



MISC 2004000674

1400 N TAKEDHI  
REGISTER OF DEEDS  
TULSA COUNTY, OKLA



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| <i>Misc.</i><br>( $\frac{6}{3}$ ) | FEE <u>31.<sup>00</sup></u> | FB <u>61-43480-old</u> |
|                                   | BKP _____ C/O _____         | COMP <u>800-</u>       |
|                                   | DEL _____                   | SCAN _____ FV _____    |

Temp. 12.4.01

# 35

WESTWOOD HEIGHTS 12TH ADDITION REPLAT 2

LEGAL DESCRIPTION

Lot 1 and Lot 2, Westwood Heights 12th Addition, Replat 2, Douglas County, Nebraska, being a replatting of a part of Lot 21, Westwood Heights 12th Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as follows:

Commencing at a point on the North line of the Union Pacific Railroad right-of-way, said point being 110.0 feet East of the West line of the Southwest Quarter of Section 31, Township 15 North, Range 12 East of the 6th P.M.; thence North 0°00'07" East (assumed bearing) on a line 110.0 feet East of and parallel to the West line of said Southwest Quarter, 595.0 feet to the point of beginning; thence continuing North 0°00'07" East on said line, 846.01 feet; thence North 89°43'29" East, 250.55 feet to the West line of Lots 1006 through 1024, Westwood Heights 12th Addition; thence South 0°03'44" West on said line, 848.02 feet; thence North 89°59'53" West, 249.65 feet to the Point of Beginning.

and, also:

Part of Lot 21, Westwood Heights 12th Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, together with the vacated County right-of-way and vacated "D" Street right-of-way adjoining said Lot on the South, all more particularly described as follows:

Beginning at a point on the North line of the Union Pacific Railroad right-of-way, said point being 110.0 feet East of the West line of the Southwest Quarter of Section 31, Township 15 North, Range 12 East of the 6th P.M.; thence North 0°00'07" East (assumed bearing) on a line 110.00 feet East of and parallel to the West line of said Southwest Quarter, 595.00 feet; thence South 89°59'53" East, 249.65 feet to the West line of Lot 1008, Westwood Heights, 14th Addition Replat; thence South 0°03'44" West on said West line, 35.16 feet; thence South 45°16'00" East, on the southwesterly line of Lots 1008, 1007, and 1006, said Westwood Heights, 14th Addition Replat, 225.84 feet; thence North 89°52'52" East, on the South line of Lots 1006, 1005, 1004, 1003, 1002, 1001 and 1000, 430.18 feet to the East line of said Lot 21; thence South 0°01'47" West, on said East line, 399.56 feet to the North line of the Union Pacific Railroad right-of-way; thence South 89°50'56" West, on said right-of-way line, 840.04 feet to the Point of Beginning.



Louis Surveying



12100 West Center Road, Suite 523A  
Omaha, NE. 68144 (402-334-7882)

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and placed permanent markers at all corners of all lots being platted.

*[Signature]* 11/16/03  
Land Surveyor Date

OWNERS CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned are owner's of the property as described in the surveyor's certificate and embraced within this plat, and have caused said land to be subdivided into lots as shown on this plat.

Westpoint II Apartments Limited Partnership  
*[Signature]* 12-4-03  
Owner Date  
Stanley C. Silverman, General Partner

*[Signature]* 12-4-03  
Owner Date  
West Point Apartments III, LLC  
By: Northwood Properties, Inc., Manager  
By: Randall Lenhoff, President

ACKNOWLEDGEMENT OF NOTARY

State of Nebraska )  
                                  )SS  
County of Douglas

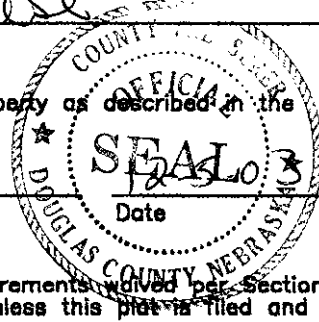
On this 4<sup>th</sup> day of December, 2003, before me, a notary public, duly qualified and commissioned in and for said county and state, personally appeared Stanley C. Silverman, General Partner of Westpoint II Apartments Limited Partnership who (are/is) personally known to me to be identical person(s) whose name(s) are affixed to the foregoing instrument and they acknowledged the signing of the same to be their voluntary act and deed.

GENERAL NOTARY - State of Nebraska  
CINDY M. WIESE  
9/15/05

COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the surveyor's certificate and as shown by the records of this office.

*[Signature]*  
County Treasurer



PLANNING DIRECTOR'S APPROVAL

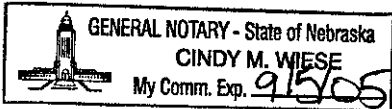
Approved as a subdivision of not more than two (2) lots, parcels or tracts, with plat requirements waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless this plat is filed and recorded with the County Register of Deeds within thirty (30) days of this date.

