

Old Republic National Title Insurance Company

Schedule A ALTA COMMITMENT

File No. 23957C-17
Revision Number 3

1. Commitment Date: **October 5, 2017 at 8:00am**

2. Policy to be issued:

(a) 2006 ALTA Owner's Policy

Proposed Policy Amount:
Premium:

Proposed Insured:

(b) 2006 ALTA Loan Policy

Proposed Policy Amount: **\$25,820,097.00**
Premium: **\$26,228.22**

Proposed Insured: **SFC Bank, it's successors and/or assigns as their interests may appear**

(c) Endorsements to be issued:

NE Insured Closing Letter Endorsement

Premium \$25.00

3. The estate or interest in the Land described or referred to in this Commitment is **Fee Simple**.

4. Title to the estate or interest in the Land is at the Commitment Date vested in:

Vecino Natural Bridge, LLC, a Missouri limited liability company [Vesting Deed](#)

5. The Land is described as follows:

SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION

Issued through the Office of:

TitleCore National, LLC
9140 West Dodge Road, Suite 380
Omaha, NE 68114



Authorized Signatory

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EXHIBIT "A"

Parcel A:

Lots 5, 6, 7 and 8 in Block 183½ in the original City of Omaha as surveyed and lithographed in Douglas County, Nebraska; together with the North 38 feet of vacated Nicholas adjoining on the South, the East 17 feet of vacated 20th Street adjoining on the West, the West 17 feet of vacated 19th Street adjoining on the East; and together with the South ½ of that part of the vacated alley adjoining Lots 7 and 8 on the North.

Except that part thereof taken by the City of Omaha and more particularly described as follows:

Beginning at a point located 17 feet East and 38 feet South of the Southeast corner of said Lot 8, said point being in the intersection of the West right-of-way line of Florence Boulevard and the North right-of-way line of Nicholas Street; thence Westerly along the existing North right-of-way line of Nicholas Street a distance of 5.00 feet; thence Northeasterly a distance of 7.07 feet to a point on East right-of-way line of Florence Boulevard; thence Southerly along said East right-of-way line of Florence Boulevard a distance of 5.00 feet to the point of beginning.

And except that part thereof conveyed to the City of Omaha described as follows:

Beginning 17.00 feet West and 38.00 feet South of the Southwest corner of said Lot 5; thence North a distance of 5.94 feet along the existing East right-of-way of N 20th Street; thence Southeasterly a distance of 10.26 to a point on the existing North right-of-way of Nicholas Street; thence West a distance of 8.40 feet along said existing North right-of-way to the point of beginning.

Parcel B:

Lots 1, 2, 3 and 4 in Block 195½ in the original City of Omaha, as surveyed and lithographed in Douglas County, Nebraska; together with the West 14 feet of vacated 19th Street abutting Lot 1 on the East; and together with the North ½ of vacated alley adjoining on the South.

Except that part thereof conveyed to the City of Omaha described as follows:

Beginning 14.00 feet East of the Northeast corner of said Lot 1; thence South 132.00 feet along the West right-of-way of Florence Boulevard to a point on the South line of said Lot 1 extended East; thence West 5.00 feet along said South line extended; thence North 132.00 feet to a point on the South right-of-way of Nicholas Street; thence East 5.00 feet along said South right of way to the point of beginning.

Parcel C:

Lots 5, 6, 7 and 8 in Block 195½ in the original City of Omaha, as surveyed and lithographed in Douglas County, Nebraska; also a strip of ground described as follows: Commencing at the Southwest corner of Lot 5 in Block 195½ in the City of Omaha; thence East 278 feet; thence South 10 feet; thence West 278 feet; thence North 10 feet to the place of beginning, being a part of IZARD Street vacated; also a strip of ground described as follows: Commencing at the Northeast corner of Lot 8 in said Block 195½ in said City of Omaha; running thence South 132 feet; thence East 14 feet; thence North 132 feet; thence West 14 feet to the place of beginning, being a part of 19th Street vacated; and together with the South ½ of vacated alley adjoining on the North.

Except that part thereof conveyed to the City of Omaha described as follows:

Beginning 14.00 feet East of the Northeast corner of said Lot 8; thence South 142.00 feet along the West right-of-way of Florence Boulevard to the North right-of-way of IZARD Street; thence West 6.00 feet along said North right-of-way; thence North 142.00 feet to a point on the North line of said Lot 8 extended East; thence East 6.00 feet along said North line extended to the point of beginning.

