



MISC 2011035942



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Fee amount: 59.00
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COMP: SB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
04/26/2011 09:19:05.00



2011035942

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filed as received

SUBSTITUTION OF TRUSTEE

Mark B. Johnson, an attorney duly licensed in the State of Nebraska, whose address is 11440 West Center Road, Suite C, Omaha, Nebraska 68144, is hereby appointed successor trustee under the certain Deed of Trust and Security Agreement and Fixture Financing Statement with Assignment of Leases and Rents executed by Riverview Properties, LLC, ("Trustor") and Larry A. Jobeun, as 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. The property affected is legally described on the attached Exhibit "A".

Beneficiary:

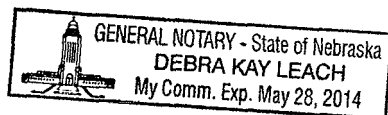
Pierce Street, LLC,
a Nebraska limited liability company

By: [Signature]
Its: m. Paul Vacanti (Name)
member (Title)

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 21st day of April, 2011 by Paul Vacanti, the member of Beneficiary, on behalf of Beneficiary.

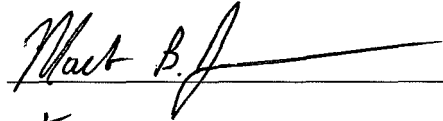
[Signature]
Notary Public



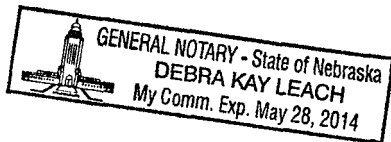
AFFIDAVIT OF SERVICE

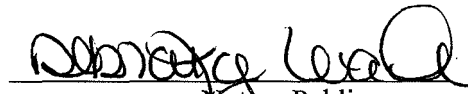
STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

Mark B. Johnson, an attorney duly licensed in the State of Nebraska, whose address is 11440 West Center Road, Suite C, Omaha, Nebraska 68144, states that a copy of the foregoing Substitution of Trustee was delivered by U.S. certified mail to the trustee being replaced herein on April __, 2011, at the last known address of the trustee being replaced herein.



SUBSCRIBED and sworn to before me on this 21st day of April, 2011.




Notary Public

filed as is

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1: 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 (SW¹/₄) 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:

25-08180

03-80000

01-60000

23-31600

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 Quaker 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 27°43'42" 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.

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:
03-80000 Part of Lot 8, in Block 267, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, described as follows:

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:
25-08180 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:

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.

25-08180 PARCEL 5: 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 3°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.

25-14120 PARCEL 6: Part of Lots 3, 4, 5, 6 and 7, Block 438, and Lots 6, 7, 8, 9, 10 and part of Lots 4, 5 and 11, Block 433, and Lots 7 and 8 and part of Lots 6, 9 and 10, Block 430, and part of Lots 7 and 8, Block 429, all in GRANDVIEW, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, together with part of Lots 4 and 5, Block 270, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, also together with part of Tax Lot 1 in the Northwest Quarter (NW¼) of Section 26, 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 Poppleton Avenue, William Street and Woolworth Avenue and all vacated alleys abutting the above Lots and Blocks, the entire tract described as follows:

01-60000

Beginning at a point on the East right-of-way line of 2nd Street, being 100.00 feet South of the South right-of-way line of Pierce Street, as extended East from Block 267, Original City of Omaha, as surveyed and lithographed, in Douglas County, Nebraska; thence South 16°25'36" East (assumed bearings), for 116.24 feet, to a point 75 feet West of (measured perpendicular to) the center line of the original Missouri River levee of the East Omaha Drainage District and the West line of the Levee easement; thence along a curve to the right (having a radius of 3,744.72 feet and a long chord bearing South 15°41'47" East, for 140.90 feet), for an arc length of 140.91 feet, to a point 75 feet West of (measured radially to) the centerline of said Levee; thence South 1°32'18" East, for 74.43 feet, to a point 70 feet West of (measured perpendicular to) the center line of said Levee; thence South 13°39'03" East, for 792.74 feet, to a point 15.00 feet South of the North line of Block 438, Grandview, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska, said point being 70 feet West of (measured perpendicular to) the center line of said Levee; thence South 89°21'55" West, for 229.55 feet, parallel with and 15.00 feet South of said North line, to the center line of the Burlington Northern Railroad's Quaker Oats Company spur line; thence North 0°03'21" West, for 130.63 feet, to a point 6.00 feet West of (measured perpendicular to) said center line; thence North 0°08'38" West, for 363.41 feet, parallel with and 6.00 feet West of said center line, to the East right-of-

way line of 2nd Street; thence North 00°09'43" East, for 599.79 feet, to the Point of Beginning.

PARCEL 7: Easement Rights for a Private Roadway in instrument dated March 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.