

**STATE OF Nebraska
COUNTY OF Douglas
Project #OPW 52470
File No. 21639-16**

TITLE CERTIFICATE

EFFECTIVE DATE: January 25, 2017, at 8:00 AM

The undersigned, a Registered Nebraska Abstracter, operating under the Certificate of Authority granted it by the Abstracters Board of Examiners, presents this Title Certificate, hereafter "Certificate", relative only to the following described real estate in the County referenced, hereafter "property":

Lot 2, Fontenelle Garden Tracts Replat 1, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

ADDRESS: 7254 North 30th Street, Omaha, NE

This Certificate is a contract between TitleCore National, LLC as an Abstracter and City of Omaha Public Works Department. The consideration for this contract is the information set forth below and furnished by the Abstracter together with the fee charged by the undersigned for the service performed by the Abstracter. The scope of this contract is outlined as follows:

- (a) This Certificate is not an abstract of title, nor a complete chain of title search, nor an attorney's Title Opinion, nor is it a title insurance policy or title insurance binder.
 - (b) This Certificate does provide limited title facts relative to the property only as specifically set out in the following numbered paragraphs. Each numbered paragraph identifies the particular information provided in this certificate.
 - (c) This Certificate reports limited information of record to the effective date above.
- 1.) The Grantee(s) in the last deed of record:
- Lincoln Henderson Omaha North 30th Street L.L.C., by virtue of that certain Warranty Deed dated October 21, 1999 and recorded October 25, 1999 at Book 2136, Page 057 and by virtue of that certain Warranty Deed dated October 21, 1999 and recorded October 25, 1999 at Book 2136, Page 056, of the Records of Douglas County, NE.**
- 2.) Unreleased mortgages and liens of record:
- None.**
- 3.) Financing Statements filed in the County Register of Deeds or Recorder's Office and indexed against the property:
- None.**
- 4.) Judgments and pending law suits in District Court:
- (a) Judgments of record in the County District Court filed on the property, or indexed against the Grantee(s):
- None.**
- (b) Pending Law Suits of record in the County District Court on the property, or indexed against the Grantee(s):
- None.**
- 5.) Tax Liens, State and Federal:
- (a) Unreleased state tax liens of record filed against the Grantee(s):
- None.**
- (b) Unreleased federal tax liens of record filed against the Grantee(s):
- None.**

- 6.) Other Liens of Record: Liens of record in the office of the Register of Deeds or Recorder and indexed against the property, (other than those liens previously set forth):

Memorandum of Lease recorded June 27, 2007, at Instrument No. 2007072914 of the Records of Douglas County, NE, by Lincoln Henderson Omaha North, as Lessor and Subway Real Estate Corp..

- 7.) Guardianships, Estates, and Conservatorships filed in the County Court and indexed against the Grantee(s):

None.

- 8.) Easements, Covenants and Restrictions of Record:

Easements for utilities as reserved in Ordinance No. 23706, recorded March 3, 1966 at Book 434, Page 567, of the Records of Douglas County, NE, above, on and below the surface of the vacated alley which comprises a portion of the subject property.

Administrative Subdivision recorded December 14, 2000 in Book 1361 at Page 722 of the Records of Douglas County, NE, over a portion of property described therein.

- 9.) Real Estate Taxes and Special Assessments: Unpaid real estate taxes and unpaid special assessments certified for collection in the tax offices of Douglas County and indexed against the property:

General taxes assessed under Tax Key No. 3048-0032-11 for 2016 due and payable in 2017, levied in the amount of \$5,428.90, first installment is due and will become delinquent April 1, 2017, second installment is due and will become delinquent August 1, 2017.

Special Assessments:

None.

This Title Certificate certifies that TitleCore National, LLC has examined the records of Douglas County, Nebraska, and has set out, as displayed above, filings of instruments, judgments and real estate tax information of the records of the District Court, County Court, U.S. Bankruptcy Court for the District of Nebraska and Register of Deeds, that may affect the title or Grantee(s), within the defined scope and parameters of this Title Certificate.

