

2016-01345

**RECORDER MARK BRANDENBURG
POTTAWATTAMIE COUNTY, IA
FILE TIME: 02/03/2016 9:21:47 AM
REC: 15.00AUD: 5.00T TAX: 413.60
RMA: 1.00ECM: 1.00**

WARRANTY DEED

Prepared by: Janet Clark, 91140 West Dodge Road, Suite 380, Omaha, Nebraska, 68114

Taxpayer Information: Council Bluffs RE LLC, c/o Steve M. Hinchcliff, 4645 South 84th Street, Omaha, NE 68127

Return To: Council Bluffs RE LLC, c/o Steve M. Hinchcliff, 4645 South 84th Street, Omaha, NE 68127

Grantor: Rhoden Auto Center, Inc. an Iowa corporation

Grantee: Council Bluffs RE LLC

Legal Description: See page 2 of Deed

WARRANTY DEED

For the consideration of One Dollar (\$1.00) and other valuable consideration, RHODEN AUTO CENTER, INC., an Iowa corporation, ("Grantor"), does hereby convey to Council Bluffs RE LLC, an Iowa limited liability company, ("Grantee"), the following described real estate in Pottawattamie County, Iowa;

See Attached Exhibit "A"

All together with all easements and servient estate appurtenant thereto, and subject to all easements, covenants, reservations and restrictions of record.

Grantor does hereby covenant with Grantee and Grantee's successors in interest, that Grantor holds the real estate by title in fee simple, that the real estate is free and clear of all liens and encumbrances except as may be stated above; and Grantor covenants to warrant and defend the real estate against the lawful claims of all persons.

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.

Dated 2/1/2016

RHODEN AUTO CENTER, INC., an Iowa corporation

By: [Signature]
Richard L. Muller, Assistant Secretary

STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledge before me this 1 day of ~~January~~ ^{FEBRUARY}, 2016, by Richard D. Muller, as the Assistant Secretary of Rhoden Auto Center, Inc., an Iowa corporation, for and on behalf of the corporation.

[Signature]
NOTARY PUBLIC

My Commission Expires: 8-21-2016

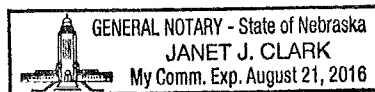


EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land located in the SE1/4 NW 1/4 of Section 12, Township 74 North, Range 44 West of the 5th Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the center of said Section 12; thence S90°00'00"W along the South line of the NW1/4 of said Section 12 a distance of 7.40 feet to a point on the Westerly right of way line of Iowa State Highway No. 192, said point being on a nontangent curve concave Southwesterly and having a radius of 1845.00 feet; thence Northwesterly along said Westerly right of way line of Iowa State Highway No. 192 and along said nontangent curve an arc length of 71.52 feet and having a chord bearing and distance of N11°47'41"W, 71.52 feet to a point on the North right of way line of 34th Avenue; thence S90°00'00"W along said North right of way line of 34th Avenue, a distance of 555.92 feet to the point of beginning; thence N0°00'34"W, 449.73 feet to a point on the South line of a 25.00 foot wide railroad right of way; thence S89°59'26"W along said South Railroad right of way line a distance of 387.46 feet; thence S0°00'34"E a distance of 449.67 feet to a point on said North right of way line of 34th Avenue; thence N90°00'00"E along said North right of way line of 34th Avenue a distance of 387.46 feet to the point of beginning.

NOTE: The South line of the NW1/4 of said Section 12 is assumed to bear N90°00'00"E for this description.

EXCEPT

A parcel of land located in the SE1/4 NW1/4 of Section 12, Township 74 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa; more particularly described as follows:

Commencing at the center of said Section 12, thence N90°00'00"W along the South line of the NW1/4 of said Section 12 a distance of 7.40 feet to a point on the Westerly R.O.W. line of South Expressway, said point being on a nontangent curve concave Southwesterly and having a radius of 1845.00 feet; thence Northwesterly along said Westerly R.O.W. line of South Expressway and along said nontangent curve an arc length of 71.52 feet and having a chord bearing and distance of N11°47'41"W 71.52 feet to a point on the North R.O.W. line of 34th Avenue; thence N90°00'00"W along said North R.O.W. line of 34th Avenue a distance of 555.11 feet; thence N0°00'34"W 139.72 feet to the point of beginning; thence S89°59'00"W 150.00 feet; thence N0°00'34"W 310.00 feet to a point on the South line of a 25.00 foot wide Railroad R.O.W., thence N89°59'00"E along said South Railroad R.O.W. a distance of 150.00 feet; thence S0°00'34"E 310.00 feet to the point of beginning, exclusive of any Public R.O.W.

NOTE: The South line of the NW1/4 of said Section 12-74-44 is assumed to bear N90°00'00"W.