Parcel D:

Lots 1, 2, 3 and 4 in Block 196½ in the original City of Omaha, as surveyed and lithographed in Douglas County, Nebraska; together with the East 14 feet of vacated 19th Street abutting Lot 4 on the West.

Except that part thereof conveyed to the City of Omaha described as follows:

Beginning 14.00 feet West of the Northwest corner of said Lot 4; thence East a distance of 18.36 feet along the existing South right-of-way of Nicholas Street; thence Southwesterly a distance of 24.09 feet to a point on the existing East right-of-way of Florence Boulevard; thence North a distance of 15.49 feet along said existing East right-of-way to the point of beginning.

Parcel E:

Lot 1, Block 6, Horbach's Second Addition, an addition to the city of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, together with the North ½ of vacated alley adjoining on the South.

Parcel F:

The South 13 inches of Lot 2, Block 6, Horbach's Second Addition, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, together with the East ½ of vacated alley adjoining on the West.

Parcel G:

The North 25 feet of Lot 12, Block 6, Horbach's Second Addition, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

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Schedule B - I ALTA COMMITMENT

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REQUIREMENTS

All of the following requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Construction Deed of Trust from Vecino Natural Bridge, LLC, a Missouri limited liability company, executed by its authorized manager, member or officer(s) in accordance with its articles of organization, operating agreement and any amendments thereto, in favor of SFC Bank, **securing a specific stated amount or maximum indebtedness.** (NOTE: If the loan document to be recorded is a Deed of Trust/Trust Deed, the Revised Statutes of Nebraska Section 76-1003 state that the Trustee of a trust deed shall be: (a) a member of the Nebraska State Bar Association or a licensed real estate broker of Nebraska; (b) any bank, building and loan association, savings and loan association or credit union authorized to do business in Nebraska under the laws of Nebraska or the United States; (c) any corporation authorized to conduct a trust business in Nebraska under the laws of Nebraska or the United States; or, (d) any title insurer authorized to do business in Nebraska under the laws of Nebraska; and, the trustee of a trust deed shall not be the beneficiary named in the trust deed unless the beneficiary is qualified to be a trustee under subdivisions (b) or (c) above. If a non-qualified trustee is named in the Deed of Trust/Trust Deed, appropriate exception will be made thereto in the final loan policy to be issued hereunder.) Note: Said Deed of Trust must recite on its face that it is to be construed as a "Construction Security Agreement" under Nebraska law.
 - b. Notice of Commencement must be recorded immediately after the construction loan documents.
5. A complete copy of the Articles of Organization, the Operating Agreement and any amendments thereto for Vecino Natural Bridge, LLC, a Missouri limited liability company, must be furnished to this Company for our review. NOTE: The Company hereby reserves the right to make further requirements as may be necessary after review of the said documents. Note: Title Company has received copies of the Articles and Operating Agreement. Note: Articles of Organization and Operating Agreement received by Title Company. Note: Certificate of Organization and Operating Agreement received by Title Company
6. Evidence satisfactory to the Company that all necessary consents, authorizations, resolutions, notices or other action required under applicable law or the organizational documents of Vecino Natural Bridge, LLC, a Missouri limited liability company with regard to the subject transaction and the execution of all documents pertaining thereto have been conducted, given or properly waived.
7. Execution of the Affidavit Regarding Owner by the titleholder.
8. Intentionally deleted. Construction Lien released.

NOTE: Please order a verbal update from this title company prior to closing this transaction to determine any matters appearing of record after the effective date of this commitment.

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NOTE: Please notify this Company when all requirements have been met so that we may issue the final policy.

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Schedule B - II ALTA COMMITMENT

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EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER INDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, encumbrances, violations or adverse circumstances affecting the Title that would be disclosed by an accurate and complete land survey of the Land, which are not shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien or right to a lien, for services, labor or material heretofore furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

Special exceptions are those defects disclosed by a search of the title to this property for which no coverage is provided by the policy.

