

\$21.00

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Recorded: 06/25/2004 at 09:06:06 AM
Fee Amt: \$1,300.20 Page 1 of 2
Revenue Tax: \$1,279.20
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2004-00144698
BK 10610 PG 428-429

DECLARATION
FILED

Preparer Information: Howard Fredrick Hahn, 1620 Dodge Street, Suite 100, Omaha, Nebraska 68102 (402) 964-5150

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars and other valuable consideration, NICHOLAS STREET PARTNERS (IOWA), LLC ("Grantor"), does hereby convey to THE RESERVE, a Nonprofit Corporation ("Grantee"), the following described real estate located in Polk County, Iowa:

See Exhibit "A" attached hereto, incorporated by reference herein and made part hereof.

SUBJECT TO all liens, encumbrances and other title matters of record; zoning regulations; ordinances and laws of the city, county, state in which the Property lies; and any and all facts which may be disclosed by an accurate survey.

Grantor does hereby covenant with Grantee and successors in interest that Grantor holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and Grantor covenants to warrant and defend the real estate against the lawful claims of all persons claiming by, through or under Grantor.

Word and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: June 17th, 2004

Nicholas Street Partners (Iowa), LLC

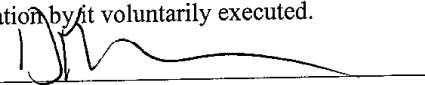
By: 

Printed Name: Bartholomew A. Votava
Title: Manager

Entered upon transfer books and for taxation this 25th day of June 2004. My fee \$1,279.20 collected by recorder.
MICHAEL A. MAURO
Auditor

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 17th day of June, 2004, before me, a notary public in and for said county, personally appeared Bartholomew A. Votava, to me personally known, who being by me duly sworn did say that that person is the Manager of said Nicholas Street Partners (Iowa), LLC and that said instrument was signed on behalf of the said corporation by authority of its board of directors and the said Bartholomew A. Votava acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.


Notary Public

My commission expires:

December 8, 2006



RETURN TO:

SPENCE TITLE SERVICES, INC.
1905 HARNEY STREET SUITE 210
OMAHA, NEBRASKA 68102

TA 48538

ITC

496671

\$1,279.20

800002

62804

PROPERTY DESCRIPTION:

AN IRREGULAR SHAPED PORTION OF LOT 7, COLBY WOODS WEST PLAT No. 7, AN OFFICIAL PLAT, URBANDALE, POLK COUNTY, IOWA IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE, N90°00'00"E ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 205.28 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING N90°00'00"E ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 39.28 FEET; THENCE, N54°00'20"E ALONG THE NORTHERLY LINE OF SAID LOT 7, A DISTANCE OF 165.80 FEET; THENCE, S88°34'39"E ALONG THE NORTHERLY LINE OF SAID LOT 7, A DISTANCE OF 235.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE, S06°24'08"W ALONG THE EASTERLY LINE OF SAID LOT 7, A DISTANCE OF 324.82 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE, S60°01'02"W ALONG THE SOUTHERLY LINE OF SAID LOT 7, A DISTANCE OF 207.55 FEET; THENCE, N29°58'24"W, A DISTANCE OF 386.64 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 2.63 ACRES MORE OR LESS.