*[Signature]* 12/15/03  
Planning Director Date

State of NEBRASKA        )  
  ) ss.  
County of DOUGLAS        )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of December 2003 by Randall Lenhoff as President of Northwood Properties, Inc., Manager, on behalf of West Point Apartments III, LLC, a Nebraska limited liability company.

Cindy M. Wiese  
Notary Public

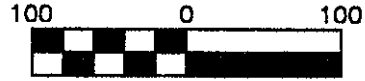


My commission expires 9-5-05

**CITY OF OMAHA, NEBRASKA  
ADMINISTRATIVE SUBDIVISION**

**WESTWOOD HEIGHTS 12TH ADDITION REPLAT 2**

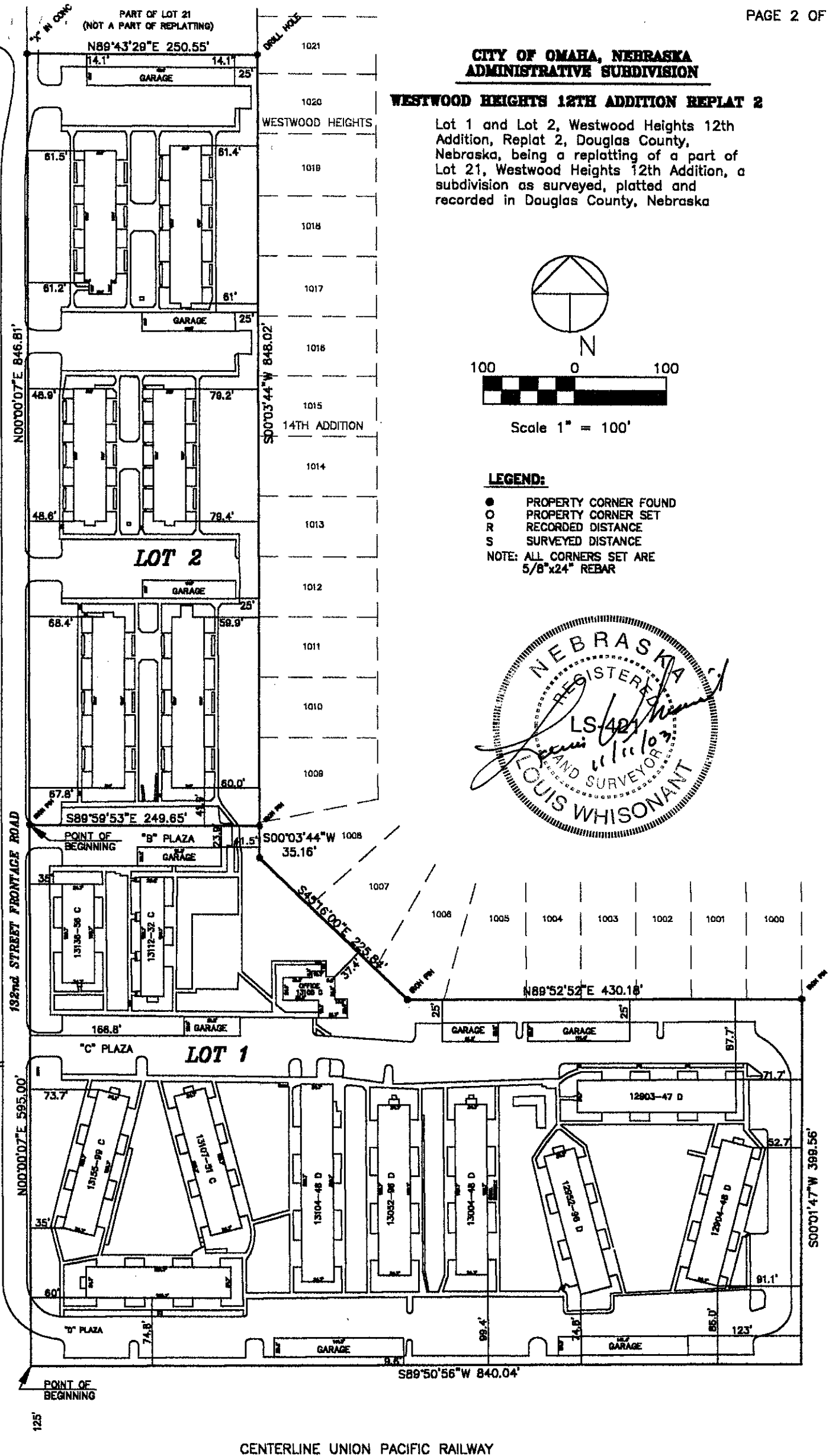
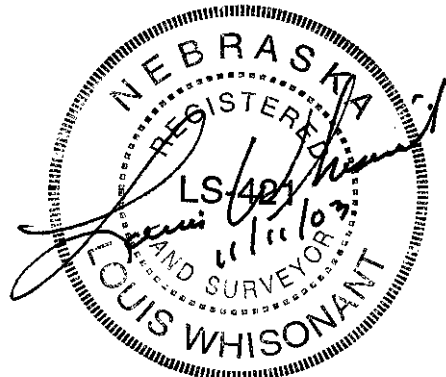
Lot 1 and Lot 2, Westwood Heights 12th Addition, Replat 2, Douglas County, Nebraska, being a replatting of a part of Lot 21, Westwood Heights 12th Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska



