

SPECIAL  
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That THOMAS R. BURKE, TRUSTEE, in consideration of One Dollar (\$1.00) and other valuable consideration in hand paid, does hereby grant, bargain, sell, convey and confirm unto KEITH H. TOBIAS and ADELINE R. TOBIAS, husband and wife, as JOINT TENANTS, and not as tenants in common; the following described real estate, situate in the County of Douglas and State of Nebraska, to-wit:

Part of the South 1/2 of the Northeast 1/4 of Section 23, Township 15 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, more particularly described and bounded as follows: Commencing at the point of intersection of the center line of the main track of the C. & N. W. Railway and the center line of Dodge Street; Thence southeasterly along the center line of said main track for 1423.0 feet; Thence northeasterly along a line making an angle of 90° 00' with the last named course for 654 feet to the point of beginning; Thence northwesterly parallel with the said main track for a distance of 300 feet; Thence northeasterly along a line making an angle of 90° 00' with the last described course for a distance of 524.2 feet; Thence south a distance of 350 feet; Thence southwesterly along a line 300 feet from and parallel to the above-described 524.2 foot line for a distance of 344.4 feet to the point of beginning;

subject, however, to the following easements:

- a) A natural gas pipeline easement in favor of the Metropolitan Utilities District dated December 3, 1940 and recorded in Miscellaneous Book 220 at Page 371;
- b) An easement for a thirty-six (36) inch sanitary sewer in favor of the City of Omaha as now located running diagonally in a northwesterly-southwesterly direction through the property;
- c) An easement for an existing six (6) inch water main running diagonally in a generally east-west direction;
- e) Air pollution and grain dust easement reserved by Cargill, Incorporated by Deed dated October 4, 1965.

together with all the tenements, hereditaments, and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said grantor, of, in or to the same, or any part thereof.

IT BEING THE INTENTION OF ALL PARTIES HERETO, THAT IN THE EVENT OF THE DEATH OF EITHER OF SAID GRANTEEES, THE ENTIRE FEE SIMPLE TITLE TO THE REAL ESTATE DESCRIBED HEREIN SHALL VEST IN THE SURVIVING GRANTEE.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said grantees as JOINT TENANTS, and not as tenants in common, and to their assigns, or to the heirs and assigns of the survivor of them, forever, and the grantor named herein for himself and his heirs, executors and administrators, does covenant with the grantees named herein and with their assigns and with the heirs and assigns of the survivor of them, that he is lawfully seized of said premises; that they are free from incumbrance except as stated herein, and that the said grantor has good right and lawful authority to sell the same, and that he will and his heirs, executors and administrators shall warrant and defend the said property against all the lawful claims and demands of all persons claiming by, through, or under him, and against no other claims or demands.

IN WITNESS WHEREOF I have hereunto set my hand this 17<sup>th</sup> day of October, 1965.

THOMAS R. BURKE, TRUSTEE,

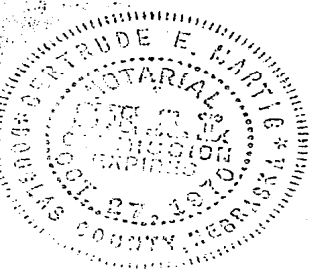
*Thomas R. Burke Trustee*

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) SS.

On this 1<sup>th</sup> day of October, 1965, before me, a Notary Public in and for said County, personally came the above named Thomas R. Burke, Trustee, who is personally known to me to be the identical person whose name is affixed to the above instrument as grantor, and who has acknowledged said instrument to be his voluntary act and deed as such Trustee.

*Gertrude E. Martz*  
Notary Public

My Commission expires Oct 7, 1970.

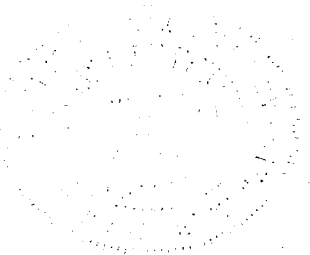


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Thomas Burke

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THOMAS J. DOUGHERTY  
REGISTRAR OF DEEDS  
DOUGLASS COUNTY, ILLINOIS

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... of ...  
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*Thomas J. Dougherty*

By \_\_\_\_\_

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Compared Fee 4.50

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