

2019-02236

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RECORDING FEE: 22.00

IOWA E-FILING FEE: 3.00

TOTAL FEE: 25.00

TRANSFER TAX: 6879.20

**MARK BRANDENBURG, RECORDER
POTTAWATTAMIE COUNTY, IOWA**

SPECIAL WARRANTY DEED

Preparer Information: Samuel J. Cooper, TitleCore National, LLC, 8701 West Dodge Road, Suite 150, Omaha, Nebraska, 68114 402/691-9933

Return document to: TitleCore National, LLC, 8701 West Dodge Road, Suite 150, Omaha, Nebraska 68114

Name of Taxpayer: 3400 South Expressway, LLC, 1010 34th Avenue, Council Bluffs, Iowa 51501

Grantor: Council Bluffs RE LLC

Grantee: 3400 South Expressway, LLC

Legal Description: See Attached Document page 2

SPECIAL WARRANTY DEED

Council Bluffs RE LLC, an Iowa limited liability company, GRANTOR, in consideration of One Dollar and other valuable consideration received from grantees, receipt of which is acknowledged, conveys to 3400 South Expressway, LLC, an Iowa limited liability company, GRANTEE, whether one or more, the following described real estate (as defined in Neb. Rev. Stat. ss76-201) Pottawattamie County, Iowa:

SEE EXHIBIT "A" ATTACHED HERETO

GRANTOR covenants (jointly and severally, if more than one) with the GRANTEES that GRANTOR:

- (1) is lawfully seized of such real estate that it is free from encumbrances;
- (2) has legal power and lawful authority to convey the same;
- (3) specially warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof by, through, or under Grantor.

Executed: March 1, 2019

Council Bluffs RE LLC, an Iowa limited liability company

By: [Signature]
Steven M. Hinchcliff, President

STATE OF Nebraska

COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 1 day of March, 2019 by

Steven M. Hinchcliff, President of Council Bluffs RE LLC, an Iowa limited liability company, for and on behalf of the company.

Yulia R. Namer
Notary Public

My Commission expires on June 19, 2019



EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A:

Those parts of the North 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 12, Township 74 North, Range 44 West of the 5th P.M., in Council Bluffs, Pottawattamie County, Iowa, described as follows: Commencing at the Northeast corner of the said N1/2 NE1/4SW1/4 of Section 12; thence West 506 feet; thence South 231.9 feet; thence East parallel with the North line 506 feet; thence North 231.9 feet to the place of beginning;

and

Commencing at a point on the North and South centerline of said Section 12 which is 2177.8 feet North of the South Quarter Section corner; thence North on said centerline 224.3 feet; thence North 89 °30' West 506 feet; thence South 224.3 feet; thence South 89 °30' East 506 feet to the point of beginning.

Parcel B:

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 SE1/4NW1/4 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.