

WARRANTY DEED

WILLIAM H. HARVEY, JR., and Mary Jane Harvey, husband and wife
in consideration of Ten Dollars (\$10) and other valuable consideration

, receipt of which is hereby acknowledged, conveys to

LIVINGSTON ENTERPRISES, a Partnership, , Grantee,

the following described real estate (as defined in Neb. Rev. Stat. § 76-201) in

Omaha, Douglas County, Nebraska: *

See Exhibit "A" attached hereto and incorporated by reference herein;

Together with any non-exclusive right Grantor has to use the driveway described in the easement recorded on December 16, 1985, at Miscellaneous Book 760, Page 294, of the Douglas County Register of Deeds.

Reserving unto Grantor, its successors and assigns, an easement for the building encroachment unto that portion of said real estate described approximately as the south 1.54 feet of the most westerly 18 feet of the above described parcel of land, as more particularly shown on Exhibit "A" attached hereto and incorporated by reference herein, which easement shall terminate and expire at such time as the encroaching building is demolished and removed.

Mary Jane Harvey, wife of Grantor, joins in this deed for the sole purpose of releasing and quitclaiming any right, title or interest she may have or claim in or to said real estate.

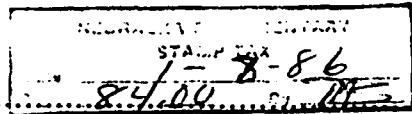
Grantor covenants (jointly and severally, if more than one) with the Grantee that Grantor:

- (1) is lawfully seised of such real estate and that it is free from encumbrances except easements, covenants and restrictions of record and any other encumbrances created or suffered by Grantee;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Executed: January 3, 1986.

William H. Harvey, Jr.
WILLIAM H. HARVEY, JR.

Mary Jane Harvey
MARY JANE HARVEY

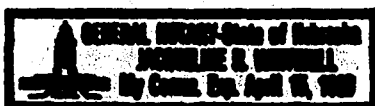


*No part of the vacated alley lying east of the easterly property line of the above-described tract is included in this conveyance.

State of Nebraska

County of Douglas

The foregoing instrument was acknowledged before me on January 3, 1986
by WILLIAM H. HARVEY, JR. and MARY JANE HARVEY, husband and wife.



Jacqueline R. Whitehall

EXHIBIT "A"
BOOK 1771 PAGE 382
LEGAL DESCRIPTION

BACKYARD PRESCHOOL & CHILD CARE CENTER

All of Lots 1, 2, 3 and 4, Billings Subdivision, part of Lots 8 and 9, Billings Subdivision, the included vacated alley, all located in the Southeast 1/4 of Section 20, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of said Lot 4, Billings Subdivision, said point also being on the South right-of-way line of Leavenworth Street; thence N89°53'47"E (assumed bearing), along said South right-of-way line of Leavenworth Street, a distance of 88.04 feet to the Northeast corner of said Lot 1, Billings Subdivision; thence S00°27'50"E, along the East line of said Billings Subdivision, a distance of 187.28 feet to the Southeast corner of said Lot 9, Billings Subdivision; thence S89°53'47"W, along the South line of said Lot 9, Billings Subdivision, a distance of 59.66 feet; thence N00°35'41"W, a distance of 26.04 feet to a point on the South line of said Lot 8, Billings Subdivision; thence S89°53'47"W, along said South line of Lot 8, Billings Subdivision, a distance of 28.11 feet to the point of intersection of said South line of Lot 8, Billings Subdivision and the Southerly extension of the West line of said Lot 4, Billings Subdivision; thence N00°32'32"W, along said West line of Lot 4, Billings Subdivision and the Southerly extension thereof, a distance of 161.24 feet to the Point of Beginning.

Said tract of land contains an area of 15,733 square feet or 0.361 acres, more or less.

The above described tract of land has a building encroachment, located in part of Lot 8, Billings Subdivision, located in the Southeast 1/4 of Section 20, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Northwest corner of Lot 4, Billings Subdivision; thence S00°32'32"E (assumed bearing), along the West line of said Lot 4, Billings Subdivision and the Southerly extension thereof, a distance of 159.70 feet to the Point of Beginning; thence N89°53'47"E, a distance of 17.86 feet; thence S00°35'41"E, a distance of 1.54 feet, to a point on the South line of said Lot 8, Billings Subdivision; thence S89°53'47"W, along said South line of Lot 8, Billings Subdivision, a distance of 17.86 feet to the point of intersection of said South line of Lot 8, Billings Subdivision and the Southerly extension of the West line of said Lot 4, Billings Subdivision; thence N00°32'32"W, along said Southerly extension of the West line of Lot 4, Billings Subdivision, a distance of 1.54 feet to the Point of Beginning.

Said building encroachment contains an area of 27 square feet, more or less.

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GEORGE A. KENZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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