick Scott
Title: MANAGER

STATE OF Nebraska)
)
COUNTY OF Douglas)^{ss}

The foregoing instrument was acknowledged before me on 3/30, 2010, by Rick L. Scott Manager of 5104 L.L.C., a Nebraska limited liability company, GRANTOR. Member

[Signature]
Notary Public



2 NE101097

Exhibit A to the Deed

Legal Description

Lot 2, Empire Park Replat 5, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

EXHIBIT B to the Deed

List of Permitted Exceptions

1. General Real Estate Taxes for the tax year 2009 for Parcel C totaling \$24,791.26 were due December 31, 2009; the first installment of such taxes are paid; the second installment of such taxes does not become delinquent until August 1, 2010. (Tax Parcel ID#: 2359-2302-10)
2. Deed of Trust dated August 1, 2001, filed August 3, 2001, in Book 6613 at Page 80 of the Records of Douglas County, Nebraska, executed by 5104 L.L.C., a Nebraska limited liability company to Ronald L. Eggers, Attorney at Law, as Trustee and Old American Insurance Company, a Missouri corporation, Beneficiary, securing the principal sum of \$1,150,000.00.
 - (a). Mortgage Loan Modification Agreement filed June 7, 2006, as instrument number 2006063463 of the Records of Douglas County, Nebraska, executed by and between 5104 L.L.C., a Nebraska limited liability company and Old American Insurance Company, a Missouri corporation.
 - (b). Assumption Agreement dated 3-31- 2010, filed 4-6- 2010, as instrument number 2010028747 of the Records of Douglas County, Nebraska, executed by and between Empire Spectrum L.P. a Nebraska limited partnership, Jasper Stone Empire Park I, LLC, a Nebraska limited liability company and Kansas City Life Insurance Company (as successor-in-interest to Old American Insurance Company, a Missouri corporation).
3. Matters affecting the land described herein as Parcel C, as revealed upon the ALTA/ACSM Survey dated December 2, 2009 and last revised March 26, 2010 by Louis Whisonant, Nebraska Registered Land Surveyor No. LS421, entitled "Spectrum Office Park".
4. Assignment of Rents and Leases dated August 1, 2001, filed August 3, 2001, in Book 1392 at Page 712 of the Records of Douglas County, Nebraska, executed by and between 5104 L.L.C., a Nebraska limited liability company and Old American Insurance Company, a Missouri corporation.
5. Declaration of Protective Covenants filed January 9, 1981, in Book 644 at Page 682 of the Records of Douglas County, Nebraska, which contains certain terms, conditions, restrictions, reservations, limitations and easements as described therein.
 - (a). Assignment filed July 27, 1990, in Book 932 at Page 474 of the Records of Douglas County, Nebraska.
6. Declaration of Protective Covenants filed February 24, 1984, in Book 705 at Page 629 of the Records of Douglas County, Nebraska, which contains certain terms, conditions, restriction, reservations, provision, limitations and easements affecting subject property as set forth therein.
7. Easement and Right of Way filed February 7, 1985, in Book 730 at Page 619 of the Records of Douglas County, Nebraska, granted to Metropolitan Utilities District on, over, under and through a portion of land as described therein.
8. Easements with Covenants and Restrictions Affecting Land ("ECR") dated July 9, 1995, filed July 20, 1995, in Book 1151 at Page 687 of the Records of Douglas County, Nebraska, executed by and between Empire Spectrum, L.P., a Nebraska limited partnership and 5104 L.L.C., Nebraska limited liability company, subject to terms and conditions of same.

9. Easement and Right of Way dated August 28, 1995, filed September 1, 1995, in Book 1155 at Page 316 of the Records of Douglas County, Nebraska, granted to Metropolitan Utilities District, on, over, under and through a portion of land described therein.
10. Easements set forth within Administrative Subdivision filed December 4, 1998, in Book 1272 at Page 644 of the Records of Douglas County, Nebraska.