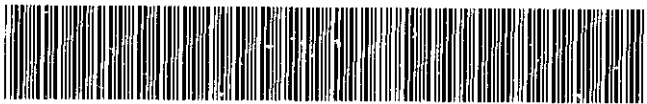





DEED 2007076775



JUL 09 2007 08:28 P 4

Neb. Dec Stamp Tax
7.9.07
Date
\$ EX 4
By LV

Deed (Cash) 10-30940-P.Park.  
 4 FEE 33.2 FR 15-04560-P.P.  
 27 BNP GO COMP 82  
 DEL SCAN FY

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 7/9/2007 08:28:16.27  
  
 2007076775

**THIS PAGE INCLUDED FOR INDEXING**  
**PAGE DOWN FOR BALANCE OF INSTRUMENT**

**Return To:** E. R. Newman  
9140 W. Dodge Rd. Ste 140  
Omaha, NE 68114  
 (402) 397-7554

**Check Number**  
 \_\_\_\_\_

TRUSTEE'S DEED  
(Inter Vivos Trust)

MURRAY H. NEWMAN, Trustee under Trust Agreement dated July 6, 1982 for the benefit of Maxwell Calvin Newman (sole beneficiary) and sometimes referred to as the Maxwell Calvin Newman Trust, GRANTOR, in consideration of TEN & 00/100 DOLLARS (\$10.00) received from GRANTEE, PHYLLIS H. NEWMAN, successor Trustee under said Trust, conveys to GRANTEE, as a tenant in common\*, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

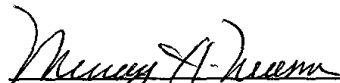
All of GRANTOR's approximately 10% of 1/3 (exactly 34.5/350<sup>th</sup> of 1/3) interest in Parcels I, III and IV described on Exhibit A, attached hereto.

\*The GRANTOR's interest set forth herein was acquired in a conveyance, which also conveyed approximately 80% of 1/3 (exactly 281/350<sup>th</sup> of 1/3) interest in said Parcels, to E. Robert Newman.

GRANTOR covenants with GRANTEE that GRANTOR:

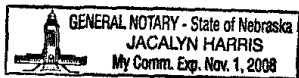
- (1) is lawfully seised of such real estate and that it is free from encumbrances;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against any acts of the GRANTOR.

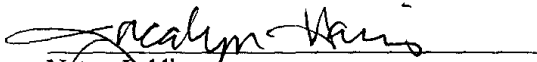
Executed April 24 2007.

  
Murray H. Newman, Trustee

STATE OF NEBRASKA )  
  ) SS  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of April, 2007 by Murray H. Newman, Trustee



  
Notary Public  
My commission expires 11/1/08

STATE OF NEBRASKA, County of Douglas  
Filed for record and entered in Numerical Index on \_\_\_\_\_ 2007  
At \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Deed Record \_\_\_\_\_ Page \_\_\_\_\_.

\_\_\_\_\_  
County or Deputy County Clerk  
Register or Deputy Register of Deeds

## EXHIBIT A

### Parcel I

A tract of land consisting of part of Lots 14, 15, 16 and 25, and all of Lots 23 and 24, and the vacated alley abutting said Lots, all in Block 4, Briggs Place Addition, an addition located in the NW 1/4 of Section 20, Township 15 North, Range 13 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of said Lot 23, Block 4, Briggs Place Addition; thence N00°00'00"E (assumed bearing) along the East right-of-way line of the former Omaha Beltline Railway, a distance of 220.00 feet; thence S89°16'00"E, a distance of 152.20 feet; thence S00°00'00"E, a distance of 220.00 feet to a point on the Northerly right-of-way line of Dodge Street; thence N89°16'00"W, along said Northerly right-of-way line of Dodge Street, a distance of 152.20 feet to the point of beginning.

Said tract contains an area of 0.768 acres, more or less.

The conveyance of Parcel I described above includes an undivided approximately 10% of 1/3 (exactly  $34.5/350^{\text{th}}$  of 1/3) interest in and to that certain Lease Agreement dated December 30, 2002, by and between E. Robert Newman, Trustee, and Murray H. Newman, Trustee, as Landlords, and Burger King Corporation, a Florida corporation, as Tenant, and all amendments, revisions and modifications thereof.

