

DEERFIELD ADDITIONS:

Updated 8-11-2004

CAUTION: Lots 19A thru 22B are designated Townhome Lots and Have ASSOCIATION DUES.

9/30/03 - Spoke with Mike Starrett with Commonwealth in reference to Party Wall or any special requirements about Townhomes- Mike Starrett said we make exception to the covenants which refer to Party Walls, etc. and we do not need any other documents.

Add to all commitments/reports when doing these townhome lots:

PLEASE NOTE: THIS REPORT/ POLICY DOES NOT INCLUDE/COVER ANY DUES/ASSESSMENTS LEVIED OR ASSESSED AGAINST SUBJECT PROPERTY BY ANY TOWNHOME LOT OWNERS ASSOCIATION.

ORIGINAL DEED TO JCM INVESTMENTS, INC., - JCM Investments, Inc. (Warranty Deed recorded in Book 266, Page 848, dated June 4, 1997, filed June 4, 1997. (conveys the area in Section 2-18-11 making up Deerfield and Deerfield First Addition).

DEED OF TRUST in Book 266, Page 850 is released at Book 309-143 and 313-652.

SPECIAL ASSESSMENTS:

SD#55:	Levied on _____; set up in 10 installments; Installments _____ shown paid _____; Installments _____ shown due and payable.
WD#36:	Levied on _____; set up in 10 installments; Installments _____ shown paid _____; Installments _____ shown due and payable.
PD#174:	Levied on _____; set up in 10 installments; Installments _____ shown paid _____; Installments _____ shown due and payable.

(Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R, 8R, 9R, 10R, 11R, 12R, 13R, 14R, 15R, 16R, 16R, 18R, 19R and 20R Deerfield Replat I) -

MORTGAGE in Book 346, Pages 657-663, dated October 10, 2001, filed October 16, 2001 from JCM Investments, Inc. to The City of Blair, in the amount of \$120,728.00, to secure payment of special assessments levied against those lots pursuant to Resolution 2001-31.

NOTE: ACCORDING TO PEGGY AT THE CITY OFFICE - The original Special Assessments set out on the original lot numbers BEFORE they were Replatted are now VOIDED. When we find a Partial Release of the Mortgage in Book 346, Pages 657-663 it means that the new Special Assessments have been paid on that particular lot.

All lots: DEED OF TRUST recorded in Book 276, Pages 709-714, dated October 10, 1997, filed January 22, 1998, given by JCM Investments, Inc., a Nebraska Corporation, to U.S. Bank National Association d/b/a First Bank N.A., Trustee and Beneficiary, in the principal sum of \$1,550,000.00; (On Lots 1-83 Deerfield and Lots 84-189 and Outlot 1, Deerfield First Add.)

ASSIGNMENT OF RENTS recorded in Book 276, Pages 715-717, dated October 10, 1997, filed January 22, 1998, wherein JCM Investments, Inc. a Nebraska Corporation, assigns Rents to U.S. Bank National Association d/b/a First Bank N.A. (On same lots as Deed of Trust in Book 276, Pages 709-714.)

AMENDMENT TO DEED OF TRUST AND AMENDMENT TO ASSIGNMENT OF RENTS recorded in Book 358, Pages 465-472, dated July 16, 2001, filed February 22, 2002.- Prom. Note dated July 16, 2001, in the original principal amount of \$1,231,642.59 - The Note contains a Variable Interest Rate. (On Lots as listed on said Document)-PER JOHN SAMSON, THIS AMENDMENT NEEDS TO BE RELEASED AS WELL AS THE DEED OF TRUST IN BOOK 276, PAGES 709-714 AND THE ASSIGNMENT OF RENTS IN BOOK 276, PAGES 715-717, BECAUSE IT COVERS A NEW DEBT. ***

*****JOHN SAMSON SPOKE WITH US BANK AND AFTER THOROUGHLY REVIEWING THE AMENDMENT TO THE DEED OF TRUST AND AMENDMENT TO ASSIGNMENT OF RENTS IN BOOK 358, PAGES 465-472 HE FOUND THERE IS NOT A "GRANTING CLAUSE" AND NO "POWER OF SALE CLAUSE" (STAT. 76-1005, et. seq.), THEREFORE WE CAN DELETE AS LONG AS THE ORIGINAL DEED OF TRUST 276-709 AND THE ASSIGNMENT OF RENTS 276-715 IS RELEASED AS TO THE PROPERTIES WE ARE DOING.**

***NOTE: Need to check this to see if they are released/ reconveyed as to our property each time.**

SECOND AMENDMENT TO DEED OF TRUST AND SECOND AMENDMENT TO ASSIGNMENT OF RENTS recorded in Book 427, Pages 617-624, filed January 2, 2004, Prom. Note dated July 16, 2001, in the original principal amount of \$1,231,642.59. - The Note contains a Variable Interest Rate.

All lots: OIL AND GAS LEASE recorded in Book 125, Pages 328-329, dated October 16, 1979, filed October 29, 1979. ASSIGNMENT OF OIL AND GAS LEASE recorded in Book 128, Pages 3-4, dated December 14, 1979, filed May 20, 1980.

