Inst # 2018023202 Mon Jun 18 14:10:01 CDT 2018
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Lancaster County, NE Assessor/Register of Deeds Office Pages 7

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Return To: Darrell K. Stock, Attorney at Law, 5533 S. 27th St., Suite 203, Lincoln, NE 68512 (402) 474-8690

## CORRECTED QUITCLAIM DEED

This Corrected Quitclaim Deed is being filed to correct the legal descriptions in the Quitclaim Deed filed on August 4, 2017 at Instrument Number 2017032505 which incorrectly described the real estate being conveyed.

Russel L. Wieseler and Amy A. Wieseler, husband and wife, Grantor, whether one or more, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, quitclaims and conveys to NuMark Golf, L.L.C., a Nebraska limited liability company, Grantee, the following described real estate (as defined in Neb. Rev. Stat. § 76-201) in Lancaster County, Nebraska:

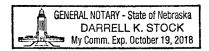
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Outlot A, Himark Estates 16th Addition, Lincoln, Lancaster County, Nebraska Outlot B, Himark Estates 11th Addition, Lincoln, Lancaster County, Nebraska Outlot C, Himark Estates 3rd Addition, Lincoln, Lancaster County, Nebraska Outlot C, Himark Estates 1st Addition, Lincoln, Lancaster County, Nebraska Outlot A, Irongate Estates 3rd Addition, Lincoln, Lancaster County, Nebraska

Russel L. Wieseler, Grantor by Amy A. Wieseler, Grantor by Amy A. Wieseler, Grantor by L. Wieseler, Grantor by Amy A. Wieseler, Grantor by Amy A. Wieseler, Grantor attached hereto as Exhibit A
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COUNTY OF LANCASTER ) ss.

The foregoing instrument was acknowledged before me on \_\_\_\_\_\_\_, 2018 by Amy A. Wieseler as Power of Attorney for Russel L. Wieseler and Amy A. Wieseler, Grantors.



Notary Public

## **DURABLE POWER OF ATTORNEY**

That I, Russel L. Wieseler, have made, constituted and appointed, and by these presents do make, constitute and appoint Amy A. Wieseler to act as my true and lawful attorney for me and in my name, place and stead, and on my behalf, to do and execute all of any of the following acts, deeds and things. In the event that she has predeceased me or is unable to serve, then, and in that event, I do appoint Guy M. Lammle to serve in her place and stead, as the alternate holder of this power of attorney. In the event that he has predeceased me or is unable to serve, then, and in that event, I do appoint Lacey L. Prokop to serve in his place and stead, as the alternate holder of this power of attorney.

This power of attorney shall become effective immediately upon it being signed. It is my intention by this instrument to revoke any and all prior powers of attorney of any nature made by me.

- 1. To receive debts, payments and property. To ask, demand, sue for, recover and receive all sums of money, debts, dues, and goods, wares, merchandise, chattels, effects and things of whatsoever nature or description which now are or hereafter shall be or become due, owing, payable or belonging to me in or by any right, title, ways or means howsoever, and upon receipt thereof, or of any part thereof, to make, sign, execute and deliver such receipts, releases or other discharges for the same respectively as my said attorney-in-fact shall deem advisable.
- 2. <u>To settle accounts.</u> To settle any account or reckoning whatsoever wherein I am now or at any time hereafter shall be in any way interested or concerned with any person whomever, and to pay or receive the balance thereof as the case may require.
- 3. To satisfy security interests and mortgages. To receive every sum of money which now is or hereafter shall be due or belonging to me upon the security or by virtue of any security interest or agreement, or mortgage, and on receipt of the full amount secured thereby to execute a good and sufficient release or other discharge of such security interest, or mortgage by deed or otherwise.
- 4. To compound, submit to arbitration, or otherwise settle or adjust differences. To compound with or make allowances to any person for or in respect to any debt or demand whatsoever which now is or shall at any time hereafter become due and payable to me, or by me, or upon my account, and to take and receive, or to pay and discharge (as the case may be), any composition or dividend thereof or thereupon and to give or receive releases or other discharges for the whole of such debts or demands, or to settle, compromise or submit to arbitration every such debt or demand and every other right, matter and thing due to or concerning me as my attorney-in-fact shall think best, and for that purpose to enter into and execute and deliver such bonds of arbitration or other instruments as my attorney-in-fact may deem advisable in the premises.

