

State of Nebraska, Merrick County, Filed for Record

August 22 05 at 8:30 O'clock A M

Recorded in Book A36 of Deeds Page 625

Merrick County Clerk Maria T. Bruckmeier

BOOK A36 PAGE 625

DEED IN LIEU OF FORECLOSURE

KAYLN L. MASON, single, Grantor, in lieu of foreclosure, conveys unto BANK OF CLARKS the following described real estate as defined in Nebraska Revised Statutes Section 76-201:

Lots Eight (8), Nine (9), and Ten (10), Block Thirty (30), Original Town of Clarks, Merrick County, Nebraska,

together with all buildings, improvements, fixtures, and appurtenances located thereon.

Grantor covenants with Grantee that Grantor is lawfully seized of such real estate and that the real estate is free from encumbrance, except encumbrances of record; has legal power and lawful authority to convey the real estate.

Non-Merger. Grantor and Grantee acknowledge and agree that this Deed in Lieu of Foreclosure does not merge the fee simple title of the real estate with the lienhold interest of Bank of Clarks by reason of a Deed of Trust recorded at Book 159, Page 199, of the Mortgage Records of Merrick County, Nebraska. It is Bank of Clark's intention to hold the fee simple title subject to the Bank's own liens against the real estate and to retain all rights of a secured creditor with respect to the property including, but not limited to, the right to sale under the Nebraska Trust Deed Act and the right to commence a judicial foreclosure.

Kayln L. Mason

STATE OF NEBRASKA, COUNTY OF Merrick:

The foregoing instrument was acknowledged before me on August 3rd, 2005, by KAYLN L. MASON, a single person.

D. L. G. VanPelt

Notary Public

deedlieu

NEBRASKA DOCUMENTARY STAMP TAX	
Date <u>August 22, 2005</u>	By <u>me</u>
\$ <u>(3)</u>	