### Parcel III

A tract of land consisting of part of Lot 10 and Lots 11 and 12, Block 23; part of Lot 11, part of Lot 12 and part of Lot 13, Block 24; all in Poppleton Park Addition to the City of Omaha, Douglas County, Nebraska; and portions of vacated streets adjacent to the above lots more particularly described as follows:

Commencing at the Southwest corner of Lot 23, Block 4, Briggs Place Addition; thence North along the East line of the former Omaha Belt Line Railway right-of-way a distance of 553.94 feet to the point of beginning; thence continuing North along the East line of the said Omaha Belt Line Railway right-of-way, a distance of 116.13 feet; thence S89°16'E (assuming said East line of the said Omaha Belt Line Railway to be due North and South) a distance of 10.45 feet to the Northwest corner of the former Hinky Dinky Store Building; thence S89°55'E along the North wall of said Hinky Dinky Building a distance of 175.11 feet to the Northeast corner of said Hinky Dinky Building; thence S89°16'E a distance of 14.42 feet; thence S00°00'W a distance of 2.07 feet; thence S89°16'E a distance of 113.63 feet to the West line of Saddle Creek Road; thence S00°24'W a distance of 60.95 feet; thence S00°49'W a distance of 43.68 feet; thence S02°13'W a distance of 8.03 feet; the three previous courses being along the West line of

Saddle Creek Road; thence N89°54'W a distance of 312.10 feet to the point of beginning, the last course being along the South building line of said Hinky Dinky Building.

The above-described tract is located in the NW1/4, Section 20, T15N, R13E and contains 0.82 acres more or less.

The conveyance of Parcel III described above includes an undivided approximately 10% of 1/3 (exactly 34.5/350<sup>th</sup> of 1/3) interest in and to that certain Lease Agreement dated June 17, 1968, by and between John Wenstrand, Trustee, as Landlord and American Community Stores Corporation, a Delaware corporation, as Tenant, and all amendments, revisions and modifications thereto.

#### Parcel IV

A tract of land consisting of part of Lot 11, Lots 12 through 16, Lots 23 through 27 and part of Lot 28, Block 1; and part of Lots 11 through 16, Block 4, all in Briggs Place Addition to the City of Omaha, Douglas County, Nebraska, and of vacated streets and alleys adjacent to the above lots, more particularly described as follows:

Beginning at a point on the West line of Lot 16, Block 4, Briggs Place Addition, which is 220.00 feet north of the Southwest corner of Lot 23, Block 4, Briggs Place Addition; thence North along the East line of the former Omaha Belt Line Railway right-of-way a distance of 333.94 feet; thence S89°54'E (assuming said East line of said Omaha Belt Line Railway to be due North and South) a distance of 312.10 feet to the West line of Saddle Creek Road; thence S2°13'W a distance of 58.00 feet; thence S3°22'W a distance of 77.93 feet; thence S0°22'W a distance of 199.32 feet; thence S5°35'E a distance of 2.20 feet, the four previous courses being along the West line of Saddle Creek Road; thence N89°16'W a distance of 304.40 feet to the point of beginning.

The above-described tract is located in the NW1/4, Section 20, T15N, R13E and contains 2.36 acres more or less.

The conveyance of Parcel IV described above includes an undivided approximately 10% of 1/3 (exactly 34.5/350<sup>th</sup> of 1/3) interest in and to that certain Lease Agreement dated January 1, 2004, by and between E. Robert Newman, individually, and Murray H. Newman, Trustee, as Landlord and Panebraska, an Iowa limited liability company qualified to do business in Nebraska, as Tenant; and an undivided approximately 10% of 1/3 (exactly 34.5/350<sup>th</sup> of 1/3) interest in and to that certain Lease Agreement dated by and between E. Robert Newman, Murray H. Newman and Murray H. Newman, Trustee, as Landlords, and WK Ventures 3, LLC d/b/a CiCi's Pizza, as Tenant, and all amendments, revisions and modifications thereto.