- 5. <u>To prosecute and defend.</u> To commence, prosecute, discontinue, or defend all actions or other legal proceedings touching my estate or any part thereof, or touching any matter in which I or my estate may be in any way concerned.
- 6. To manage real estate. To enter into and upon all and singular my real estate, and to let, manage, and improve the same or any part thereof, and to repair or otherwise improve, alter or reconstruct, and to insure, any buildings or structures thereon, and further to contract with others for the management of such real estate and to grant to such others all the powers with respect to such real estate usual in real estate management contracts, and granted to my said attorney-in-fact herein.
- 7. To grant leases, receive rents, and otherwise deal with tenants and leased property. To contract with any person for leasing such periods, including periods longer than my life and without regard to the termination of this power of attorney, at such rents and subject to such conditions as my attorney-in-fact shall see fit, all or any of my said real estate, and to let any such person into possession thereof, and to execute all such leases and contracts as shall be necessary or proper in that behalf, and to give notice to quit to any tenant or occupier thereof, and to receive and recover from all tenants and occupiers thereof or of any part thereof all rents, arrears of rent, and sums of money which now are or shall hereafter become due and payable in respect thereof, and also on non-payment thereof or of any part thereof to take all necessary or proper means and proceedings for terminating the tenancy or occupation of such tenants or occupiers, and for ejecting the tenants or occupiers and recovering the possession thereof.
- 8. To sell or exchange real or personal estate. To sell, either at public or private sale, or exchange any part or parts of my real estate or personal property for such consideration, payable immediately or upon such terms as my attorney-in-fact shall think fit, and to execute and deliver good and sufficient deeds, bills of sale, endorsements, assignments or other instruments with such covenants of warranty or otherwise as my attorney-in-fact shall see fit, and to give good and effectual receipts for all or any part of the purchase price or other consideration.
- 9. To deposit monies, withdraw, invest, and otherwise deal with tangible property. To deposit any moneys which may come to his hands as such attorney-in-fact with any bank or banker in my name, and to withdraw any of such money or any other money to which I am entitled which now is or shall be so deposited, and either employ such money as he shall think fit in the payment of any debts, or interest, payable by me, or taxes, assessments, insurance, and expenses due and payable or to become due and payable on account of my real and personal estate, or in or about any of the purposes herein mentioned, or otherwise for my use and benefit, or to invest such money in my name in any stocks, shares, bonds, securities or other property, real or personal, as he may think proper, and to give and receive receipt for any income or dividend arising from such investments, and to vary or dispose of all and any such investments, or other investments for my use and benefit as he may think fit.

- 10. To vote at stockholders' meetings, execute proxies and otherwise substitute for owner. To vote at the meetings of stockholders or other meetings of any corporation or company, or otherwise to act as my attorney-in-fact or proxy, with power of substitution, in respect of any stock, shares, bonds, debentures or other evidences of ownership, or securities, now or hereafter held by me and issued by or on account of said corporation or company and for that purpose to execute any proxies, limited or general, or other instruments.
- 11. To execute deeds, bills, notes and similar instruments. For all or any of the purposes herein stated or enter into and sign, seal, execute, acknowledge, and deliver any contracts, deeds, or other instruments whatsoever and to draw, accept, make, endorse, discount, or otherwise deal with any bills of exchange, checks, promissory notes, or other commercial or mercantile instruments including mortgages, deeds of trust and disclosure statements relating thereto.
- 12. <u>To handle business or investment affairs</u>. To handle any and all of my business or investment affairs, whether such affairs are active or passive, including making, authorizing or delegating all actions and decisions of whatever kind may arise, including but not limited to, organizing, running or terminating any business or investment.
- 13. To buy and sell government securities. To invest in government securities of all kinds, including U.S. government bonds of all kinds and series (including Series E and H), U.S. treasury notes, U.S. treasury bills, government funds, mutual funds containing U.S. government securities; and to sell at public or private sale or otherwise dispose of any of said government securities, bonds, bills and funds of all kinds and series, upon such terms as my attorney-in-fact shall solely determine.
- 14. <u>Estate planning.</u> My attorney-in-fact shall be authorized to create, execute and fund any kind of trust, both revocable or irrevocable, for myself or others (such as a Medicaid qualifying trust, for example), transferring any type of assets as required, consulting with and using the services of any professionals that my attorney-in-fact deems necessary, and paying any expenses relating thereto. My attorney-in-fact shall be authorized to continue or carry out any activities allowed, required or done, pursuant to a Revocable Living Trust of mine (or any other trust) presently in effect or hereafter created or any other estate planning instrument or device of mine or otherwise.
- 15. <u>Self-dealing</u>. Except as to the alternate holder, no transaction shall be void because of said self-dealing nor because my said attorney-in-fact was a part owner of property with me or had interests similar to mine or had any interest in said transaction. My attorney-in-fact is a fiduciary, but shall have the right to make gifts to himself or herself as part of the estate planning referred to above, to the extent allowed by federal or state law. However, my attorney-in-fact shall not have the right to (a) make any gifts of my assets to himself or herself, or to any creditor in satisfaction of his or her own legal obligations (this shall not prevent my attorney-in-fact from satisfying any of my legal obligations to family members); (b) exercise any

incidents of ownership with regard to insurance policies that I own on the attorney-in-fact's life; or (c) exercise fiduciary powers that my attorney-in-fact has granted me if the exercise would cause any of my assets to be included in my attorney-in-fact's estate or as my attorney-in-fact's income, for purposes of federal or state income, estate or other taxes. My attorney-in-fact may not create or modify any joint tenancy, beneficiary designation or POD/TOD designation except to retain a designation previously made by me or to implement a division of assets in a manner consistent with an estate plan contained in a trust or Last Will and Testament created by me.