Scale 1" = 100'

**LEGEND:**

- PROPERTY CORNER FOUND
  - PROPERTY CORNER SET
  - R RECORDED DISTANCE
  - S SURVEYED DISTANCE
- NOTE: ALL CORNERS SET ARE 5/8"x24" REBAR



LOT 1 13148 A PLAZA  
 LOT 2 12904 D PLAZA

**CONSENT BY MORTGAGEES**

Midland Loan Services, Inc., a Delaware corporation, holds a security interest in a portion of the property described in the attached Administrative Subdivision by virtue of a Mortgage dated October 27, 2003 and filed October 28, 2003 as Instrument No. 2003210492, in the office of the Register of Deeds, Douglas County, Nebraska, made by and between West Point Apartments III, LLC ("Mortgagor") and Midland Loan Services, Inc. ("Mortgagee"). TRI Acceptance Corporation, a California corporation f/k/a TRI Capital Corporation, a California corporation, also holds a security interest in a portion of the property described in the Attached Administrative Subdivision by virtue of a Mortgage dated March 1, 2000 and filed March 24, 2000 in Book 5999 at Page 174 of the Mortgage Records of Douglas County, Nebraska, made by and between Westpoint II Apartments Limited Partnership ("Mortgagee") and TRI Acceptance Corporation f/k/a TRI Capital Corporation ("Mortgagor"). Said Mortgagees hereby consent to and give their written approval in regard to the enclosed Administrative Subdivision.

**Midland Loan Services, Inc.,  
a Delaware corporation**

**TRI Acceptance Corporation, a California  
corporation f/k/a TRI Capital Corporation,  
a California corporation**

By: [Signature]  
Name: Paul A. Penno  
Its: Vice President

By: [Signature]  
Name: Paul A. Penno  
Its: Senior Vice President

STATE OF California )  
 ) ss.  
COUNTY OF San Francisco )

The foregoing consent was acknowledged before me this 3<sup>rd</sup> day of December, 2003, by PAUL A. PENNO, as SVP, of Midland Loan Services, Inc., a Delaware corporation.

[Signature]  
Notary Public

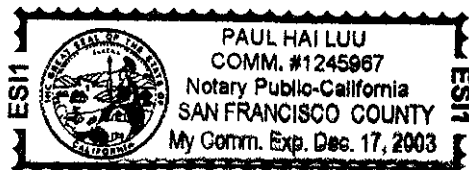
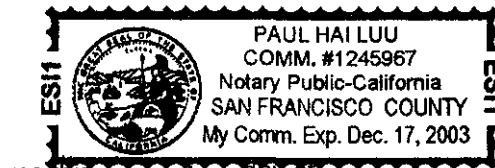
My commission expires: DEC. 17, 2003

STATE OF California )  
 ) ss.  
COUNTY OF San Francisco )

The foregoing consent was acknowledged before me this 3<sup>rd</sup> day of December, 2003, by PAUL A. PENNO, as SVP, of TRI Acceptance Corporation, a California corporation f/n/a TRI Capital Corporation, a California corporation.

[Signature]  
Notary Public

My commission expires: DEC. 17, 2003



**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
CONSENT**

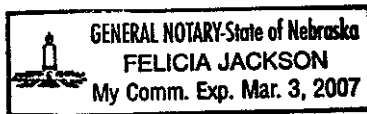
The Federal Housing Administration, an organizational unit of the United States Department of Housing and Urban Development, which insures a loan for and in connection with HUD project no. 103-11021-REF-PM known as Sunset Ridge Townhomes owned by West Point Apartments III, LLC for property including that described in the attached Administrative Subdivision and, as may be required by Regulatory Agreement dated October 27, 2003 and filed October 28, 2003 as Instrument No. 2003210497, in the office of the Register of Deeds of Douglas County, Nebraska, and also which insures a loan for and in connection with HUD project no. 103-11013-REF/EC known as Westpoint II Apartments for property including that described in the attached Administrative Subdivision and, as may be required by Regulatory Agreement dated March 1, 2000 and filed March 24, 2000 in Book 1332 at Page 99 of the Miscellaneous Records of Douglas County, Nebraska, hereby consents and gives its written approval in regard to the enclosed Administrative Subdivision.

**DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

By: *Steve Gage*  
Name: Steve Gage  
Its: Director

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing consent was acknowledged before me this 21<sup>st</sup> day of November, 2003, by Steven L. Gage as Director, of the Department of Housing and Urban Development.



*Felicia Jackson*  
Notary Public

My commission expires: 03-03-2007