6. General taxes assessed under Tax Key No. 2826 0000 03 for the year 2016 payable in the year 2017 levied in the amount of \$2,172.72, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. NOTE: In its legal description, this tax key number does not include the ½ vacated alley adjoining Lots 7 & 8, Block 183½ on the North. The alley is taxed as part of Parcel E. (Parcel A)

General taxes assessed under Tax Key No. 2878 0000 03 for the year 2016 payable in the year 2017 levied in the amount of \$14,791.02, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. (Parcel B)

General taxes assessed under Tax Key No. 2879 0000 03 for the year 2016 payable in the year 2017 levied in the amount of \$3,909.64, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. (Parcel C)

General taxes assessed under Tax Key No. 2880 0000 03 for the year 2016 payable in the year 2017 levied in the amount of \$1,742.40, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. (Parcel D)

General taxes assessed under Tax Key No. 0316 0000 14 for the year 2016 payable in the year 2017 levied in the amount of \$4,313.06, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. NOTE: In its legal description, this tax key number also includes the ½ vacated alley adjoining Lots 7 & 8, Block

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183½ on the North. NOTE: In its legal description, this tax key includes a vacated alley adjoining on the West for which we find no vacation. (Parcel E)

General taxes assessed under Tax Key No. 0317 0000 14 for the year 2016 payable in the year 2017 levied in the amount of \$6.46, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. (Parcel F)

General taxes assessed under Tax Key No. 0336 0000 14 for the year 2016 payable in the year 2017 levied in the amount of \$141.64, first installment is paid, second installment is unpaid and delinquent as of August 1, 2017. NOTE: In its legal description, this tax key includes a vacated alley adjoining on the East for which we find no vacation. (Parcel G) Special assessment for weeds billed August 15, 2017

The lien of the second half of the general taxes for 2016, due December 31, 2016 and payable in 2017, and all subsequent taxes and special assessments, including but not limited to those now pending, assessed or levied, not yet certified to the Office of the County Treasurer for collection at the date hereof.

7. Easements reserved by Ordinance No. 16637 recorded August 31, 1950 in [Book 255 at Page 350](#) of the Miscellaneous Records of Douglas County, Nebraska, in favor of the City of Omaha to maintain, operate and repair sewers now existing and in the future to construct, maintain and repair additional or other sewers in the vacated alley; and reserves the right the authorize Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain and repair utility facilities above, on and below the surface of that portion of the vacated alley between **Parcels A and E**.
 - a. Release of Sewer Easements approved and executed September 23, 2016 and recorded September 27, 2016 as [Instrument No. 2016079902](#) of the Records of Douglas County, Nebraska, wherein the City of Omaha releases its rights reserved by the above referenced Ordinance.
 - b. Release of Easement dated January 23, 2017 and recorded January 25, 2017 as [Instrument No. 2017006274](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance.
 - c. Disclaimer and Release dated October 10, 2016 and recorded January 26, 2017 as [Instrument No. 2017006677](#) of the Records of Douglas County, Nebraska, wherein Omaha Public Power District releases its rights reserved by the above referenced Ordinance.
 - d. Disclaimer and Release dated October 12, 2016 and recorded January 26, 2017 as [Instrument No. 2017006678](#) of the Records of Douglas County, Nebraska, wherein Cox Communications Inc. releases its rights reserved by the above referenced Ordinance.
8. Easements reserved by Ordinance No. 16636 recorded August 31, 1950 in [Book 255 at Page 373](#) of the Miscellaneous Records of Douglas County, Nebraska, in favor of the City of Omaha to maintain, operate and repair sewers now existing and in the future to construct, maintain and repair additional or other sewers in a portion of vacated Nicholas Street; and reserves the right the authorize Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain and repair utility facilities above, on and below the surface of that portion of vacated Nicholas Street comprising a portion of **Parcel A**.
 - a. Amended Ordinance No. 16675 recorded November 15, 1950 in [Book 257 at Page 523](#) of the Miscellaneous Records of Douglas County, Nebraska.
 - b. Release of Sewer Easements approved and executed September 23, 2016 and recorded September 27, 2016 as [Instrument No. 2016079902](#) of the Records of Douglas County, Nebraska, wherein the City of Omaha releases its rights reserved by the above referenced Ordinance and Amended Ordinance.
 - c. Release of Easement dated January 23, 2017 and recorded January 25, 2017 as [Instrument No. 2017006273](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance and Amended Ordinance.
9. Easements reserved by Ordinance No. 30998 recorded July 3, 1986 in [Book 780 at Page 105](#) of the Miscellaneous Records of Douglas County, Nebraska, in favor of Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain and repair utility facilities above, on and below the surface of the vacated alley; and reserves the right of the Union Pacific Railroad Company to operate, maintain and repair trackage existing or other trackage within that portion of the vacated alley comprising portions of **Parcels B and C**.