9/25/03 - spoke with Mike Starrett with Commonwealth - he said we could leave these off the subdivision because the 5 year term is up.

Lots 23-83 in Deerfield: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEERFIELD SINGLE FAMILY LOTS recorded in Book 288, Pages 458-465, dated September 2, 1998, filed September 3, 1998.

Lots 5A through 22B in Deerfield: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEERFIELD DUPLEX LOTS in Book 318, Pages 570-577, dated October 26, 1998, filed June 12, 2000. (Lots 5A through 22B for Duplex Lots - no homeowners association mentioned, etc.)

Lots 18A through 22B in Deerfield: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS - Deerfield Townhomes in Book 329, Pages 159-167, dated January 17, 2000, filed January 24 2001; sets out, among other items, the Deerfield Townhomes Association; annual assessments; party walls, etc.

Lots 5A through 22B in Deerfield: AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEERFIELD, recorded in Book 346, Pages 546-547, dated October 11, 2001, filed October 15, 2001; covenants amended to show properties to be Lots 18A through 22B - Lots 5A through 17B have been replatted as single family lots; sets out general provisions, etc.

Lots 18A through 22B in Deerfield: AMENDMENTS TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEERFIELD in Book 384, Pages 551-554 filed December 13, 2002. (This is an amendment to Covenants in Book 329, Page 159-167 deleting Lots 18A and 18B from those covenants and showing that those covenants now affect Lots 19A through 22B.)

Lots 1R through 20R- Deerfield Replat I: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEERFIELD REPLAT 1 SINGLE FAMILY LOTS recorded in Book 346, Pages 548-553, dated October 11, 2001, filed October 15, 2001..

Median in Street: EASEMENT recorded in Book 295, Pages 495-500, dated January 14, 1999, filed January 19, 1999, from City of Blair to JCM Investments, Inc. for placement of an entrance marker. **Not really an exception but leave on for our info.**

All lots: QUIT CLAIM DEED recorded in Book 164, Pages 516-517, dated September 18, 1986, filed May 6, 1987, restricts access except over a 25 foot field entrance. **Not sure if this affects.**

Lot 1 & Outlot 1: EASEMENT recorded in Book 164, Pages 524-525, dated October 6, 1986, filed May 6, 1987.

Lot 1: EASEMENT recorded in Book 192, Pages 636-637, dated March 27, 1991, filed April 25, 1991.

Lot 1 & Outlot 1: EASEMENT recorded in Book 198, Pages 318-319, dated October 29, 1991, filed December 11, 1991.

Lots 1-83: RESOLUTION NO. 2000-5 recorded in Book 439, Pages 230-246, filed June 4, 2004, setting up Street Improvement District No. 174, Sanitary Sewer Extension District No. 55 and Water Extension District No. 36.

Lots 1-83 only: ANY and all easements, restrictions, etc., on Plat recorded in Book 2, Pages 870-877, dated April 22, 1997, filed May 20, 1997; (*) sets out among others, easements to OPPD, Blair Telephone Company, Huntel Communications, City of Blair, Peoples Natural Gas Company, their successors and assigns and to any company which has been granted a franchise to provide cable television system. Said Plat also shows Deerfield's entrance is subject to 40 foot ingress and egress shown in Quitclaim Deed in Book 198, Pages 315-317 and Deed of Correction in Book 249, Page 423; said deeds also set out certain restrictions, reservations, conditions, etc.

Lots 84-189 only: ANY and all easements, restrictions, etc., on Plat of Deerfield First Addition recorded in Book 2, Pages 878-885, dated May 12, 1997, filed May 20, 1997;(*) sets out among others, easements to OPPD, Blair Telephone Company, Huntel Communications, City of Blair, Peoples Natural Gas Company, their successors and assigns and to any company which has been granted a franchise to provide cable television system. Said Plat also shows Deerfield's entrance is subject to 40 foot ingress and egress shown in Quitclaim Deed in Book 198, Pages 315-317 and Deed of Correction in Book 249, Page 423; said deeds also set out certain restrictions, reservations, conditions, etc.

Lots 1R through 20R (being a replat of Lots 5A-17B Deerfield Subdivision):

DEERFIELD REPLAT I, in Plat Book 2, Pages 1088-1091, filed September 14, 2001.

CORRECTED DEERFIELD REPLAT I in Plat Book 2, Pages 1108-1111, FILED June 18, 2002.

All lots: RIGHTS OF THE PUBLIC, State of Nebraska, the County of Washington and the City of Blair in and to that portion of subject land taken or used for road purposes.

All lots: CITY OF BLAIR ZONING / RESOLUTIONS / ORDINANCES / REGULATIONS: Ordinance #1064 in Book 71, Page 467, dated August 22, 1972, filed October 13, 1972; Amendment in Book 134, Page 496, dated December 29, 1981, filed January 8, 1982; Ordinance No. 1805 in Book 266, Pages 652-653, dated May 27, 1997, filed May 30, 1997; Ordinance No. 1804 in Book 266, Pages 654-655, dated May 27, 1997, filed May 30, 1997; ANY AND ALL AMENDMENTS THERETO.