



BK 1861 PG 452



DEED 1989 15702

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That UPLAND INDUSTRIES CORPORATION, a corporation of the State of Nebraska, Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to it paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto 1401 DODGE PARTNERSHIP, a general partnership of the State of Nebraska, whose postal address is 202 North 19th Street, Omaha, Nebraska 68102, Grantee, the real estate situate in the County of Douglas, State of Nebraska, described as follows:

A parcel of land being all of Block 73, in the Original City of Omaha, Douglas County, Nebraska. Said Block being Lots 1 - 8, inclusive.

EXCEPTING from this conveyance and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of, said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by Grantee, its successors or assigns.

This deed is made SUBJECT to the following:

(a) All taxes and all assessments, or, if payable in installments, all installments of assessments, levied upon or assessed against the premises described above which became or may become due and payable in the year 1989 shall be prorated as of the date of delivery of this deed by Grantor to Grantee, said date being the 26th day of October, 1989; and Grantee assumes and agrees to pay, or to reimburse Grantor for, if paid by it, all such taxes and assessments and installments of assessments applicable to the period subsequent to the date of delivery of this deed and assumes all taxes and all assessments and

202 N. 19th Street

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deed J.

OK 9-1 C/O JK FEE 19.00
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NEBRASKA DOCUMENTARY
STAMP TAX
Date 10-30-89
\$ 975. By JK

all installments of assessments which may become due and payable after said year.

(b) All liens, encumbrances, clouds upon, impairments of and defects in the title created or permitted to be created by Grantee on and after the date of delivery of this deed by Grantor to Grantee, and any and all restrictions and limitations imposed by public authority, and any easements, restrictions and/or outstanding rights of record, and exceptions, reservations and conditions contained in prior deeds or open and obvious on the ground.

TO HAVE AND TO HOLD, subject to the aforesaid exception, reservation and other provisions, the premises described above, with the appurtenances thereunto belonging, unto Grantee, its successors and assigns, forever, and Grantor, for itself, and its successors and assigns, does covenant with Grantee, its successors and assigns, that it is lawfully seized of said premises, that they are free from encumbrances, except as hereinbefore set out, and that it has good right and lawful authority to sell the same, and that it will and its successors and assigns shall warrant and defend the same unto Grantee, its successors and assigns, forever, except as aforesaid, against the lawful claims of all persons claiming by, from or under it, but against none other.

Grantor, Federal ID No. 13-2619352, is not a foreign corporation and withholding of Federal Income Tax from the amount realized will not be made by Grantee. A Certification prepared in conformance with IRS regulations under Section 1445 of the Internal Revenue Code is attached as Exhibit A.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed by its Chairman ~~President~~ and attested by its Assistant Secretary, and its corporate seal to be hereunto affixed this 20th day of October, 1989.

UPLAND INDUSTRIES CORPORATION

BY: [Signature]
CANNONMAN President

Attest:

[Signature] (seal)
Assistant Secretary

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared A.K. Jacobson, CHAIRMAN, of UPLAND INDUSTRIES CORPORATION, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 20 day of October, 1989.

Diane M. Smith
Notary Public in and for
the State of Texas

DIANE M. SMITH
(Printed Name of Notary)

My Commission Expires:
5-28-90