Issued: January 30, 2017

TitleCore National, LLC



Registered Abstractor
Under Certificate of Authority No. 662



MISC 2007072914



JUN 27 2007 13:43 P 4

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
6/27/2007 13:43:48.33



MEMORANDUM OF LEASE

Pursuant to Section 30 of the Lease

This is a Memorandum of Lease for the Lease executed on the 10/27/2005, between Subway Real Estate Corp. a corporation organized under the laws of the State of Delaware, having its principal office at 325 Bic Drive, Milford, CT 06460, hereinafter called "the Tenant," and Lincoln Henderson Omaha North, having its principal office at: c/o Pam Lincoln, 1036 Los Altos Avenue, Los Altos Hills, CA 94022-1016, hereinafter called "the Landlord."

For the purpose of this document and/or the Lease, as well as the exhibits/schedules executed by the Landlord and Tenant, the terms "Landlord" and "Lessor" as used shall be deemed synonymous and the terms "Tenant" and "Lessee" as used shall be deemed synonymous.

The Landlord leases to the Tenant the premises as described in the Lease:

1. Premises:

Store Number: 30119

Located at: 7254 N. 30th Street, Omaha, NE, 68112

Legal Description: FONTENELLE GARDEN TRACTS REP 1*

Lot : 000002 Block:00000 IRREG Parcel #: 3048 0032 11

State of: NE

County of: DOUGLAS

2. Term:

The Lease is for a term of 10 Years

3. Renewal (Option) Periods:

The Tenant shall have the right to renew this lease for one (1) period of five (5) years each

PREPARED BY AND RETURN TO:

SUBWAY REAL ESTATE CORP
325 BIC DRIVE
MILFORD, CT 06461

misc
FEE 20.50 FB 44-12601
BKP _____ C/O _____ COMP PW
DEL _____ SCAN _____ FV _____

34180

34091

Acknowledgement - General

In Witness whereof the "Landlord" has hereunto executed this document this 4th
day of May, 2007.

Landlord: Lincoln Henderson Ogden North

Pamela J. Lincoln
Signature

Pamela J. Lincoln
Print

member
Title:

5/4/07
Date

California All-Purpose Acknowledgement is attached hereto.

Prepared by, and return to:
Subway Real Estate Corp.
325 Bic Drive ~ Milford, CT 06460

ALL-PURPOSE CALIFORNIA ACKNOWLEDGEMENT

State of California }
County of San Mateo } ss.

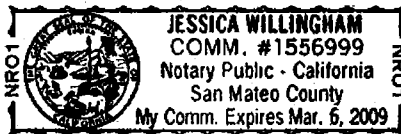
On 5-4-07 before me, Jessica Willingham
(DATE) (NOTARY)

personally appeared Pamela J Lincoln

~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/~~she~~ they executed the same in his/~~her~~ their authorized capacity(ies), and that by his/~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(seal)

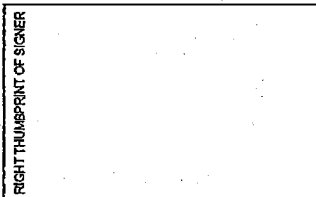
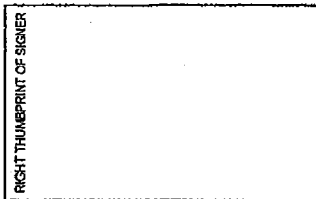
*****OPTIONAL INFORMATION*****

The following information is not required by law, however it may be helpful in preventing fraudulent use of this acknowledgement.

DOCUMENT TITLE OR DESCRIPTION _____

DOCUMENT DATE: _____ NUMBER OF PAGES: _____

COMMENTS:



In Witness Whereof the "Tenant" has hereunto executed this document this 24
day of May 2007.

Tenant: Subway Real Estate Corp.

[Signature]
Theodore M. Parent, Its: Vice President

[Signature]
Witness, R. Asper

[Signature]
Witness, Linda Fike

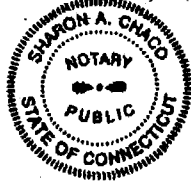
STATE OF CONNECTICUT

COUNTY OF NEW HAVEN

On this the 24th day of May in the Year 2007,
before me, the undersigned, a Notary Public in and for said State, personally appeared
Theodore M. Parent, Vice President of Subway Real Estate Corp., personally known to
me or proved to me on the basis of satisfactory evidence to be the individual whose name
is subscribed to the within instrument and acknowledge to me that he executed the same
in his capacity, and that by his signature on the instrument, the individual, or the person
upon behalf of which the individual acted, executed the instrument.