- a. Disclaimer and Release dated October 10, 2016 and recorded January 11, 2017 as [Instrument No. 2017002814](#) of the Records of Douglas County, Nebraska, wherein Omaha Public Power District releases its rights reserved by the above referenced Ordinance.
 - b. Disclaimer and Release dated October 12, 2016 and recorded January 11, 2017 as [Instrument No. 2017002815](#) of the Records of Douglas County, Nebraska, wherein Cox Communications Inc. releases its rights reserved by the above referenced Ordinance.
 - c. Partial Release of Platted Utility Easement dated November 28, 2016 and recorded January 11, 2017 as [Instrument No. 2017002816](#) of the Records of Douglas County, Nebraska, wherein Qwest Corporation d/b/a Century Link QC. releases its rights acquired by the above referenced Ordinance.
 - d. Release of Easement dated September 26, 2016 and recorded January 11, 2017 as [Instrument No. 2017002819](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance.
10. Easements reserved by Ordinance No. 19337 recorded September 4, 1957 in [Book 324 at Page 174](#) of the Miscellaneous Records of Douglas County, Nebraska, in favor of the City of Omaha to maintain, operate and repair sewers now existing and in the future to construct, maintain and repair additional or other sewers in the vacated alley; and reserves the right the authorize Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain and repair utility facilities above, on and below the surface of that portion of the vacated alley comprising a portion of **Parcel F**.
 - a. Release of Easement dated September 26, 2016 and recorded January 11, 2017 as [Instrument No. 2017002818](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance.
 - b. Release of Easement dated January 23, 2017 and recorded January 25, 2017 as [Instrument No. 2017006275](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance.
11. Easements reserved by Ordinance No. 19337 recorded December 31, 1957 in [Book 327 at Page 421](#) of the Miscellaneous Records of Douglas County, Nebraska, in favor of the City of Omaha to maintain, operate and repair sewers now existing and in the future to construct, maintain and repair additional or other sewers in the vacated alley; and reserves the right the authorize Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain and repair utility facilities above, on and below the surface of that portion of the vacated alley comprising a portion of **Parcel F**.
 - a. Release of Easement dated September 26, 2016 and recorded January 11, 2017 as [Instrument No. 2017002817](#) of the Records of Douglas County, Nebraska, wherein Metropolitan Utilities District of Omaha releases its rights reserved by the above referenced Ordinance.
12. ALTA/NSPS Land Title Survey prepared by James D. Warner, Nebraska Registered Land Surveyor of Thompson, Dreessen & Dorner, Inc. , L.S. No. 308, dated August 12, 2016, designated as 1155-16-3(AL), reveals overhead power line crossing Parcel A without benefit of an easement.
13. ALTA/NSPS Land Title Survey prepared by James D. Warner, Nebraska Registered Land Surveyor of Thompson, Dreessen & Dorner, Inc. , L.S. No. 308, dated August 12, 2016, designated as 1155-16-3(AL), reveals the building located on Parcel B encroaches into the 20th Street Right-of-Way.
14. ALTA/NSPS Land Title Survey prepared by James D. Warner, Nebraska Registered Land Surveyor of Thompson, Dreessen & Dorner, Inc. , L.S. No. 308, dated August 12, 2016, designated as 1155-16-3(AL), reveals the building located in the Westerly portion of Parcel C encroaches into the 20th Street Right-of-Way and the building located in the Easterly portion of Parcel C encroaches into the 19th Street Right-of-Way.
15. ALTA/NSPS Land Title Survey prepared by James D. Warner, Nebraska Registered Land Surveyor of Thompson, Dreessen & Dorner, Inc. , L.S. No. 308, dated August 12, 2016, designated as 1155-16-3(AL), reveals the chain link fence encroaching over the Northerly boundary of Parcel D into the Nicholas Street Right-of-Way, over the Southerly boundary of Parcel D into the adjoining alley, and over the Easterly boundary of Parcel D into the 18th Street Right-of-Way.
16. ALTA/NSPS Land Title Survey prepared by James D. Warner, Nebraska Registered Land Surveyor of Thompson,

Dreessen & Dorner, Inc. , L.S. No. 308, dated August 12, 2016, designated as 1155-16-3(AL), reveals the building located on Parcels E and F encroaches over the Northerly boundary of Parcel F on the adjoining property.

17. Subject to any and all unrecorded leases, contracts, and or verbal agreements.
18. Terms and provisions of Post Construction Stormwater Management Plan Maintenance Agreement and Easement filed August 31, 2017 at [Instrument No. 2017069331](#), of the Records of Douglas County, Nebraska, executed by Vecino Natural Bridge.