- 16. <u>Powers.</u> My attorney-in-fact shall have the powers and duties granted to a conservator by §30-2654 R.R.S. 1943, and the same is hereby incorporated by reference; <u>provided, however</u>, such power shall not be restricted by requiring court approval as required in §30-2654 (4) (b), and shall have priority to be appointed as my guardian pursuant to §30-2627 R.R.S. 1943 and priority to be appointed my conservator pursuant to §30-2639 R.R.S. 1943.
- 17. To pay taxes. To act on my behalf in respect to any and all local, state and federal taxes in which I am concerned or interested in, including, but not limited to, income taxes; to sign my name, to execute, seal and acknowledge any and all tax returns due or becoming due, to accept any and all refunds and to collect and endorse checks in the settlement of any refund.
- 18. To enter safe deposit box. To enter my safe deposit box or boxes and to add or to remove any of the contents thereof at any time and from time to time.
- 19. Records and accounting. My attorney-in-fact shall keep accurate, current and complete records and books of my estate. My attorney-in-fact shall, within a reasonable time considering the status my estate shall be in as stated in the previous sentence, and at a reasonable time and place, give a complete and current accounting of my estate to my heirs at law, and provide them adequate opportunity to inspect and copy said records, whenever they shall request. My attorney-in-fact shall make an annual accounting of all receipts, disbursements and an inventory of all assets of my estate, if any of my heirs at law shall request this in writing. If my attorney-in-fact wishes to be bonded, the estate shall pay the cost of this bond.
- 20. To do all other things necessary in connection herewith. In general to do all other acts, deeds, matters and things whatsoever in or about my estate, property and affairs, or to concur with persons jointly interested with myself therein in doing all acts, deeds, matters, and things herein, either particularly or generally described, as fully and effectually to all intents and purposes as I could do in my own proper person if personally present, it being my intent to grant to my said attorney-in-fact a general power to act for me and in my behalf, and not a limited or special power, limited to the specific acts herein described.
- 21. <u>Power of attorney-in-fact effective notwithstanding disability of principal; continues in effect after principal's death until notice.</u> Pursuant to the provisions of the Nebraska Uniform Power of Attorney Act, I declare that this power of attorney shall not be affected by my disability or incapacity, and that the authority granted herein shall continue during any period

while I am disabled or incapacitated. Further, pursuant to said sections, all such authority shall continue after my death, until notice of such death shall have been received by my attorney-infact so that he has actual knowledge of the fact that I have died. Any action taken in good faith by said attorney-in-fact during any period while it is uncertain whether I am alive, before he receives actual knowledge of my death, or, in any event, taken during any period while I am disabled or incapacitated, shall be as valid as if I were alive, competent and not disabled.

In the event it becomes an issue, my disability and incapacity shall be determined by my treating physician, or if my physician is unable or unwilling to make such determination, then it shall be determined by a practicing psychiatrist or another party with sufficient practical expertise and experience to make such determination. My agent may act as my personal representative pursuant to the Health Insurance Portability and Accountability Act to obtain access to my health care information and communicate with my health care provider for the purpose of determining my incapacity.

- 22. <u>Nebraska Uniform Power of Attorney Act</u>. My agent shall have all of the general authority to act for me on all matters as defined in the Nebraska Uniform Power of Attorney Act. In the event of ambiguity with regard to the powers granted to my agent, the determination shall be controlled by the provisions of the Nebraska Uniform Power of Attorney Act as it now exists, or may be amended.
- 23. <u>Number and gender.</u> Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
- 24. <u>Power to deal with property situated outside Nebraska</u>. To deal with any and all of my property located outside the State of Nebraska in the same manner and with all of the foregoing powers as with property situated in Nebraska.

I acknowledge that I have read this Power of Attorney and that I understand the consequences of executing this Power of Attorney.

DATED this 16 day of 100, 2016.

| Wall | Birthdate: 9-26-1969

Russel L. Wieseler

STATE OF NEBRASKA )	
)	SS.
COUNTY OF LANCASTER )	
commissioned and qualified for and is known to be the identical person who	, 2016, before me a Notary Public duly n said state, personally came Russel L. Wieseler, to me se signature is affixed to the foregoing Durable Power of ion thereof to be his voluntary act and deed.
Witness my hand and notarial s	eal the day and year last above written.
	Market 1
GENERAL NOTARY - State of Nebraska DARRELL K. STOCK	Notary Public
My Comm. Exp. October 19, 2018	