[Signature]
Sharon A. Chaco, Notary Public
County of New Haven, CT

(Notarial Seal)



Sharon A. Chaco
NOTARY PUBLIC
STATE OF CONNECTICUT
My Commission Expires
April 30, 2012

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ORDINANCE NO. 23706

AN ORDINANCE vacating north-south alley, west of 30th Street from Ernst Street to Scott Street, abutting Lots 1-2-3-4-5-6, Fontenelle Garden Tracts in the SW¹ Section 28-16-13. in the City of Omaha and providing the effective date hereof.

WHEREAS, petition representing owners of more than 75 percent of the property abutting on north-south alley, west of 30th Street from Ernst Street to Scott Street; abutting Lots 1-2-3-4-5-6, Fontenelle Garden Tracts in the SW¹ Section 28-16-13.

has been filed with the City of Omaha; and

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That north-south alley, west of 30th Street from Ernst Street to Scott Street, abutting Lots 1-2-3-4-5-6, Fontenelle Garden Tracts in the SW¹ Section 28-16-13.

in the City of Omaha be, and is hereby, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitations that there is reserved to the City of Omaha the right to maintain, operate, repair, and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; also the right to authorize the Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain, repair or renew and operate now existing or thereafter installed water mains, pole lines, conduits and other similar services or equipment above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the City and to enter upon the premises to accomplish the above purpose at any and all times.

Section 2. That this ordinance shall take effect and be in force after 15 days from and after its passage.

INTRODUCED BY COUNCILMAN
[Signature]

APPROVED BY:
[Signature] 2/16/66
MAYOR OF THE CITY OF OMAHA DATE

PASSED
FEB 15 1966

APPROVED AS TO FORM:
[Signature]
CITY ATTORNEY

[Signature]
CITY CLERK OF THE CITY OF OMAHA

I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.
[Signature]
CITY CLERK

18

[Signature]
RECEIVED
1966 MAR 3 PM 3 57

THOMAS J O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

[Signature]

THE STATE OF NEBRASKA
FOR THE YEAR 1966
Book 434 Page 567

[Signature]
434 Mac

[Signature]

City of Omaha
City Clerk
[Signature]

