

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2006 02425

2006 JAN 24 P 3:24

Glenn J. Dowling
REGISTER OF DEEDS

NEBRASKA DOCUMENTARY
STAMP TAX
JAN 24 2006
\$ 6,441.75 By *P*

COUNTER *P* C.E. *D*
VERIFY *RM* D.E. *D*
PROOF *W*
FEES \$ 30.50
CHECK# 72094/72088
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____

UPON RECORDING RETURN TO:
BRIAN C. EADES, ESQ.
KUTAK ROCK LLP
1650 FARNAM STREET
OMAHA, NE 68102-2186

Store No. 1671-03
Papillion, NE

GENERAL WARRANTY DEED

KEN E. PETERS, a single person, as to an undivided 1/5 interest; **KEITH A. PETERS** and **LOUISE PETERS**, husband and wife, as to an undivided 1/5 interest; **KON R. PETERS**, a single person, as to an undivided 1/5 interest; **KEREL L. HENDERSON** and **CARL HENDERSON**, wife and husband, as to an undivided 1/5 interest; **KAE S. PAVLIK, TRUSTEE OF THE KAE S. PAVLIK FAMILY TRUST DATED OCTOBER 22, 1999** and **KAE S. PAVLIK, TRUSTEE OF DUANE M. PAVLIK FAMILY TRUST DATED OCTOBER 22, 1999**, as to an undivided 1/5 interest, all as tenants in common (collectively "Grantor"), in consideration of \$10 and other good and valuable consideration received from **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust ("Grantee"), conveys to Grantee the following described real estate (as defined in Neb. Rev. Stat. § 76-201) in Sarpy County, Nebraska (the "Property"):

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Grantor covenants with Grantee that Grantor:

- (a) is lawfully seized of such real estate and that it is free from encumbrances, subject only to the easements, restrictions, covenants, other encumbrances attached hereto as Exhibit B;
- (b) has legal power and lawful authority to convey the same; and
- (c) warrants and will defend the title to the real estate against the lawful claims of all persons.



A

Executed this 21 day of December, 2005.

GRANTOR:

Ken E. Peters, a single person, Keith A. Peters and Louise Peters, husband and wife, Kon R. Peters, a single person, and Kerel L. Henderson and Carl Henderson, wife and husband

WITNESS:

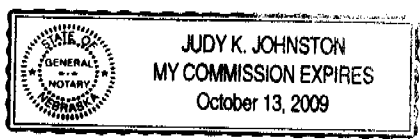
Cynthia E. Epstein
Name:

By: Kae S. Pavlik
Kae S. Pavlik, Attorney in Fact

Arving B. Epstein
Name:

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 21 day of December, 2005, by Kae S. Pavlik, Attorney in Fact, on behalf of Ken E. Pcters, Keith A. Peters and Louise Peters, Kon R. Peters, and Kerel L. Henderson and Carl Henderson.



Judy K. Johnston
Notary Public Douglas County, Nebraska.
My Commission Expires: 10-13-09

B

GRANTOR:

Kae S. Pavlik Family Trust Dated
October 22, 1999

WITNESS:

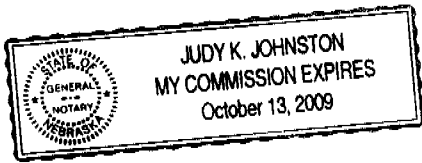
Cynthia C. Epstein
Name:

By: Kae S. Pavlik
Kae S. Pavlik, Trustee

Erving B. Epstein
Name:

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 21 day of
December, 2005, by Kae S. Pavlik, Trustee of the Kae S. Pavlik Family
Trust Dated October 22, 1999, on behalf of said trust.



Judy K. Johnston
Notary Public Douglas County, Nebraska.
My Commission Expires: 10-13-09

GRANTOR:

Duane M. Pavlik Family Trust Dated
October 22, 1999

WITNESS:

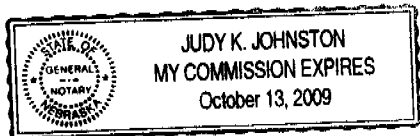
Cynthia E. Epstein
Name:

By: Kae S. Pavlik
Kae S. Pavlik, Trustee

Larry Epstein
Name:

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 21 day of December, 2005, by Kae S. Pavlik, Trustee of the Duane M. Pavlik Family Trust Dated October 22, 1999, on behalf of said trust.



Judy K Johnston
Notary Public Douglas County, Nebraska.
My Commission Expires: 10-13-09

D

EXHIBIT A

LEGAL DESCRIPTION

Lot One (1), in Market Pointe Addition, a Subdivision, in Sarpy County, Nebraska.

2006-02475 E

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2005 and subsequent years, a lien not yet due and payable.
2. Modification and Amendment of Easement Grant for pipelines for the benefit of Northern Natural Gas Company dated ~~December~~ ^{January} 23, 2006, filed ~~December~~ ^{January} 24, 2006, in Book *, at Page _____, records of Sarpy County in the Register of Deeds. *INSTRUMENT 2006-02410*
3. Pipeline Easement for pipelines for the benefit of Northern Natural Gas Company dated ~~December~~ 23, 2006, filed ~~December~~ 23, 2006, in Book ~~2~~, at Page _____, records of Sarpy County in the Register of Deeds. ~~2006-02410~~
4. Encroachment Agreement for the benefit of Northern Natural Gas Company dated ~~December~~ ^{January} 23, 2006, filed ~~December~~ ^{January} 24, 2006, in Book +, at Page _____, records of Sarpy County in the Register of Deeds. **INSTRUMENT 2006-02411*
5. Easements as shown and dedicated on the plat of Market Pointe Addition, filed October 14, 2004 as Instrument Number 2004-39621.