

ENTERED AS INSTRUMENT NO
201309982

STATE OF NEBRASKA)
COUNTY OF HALL) SS

2013 DEC 26 PM 3 19

Mitchell Clark
HALL CO. REGISTER OF DEEDS

CASH 22.00
CHECK 108.50
REFUNDS:
CASH _____
CHECK _____

NEBRASKA DOCUMENTARY
Date 12-26-2013 STAMP FAX
\$ 108.50 By BC



201309982

SPECIAL WARRANTY DEED

4/22.00

ALLEN 281 LLC, a Nebraska limited liability company, GRANTOR, in consideration of One Dollar (\$1.00) and other valuable consideration received from GRANTEE, AMES DEVELOPMENT, LLC, a Nebraska limited liability company, conveys to GRANTEE the following-described real estate (as defined in Neb. Rev. Stat. § 76-201) in Hall County, Nebraska:

Lot Fourteen (14), Meadowlark West Third Subdivision, in the City of Grand Island, Hall County, Nebraska.

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, except those Permitted Exceptions identified on Exhibit "A";
- (2) has legal power and lawful authority to convey such real estate; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof by, through or under GRANTOR.

Executed: December 23, 2013.

ALLEN 281 LLC, a Nebraska limited liability company

By: *Kristin M. Allen*
Kristin M. Allen, Manager

STATE OF Nebraska)
) ss.
COUNTY OF Adams)

The foregoing instrument was acknowledged before me on December 23, 2013, by KRISTIN M. ALLEN, Manager of ALLEN 281 LLC, a Nebraska limited liability company, on behalf of the company.

GENERAL NOTARY - State of Nebraska
CHRISTINE M. GUEST
My Comm. Exp. June 18, 2017

Christine M. Guest
Notary Public

Contract

EXHIBIT "A"

PERMITTED EXCEPTIONS

1. The lien of current real estate taxes which have been apportioned.
2. Easements as shown and dedicated on the plat of Meadowlark West Subdivision.
3. Easements as shown and dedicated on the plat of Meadowlark West Third Subdivision.
4. Mineral rights and a controlled access facility as shown in Return of Appraisers filed July 10, 1963, in Book 11, Page 641.
5. Subdivision Agreement for Meadowlark West Subdivision filed October 11, 1972, in Book 23, Page 549.
6. Memorandum of Shopping Center Ground Lease executed between Robert M. Allen Family Limited Partnership and Albertson's, Inc. dated March 11, 1999, and filed June 24, 1999, as Document No. 99-106375.
7. Declaration of Restrictions and Grant of Easements filed June 24, 1999, as Document No. 99-106376.
8. Second Amendment to Declaration of Restrictions and Grant of Easements dated July 24, 2002, and filed July 25, 2002, as Document No. 200207725.
9. Common Area Maintenance Agreement executed by and between Robert M. Allen Family Limited Partnership, a Nebraska limited partnership, and Albertson's, Inc., a Delaware corporation, dated March 11, 1999, and filed June 24, 1999, as Document No. 99-106377.
10. Covenant Regarding Certain Uses executed by and between Robert M. Allen Family Limited Partnership, a Nebraska limited partnership, and Albertson's, Inc., a Delaware corporation, filed June 24, 1999, as Document No. 99-106378.
11. Subdivision Agreement for Meadowlark West Third Subdivision filed June 24, 1999, as Document No. 99-106354.
12. Subject to Ordinance No. 8373 vacating the plat of Meadowlark West 2nd Subdivision except for Lot Three (3), filed May 4, 1999, as Document No. 99-104610.
13. Subject to Ordinance No. 8501 vacating the plat of Meadowlark West Subdivision filed October 15, 1999, as Document No. 99-110056.
14. First Amendment to Declaration of Restrictions and Grant of Easements executed between Robert M. Allen Family Limited Partnership and Albertson's, Inc. dated August 21, 2000, filed September 25, 2000, as Document No. 200007944.
15. Memorandum of Ground Lease executed between Robert M. Allen Family Limited Partnership, Landlord, and Albertson's, Inc., Tenant, dated September 22, 2000, and filed September 25, 2000, as Document No. 200007945.

16. First Amendment to Common Area Maintenance Agreement executed by and among Robert M. Allen Family Limited Partnership, a Nebraska limited partnership, Albertson's, Inc., a Delaware corporation, and Home Depot U.S.A., Inc., a Delaware corporation, dated July 24, 2002, and filed July 25, 2002, as Document No. 200207724.
17. Restrictive Use Agreement executed between Allen 13th Street LLC, a Nebraska limited liability company; Allen Phase III LLC, a Nebraska limited liability company; Allen 281 LLC, a Nebraska limited liability company; Allen Webb Road LLC, a Nebraska limited liability company; and RT Omaha Franchise, LLC, a Delaware limited liability company, dated January 18, 2005, and filed January 20, 2005, as Document No. 200500547.
18. Declaration of Restrictions executed by Allen 281 LLC, a Nebraska limited liability company; Allen 13th Street LLC, a Nebraska limited liability company; Robert M. Allen Family Limited Partnership, a Nebraska limited partnership; and Allen Webb Road LLC, a Nebraska limited liability company, for the benefit of Village Development – Grand Island, L.L.C., a Nebraska limited liability company, dated August 15, 2008, and filed August 18, 2008, as Document No. 200807157.
19. Fourth Amendment to Declaration of Restrictions and Grant of Easements, made and entered into on August 29, 2011, filed August 30, 2011, as Document No. 201106471.
20. Second Amendment to Common Area Maintenance Agreement made and entered into on August 29, 2011, filed August 30, 2011, as Document No. 201106472.
21. Memorandum of Lease by and between Batis Development Company and GMRI, Inc., dated November 23, 2011, filed December 7, 2011, as Document No. 201109170.
22. Declaration of Restrictive Covenants by Allen 281 LLC, a Nebraska limited liability company, Seller, to CFT Developments, LLC, a California limited liability company, Buyer, dated March 5, 2013, filed April 3, 2013, as Document No. 201302676.
23. Approval of Consenting Owners made and entered into by and among Robert M. Allen Family Limited Partnership, a Nebraska limited partnership, and Grand Island Venue, L.L.C., a Nebraska limited liability company, dated December 2nd, 2013, and filed 12-26, 2013, as Document No. 201309979.