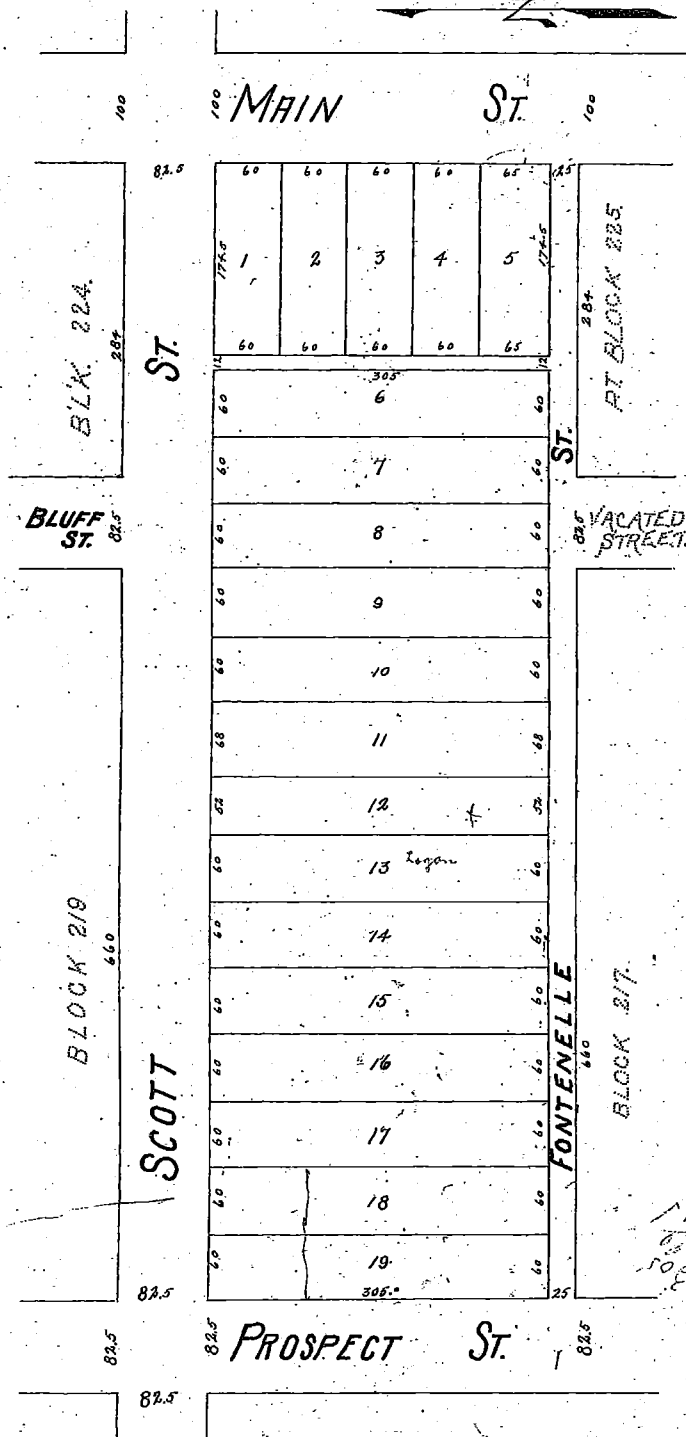
60-427
425
425

60-427

86

FONTENELLE GARDEN TRACTS.

AN ADDITION IN THE CITY OF FLORENCE, DOUGLAS COUNTY, NEBR.

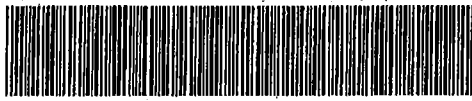


THE STATE OF NEBRASKA,
DOUGLAS COUNTY.

Entered in Numerical Index and filed for Record
in the Register of Deeds Office of said County, the
19th day of April 1917
at 8:30 o'clock A. M.

Harry Pearce,
Register of Deeds

Compared by O.K.O.



