DEED 2012131765

DEC 26 2012 16:18 P 6

Nebr Doc
Stamp Tax

12-26-2012
Date

$5674.50

By DW

Fee amount: 34.00
FB: 16-37400
COMP: DW

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/26/2012 16:18:35.00

2012131765

THE ABOVE SPACE IS RESERVED FOR THE REGISTER OF DEEDS RECORDING INFORMATION

THIS PAGE INCLUDED FOR INDEXING

First American Title Insurance Co
National Commercial Services
Attn: Debbie Saxton
13924 Gold Circle
Omaha, NE 68144

Return to:

SPECIAL WARRANTY DEED

For the consideration of the sum of Ten and 00/100 Dollars ($10.00) and other valuable consideration, ND 24 TURNER PARK LOFTS, LLC, an Iowa limited liability company ("Grantor"), does hereby grant, sell and convey unto TURNER PARK NORTH, LLC ("Grantee") and its successors and assigns forever, the real estate (as defined in Neb. Rev. Stat. 76-201) located in Douglas County, Nebraska, as described in Exhibit A attached hereto and incorporated by this reference ("Property").

TOGETHER WITH all and singular the tenements, hereditaments, easements, rights and appurtenances thereunto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, and interest in and to the Property, as well in law as in equity.

SUBJECT only to those matters set forth on Exhibit B attached hereto and incorporated by this reference ("Permitted Exceptions").

Grantor hereby, for itself and its successors and assigns, covenants and agrees with Grantee that Grantor is lawfully seized in fee simple of the Property herein conveyed; that it has good right to sell and convey the same in the manner set forth herein and the Property is free and clear of all liens, claims and encumbrances by and through and under the Grantor, except for the Permitted Exceptions; that Grantor, its successors and assigns shall warrant and defend the same unto Grantee forever against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed this 20th day of December, 2012.

GRANTOR:
ND 24 TURNER PARK LOFTS, LLC, an Iowa limited liability company

By: NELSON DEVELOPMENT 1, LLC, Member and Manager

By: _____
Michael K. Nelson, Manager

DOCS/1152023.1

State of Iowa)
) ss.
County of Dallas)

The foregoing instrument was acknowledged before me on December 20, 2012, by Michael K. Nelson, the manager of NELSON DEVELOPMENT 1, LLC, an Iowa limited liability company, in its capacity as a member and manager of ND 24 TURNER PARK LOFTS, LLC, an Iowa limited liability company, on behalf of the company.

Notary Public George Schneider

NOTARIAL SEAL IOWA
GEORGE SCHNEIDER
Commission Number 731800
My Commission Expires
December 2, 2013

DOCS/1152023.1

Exhibit "A"
Legal Description

"North Tower"
PARCEL 1: 16-37400
LOTS 8, 9, AND 10, IN BLOCK 1, IN SUMMIT PLACE, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, EXCEPT THOSE PORTIONS THEREOF DESCRIBED AS APARTMENT UNITS NO. P1 TO P51, BOTH INCLUSIVE ALL IN TWIN TOWERS CONDOMINIUM, A CONDOMINIUM PROPERTY REGIME ORGANIZED UNDER THE LAWS OF THE STATE OF NEBRASKA, IN THE CITY OF OMAHA, IN DOUGLAS COUNTY, NEBRASKA, PURSUANT TO MASTER DEED DATED DECEMBER 27, 1983, FILED DECEMBER 30, 1983, IN BOOK 1721 AT PAGE 280 OF THE DEED RECORDS OF DOUGLAS COUNTY, NEBRASKA, AS AMENDED BY AMENDMENT TO MASTER DEED FILED JULY 18, 1984, IN BOOK 714 AT PAGE 377, AND BY AMENDMENT TO MASTER DEED FILED JANUARY 6, 1986. IN BOOK 762 AT PAGE 260, AND BY AMENDMENT TO MASTER DEED DATED MAY 18, 1988, FILED MAY 27, 1988. IN BOOK 850 AT PAGE 223 AND AMENDMENT TO MASTER DEED FILED FEBRUARY 22, 1989, IN BOOK 878 AT PAGE 290, ALL OF THE MISCELLANEOUS RECORDS OF DOUGLAS COUNTY, NEBRASKA, AND AMENDMENT TO MASTER DEED FILED JULY 7, 1993, IN BOOK 1954 AT PAGE 532 OF THE DEED RECORDS OF DOUGLAS COUNTY, NEBRASKA.

"East Lot"
PARCEL 2: 16-04020
LOTS 2, 3, 4, 5 AND 6, BLOCK 4 BOGG'S AND HILL'S SECOND ADDITION, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED, IN DOUGLAS COUNTY, NEBRASKA.

DOCS/1152023.1

Exhibit "B"
Permitted Exceptions

1. Terms and conditions of covenants, restrictions and easements contained in Master Deed, filed December 30, 1983, as Book 1721, Page 280, Official Records, Douglas County, Nebraska.

   Amendment to Master Deed, filed July 18, 1984, in Book 714, Page 377, Official Records, Douglas County, Nebraska.

   Amendment to Master Deed filed January 6, 1986, in Book 762, Page 260, Official Records, Douglas County, Nebraska.

   Amendment to Master Deed dated May 18, 1988, filed May 27, 1988, in Book 850, Page 223, Official Records, Douglas County, Nebraska.

   Amendment to Master Deed filed February 22, 1989 in Book 878, Page 290, Official Records of Douglas County, Nebraska.

   Amendment to Master Deed filed July 7, 1993, in Book 1954, Page 532, Official Records of Douglas County, Nebraska.

   Amendment to Master Deed filed November 14, 1997, in Book 1229, Page 79, Official Records of Douglas County, Nebraska.

   Amendment to Master Deed filed August 28, 1998, in Book 1261, Page 309, Official Records of Douglas County, Nebraska.

2. Terms and conditions of use restrictions and ingress/egress easements, as contained in Warranty Deed, filed April 23, 1996, as Book 2030, Page 450, Official Records, Douglas County, Nebraska.

3. Code Enforcement filed February 5, 2004, as Instrument No. 2004015650, Official Records, Douglas County, Nebraska, regarding deficiencies in dwelling located on subject property.

4. Code Enforcement filed October 19, 2007, as Instrument No. 2007118403, Official Records, Douglas County, Nebraska, regarding deficiencies in dwelling located on subject property.

5. Code Enforcement filed April 26, 2011, as Instrument No. 2011106875, Official Records, Douglas County, Nebraska, regarding deficiencies in dwelling located on subject property.

6. Code Enforcement filed April 26, 2011, as Instrument No. 2011035884, Official Records, Douglas County, Nebraska, regarding deficiencies in dwelling located on subject property.

   Partial Release filed April 5, 2012 as Instrument No. 2012032168, Records, Douglas County, Nebraska. Notice filed April 18, 2012 as Instrument No. 2012036842, Records, Douglas County, Nebraska.

7. Code Enforcement filed February 21, 2012, as Instrument No. 2012016201, Official Records, Douglas County, Nebraska, regarding deficiencies in dwelling located on subject property.

8. Terms and conditions of easement contained in Warranty Deed filed December 9, 1974, as Book 745, Page 280, Official Records, Douglas County, Nebraska.

9. The rights or interest of tenants in possession, as tenants only, pursuant to unrecorded or recorded leases, contracts and/or verbal agreements.