BK 1361 PG 722-724



MISC 2000 16985

Nebr Doc Stamp Tax
Date
\$
By

RICHARD N. TAKECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

00 DEC 14 PM 1:08

RECEIVED

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

M *Misc*
3
6

FEE 18.00 FB 44-12600 - old
 BOP _____ CO _____ COMP _____
 DEL _____ SCAN dsrv

3500

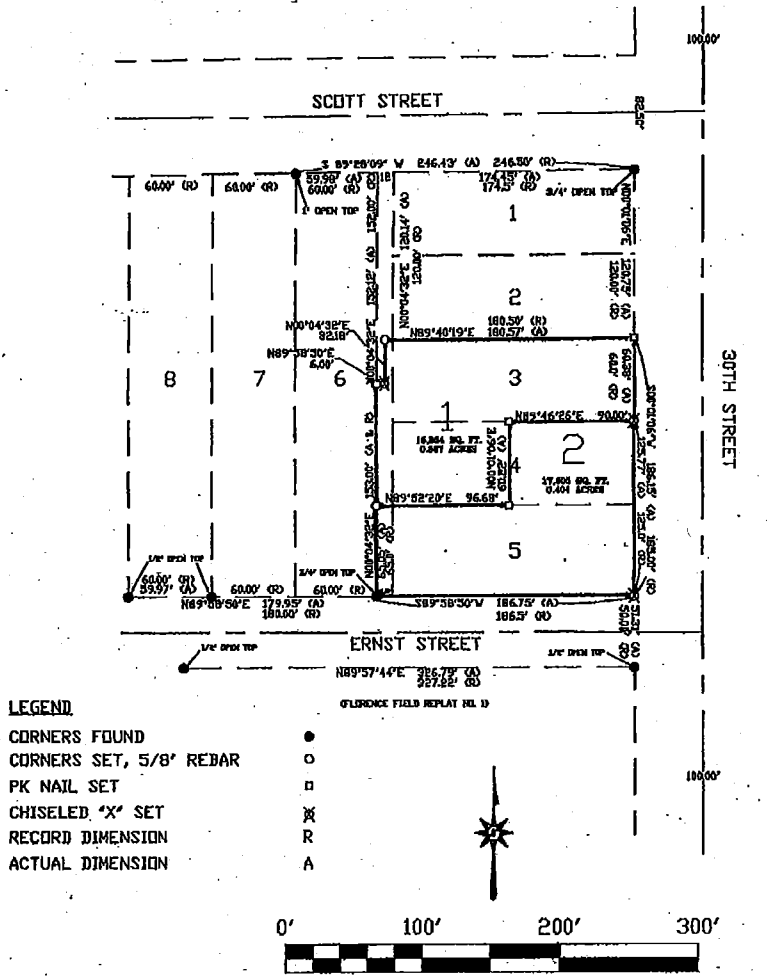
ADMINISTRATIVE SUBDIVISION

FONTENELLE GARDEN TRACTS, REPLAT NO. 1 LOTS 1 AND 2

A REPLAT OF LOTS 3, 4 AND 5 AND THE EAST HALF VACATED ALLEY
ADJOINING SAID LOTS AND THE WEST HALF VACATED ALLEY ADJOINING
THE SOUTH 153 FEET OF LOT 6; LOCATED IN FONTENELLE GARDEN
TRACTS, AN ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY,
NEBRASKA

LEGAL DESCRIPTION

LOTS 3, 4 AND 5 AND THE EAST HALF VACATED ALLEY ADJOINING SAID
LOTS AND THE WEST HALF VACATED ALLEY ADJOINING THE SOUTH 153
FEET OF LOT 6; LOCATED IN FONTELLE GARDEN TRACTS, AN ADDITION TO
THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA; MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE
SOUTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE SOUTH LINE OF
SAID LOT 5 S89°58'50"W A DISTANCE OF 186.75 FEET TO THE
SOUTHEAST CORNER OF LOT 6; THENCE ALONG THE EAST LINE OF LOT 6
N00°04'32"E A DISTANCE OF 153.00 FEET; THENCE N89°58'50"E A
DISTANCE OF 6.00 FEET TO A POINT ON THE CENTERLINE OF A NORTH-
SOUTH ALLEY; THENCE ALONG SAID CENTERLINE N00°04'32"E A
DISTANCE OF 32.18 FEET; THENCE ALONG THE NORTH LINE OF LOT 3
N89°40'19"E A DISTANCE OF 180.57 FEET TO THE NORTHEAST CORNER
OF LOT 3; THENCE ALONG THE EAST LINE OF LOTS 3, 4 AND 5
S00°01'06"W A DISTANCE OF 186.15 FEET TO THE POINT OF BEGINNING.
SAID TOTAL REPLAT NO. 1 CONTAINS 34,460 SQUARE FEET OR 0.79 ACRES
AND CONTAINS LOTS NUMBERED ONE (1) AND TWO (2).



3852



REGISTERS SURVEYOR'S CERTIFICATE

LS-368 hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Gary D. Tinkham

11-15-00 Date

OWNER'S DEDICATION

KNOW ALL PERSONS BY THESE PRESENT: That, Pamela R. Lincoln, member, being representative(s) of Lincoln Henderson Omaha North 30th Street L.L.C., sold owner of the property described hereon and embraced within this plat have caused said to be subdivided into lots as shown on this plat.

Pamela R. Lincoln, member
Owner(s)

11/20/00 Date

ACKNOWLEDGMENT BY NOTARY

State of Nebraska California
County of Douglas San Mateo



On this 20 day of November, 2000, before me a Notary Public, duly qualified and commissioned in and for said County and State, personally appeared the representative(s) of Lincoln Henderson Omaha North 30th Street L.L.C., who is personally known to me to be the identical person(s) whose name(s) is affixed to the foregoing instrument and acknowledged the signing of same to be his voluntary act and deed.

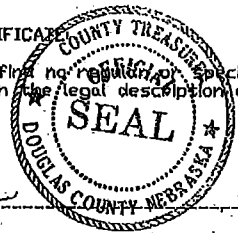
Gay C. Fama
Notary Public

11.20.2000 Date

office.

COUNTY TREASURER'S CERTIFICATE

This is to verify that I find no record of special taxes due or delinquent against the property described in the legal description and as shown by the records of this office.



Carol Parker
County Treasurer

12-8-00 Date

PLANNING DIRECTOR'S APPROVAL

Approved as a subdivision of not more than two (2) lots, parcels or tracts, with plat requirements waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless plat is filed and recorded with the County Register of Deeds within thirty (30) days of this date.

[Signature]
Planning Director

12/12/00 Date

Address, Lot 1 7260 No. 30th Street, Omaha, NE 68112

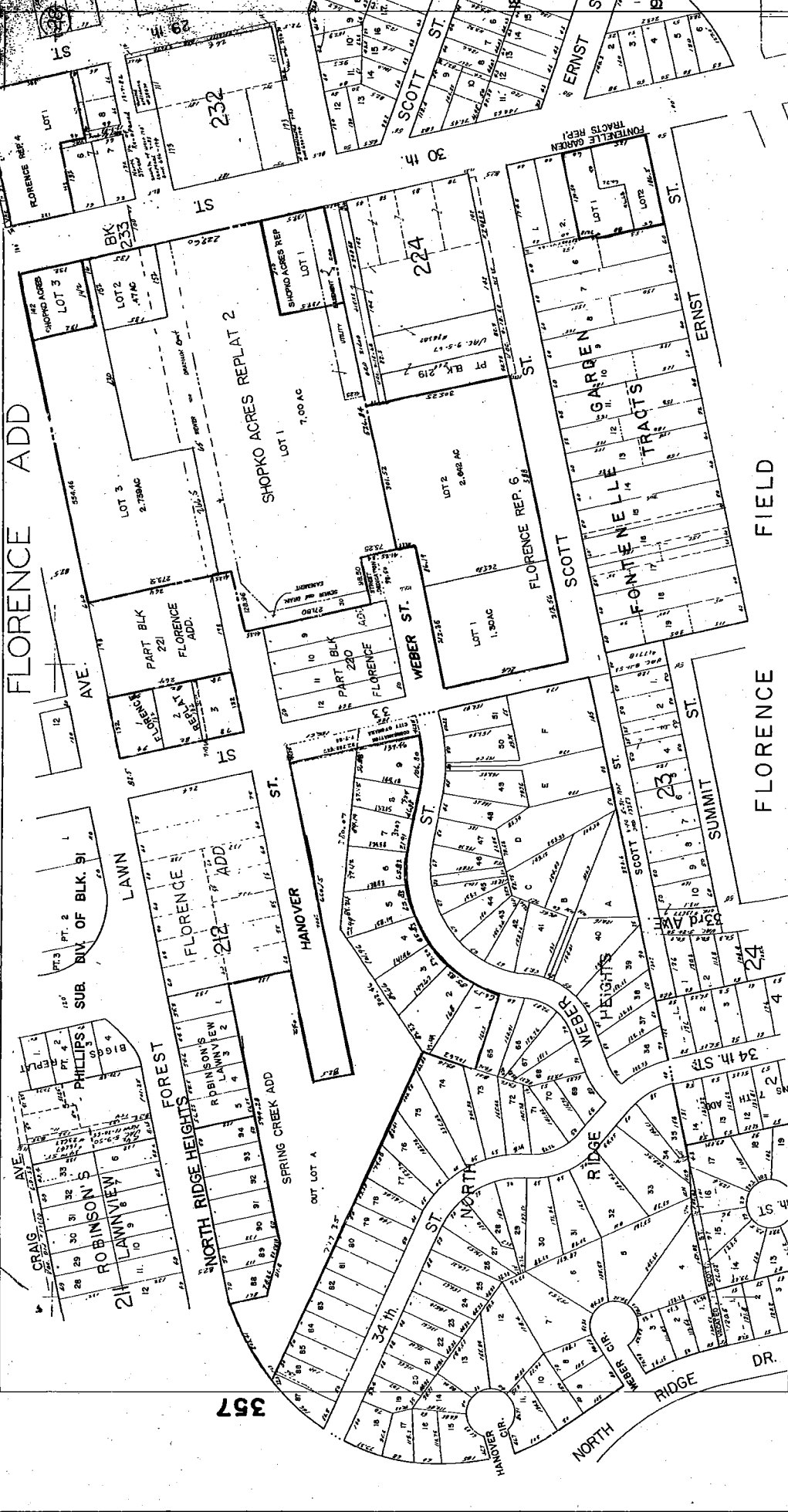
Address, Lot 2 7254 No. 30th Street, Omaha, NE 68112

3852

250

FLORENCE ADD

248



N 1/2 SW 1/4 SEC. 28-16-13

246

FLORENCE FIELD

357

DILLONS 8TH ADD.