

TA-45835 L118B
 TA 45814 Lot 117B
 TA 45898 Lot 118A
 TA 46186 Lot 123A
 TA 46185 Lot 114A
 TA 46187 Lot 123B
 TA 45997 Lot 122A
 TA 46207 Lot 115A
 TA 46308 Lot 123A
 TA 46174 Lot 114B
 TA 46215 Lot 122B
 TA 46235 Lot 123B
 TA 46775 Lot 113A
 TA 46776 Lot 113B
 TA 46864 Lot 112B
 TA 46699 Lot 114A
 TA 46766 Lot 113B
 TA 47466 Lot 113A
 TA 47709 Lot 112B
 TA 48644 Lot 58
 TA 52085 Lot 78
 TA 52578 Lot 498
 TA 53953 Lot 47

(p next)
 TA 37586 Lot 38
 (2nd)
 TA 37467 Lot 38

TA 39928 Lot 119A
 TA 40433 Lot 116B
 TA 40915 Lot 116A
 TA 41847 Lot 109
 TA 42019 Lot 103
 TA 42018 Lot 119B
 TA 42431 Lot 61
 TA 42681 Lot 120A
 TA 42661 Lot 120B
 TA 43682 Lot 119B
 TA 44074 Lot 115B
 TA 44075 Lot 121B
 TA 44076 Lot 121A
 TA 44629 Lot 117A
 TA 44628 Lot 117B
 TA 44627 Lot 118A
 TA 44630 Lot 118B
 TA 44644 Lot 115B
 TA 44388 Lot 121B
 TA 44994 Lot 121A
 TA 45173 Lot 114B
 TA 45174 Lot 115A
 TA 45172 Lot 122A
 TA 45171 Lot 122B
 TA 45619 Lot 80

BRIEF LEGAL: NE SE 8-13-13 for Heartland Hills

SINCE DATE: _____ PRIOR POLICY: TA- _____

SEARCHER NOTES

_____ PMM _____ SEE ATTACHED

FIRST SPLIT _____

BOOK/PAGE Instr. No.	DATE MO/DAY/YR	INST.	GRANTOR	GRANTEE
+ 42-174	11-17-09	WFFIO		
+ 47-434		WD		
+ 54-224		WD		
+ 8-140		DECRE ESTATE	of Hans Stolkenberg	
C 11-194		CONTRACT		
C 37-415	10-17-66	EASE		
C 39-260	11-28-67	CONST. EASE	Further limited to OLA by	59-816
C 39-385	6-25-68	Report Appr.		
C 43-10		AGREE		
+ 43-291		WFFT	RE: need 54-224	
+ 148-1564		QCD	(For 36 th St)	SARAY COUNTY
+ 151-3675		WD	TL2B	
+ 6-99		PLAT	(Triple F Acre)	
+ 50-994	12-23-77	WAIVER AGREE	(to be included in	water main)
+ 153-414	2-24-78	WD		
C 54-545	8-26-81	ASSIGN	EASE (39-260)	
+ 56-469	7-25-83	O/C	Glady M. Fornoff	
+ 160-1790	7-16-85	ASSWD TR	PT TL2	

SEE ATTACHED FOR ADDITIONAL INDEXING: 

Takeoff + Looked at and OK C Copy T T File

BRIEF LEGAL:

Safpy

SINCE DATE:

PRIOR POLICY: TA-

2

SEARCHER NOTES

PMM SEE ATTACHED

FIRST SPLIT

BOOK/PAGE Instr. No.	DATE MO/DAY/YR	INST.	INDEX GRANTOR	GRANTEE
+ 58-1376	7-16-85	EASE	Adj to Triple	F Acre
+ 59-487	3-12-86	PT Rel EASE	RE: 46-298	NOT OUR part of SECTION
+ 59-488	3-12-86	PT Rel EASE	RE: 46-95	
+ 59-489	3-12-86	PT Rel EASE	RE: 46-94	
C 59-816	4-16-86	PT Rel EASE	(Further Defining	39-260)
+ 206-9873		PT	(TL 2B + South)	(NOT OURS)
+ 91-12549	8-15-91	SURV CERT	(TL 1B)	
+ 93-01480	1-25-93	DOR	RE 160-1790	(Not us, anyway)
C 94-14189	6-23-94	PreI	of 39-385	
+ 96-13855	7-12-96	DT	(S + E of our platting)	
C 96-20457	1-8-96	EASE	Lt 1 + outlots A + B	
C 97-07220	4-17-97	WD		
+ 97-14532	7-11-97	WD	(Lt 1B)	
+ 97-14533	7-11-97	WD	(TL 1A1 + 2A1)	
C 97-16286	7-31-97	WD	Corrects 97-7220	
C 97-26859	11-26-97	WD	(in Lt 124)	
C 97-26861	11-26-97	EASE	Lt 124	
C 98-01106	1-20-98	WD	Trustee's Parcel	(112A)

SEE ATTACHED FOR ADDITIONAL INDEXING:

Takeoff

+ Looked at and OK

C Copy

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0 4 8
1 0 0 9
0 1 0 HEARTLAND HILLS

LEAVE
in
T-File

2000-11656

1998-08947

1999-08270 777

11-194

37-415

39-260

54-545

59-816

39-385A 0000A

43-10

94-14189

96-20457

97-07220

97-16286

97-26859

97-26861

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COMMITMENT FOR TITLE INSURANCE

**Commonwealth
Land Title Insurance Company**

Commitment No.

SCHEDULE A

T-9808457

Revision #1

1. Effective Date: February 4, 1998 at 8:00 a.m.

2. Policy or Policies to be issued:	Amount	Premium
(a) ALTA Owner Policy - (10-17-92)	\$405,000.00	\$50.00

Proposed Insured:

FOX RIDGE, L.L.C., a Nebraska limited liability company

(b) ALTA Loan Policy - (10-17-92)	\$740,000.00	\$1,144.50
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Proposed Insured:

U.S. BANK NATIONAL ASSOCIATION

3. The estate or the interest in the land described or referred to in the Commitment and covered herein is fee simple and is at the effective date hereof vested in:

HOSKING LAND AND CATTLE COMPANY, INC., a Nebraska corporation

4. The land referred to in this Commitment is described as follows:

See Exhibit "A" Attached

Countersigned: _____

NM 6 (10-85) PA 3
American Land Title Association Commitment
Schedule A
Form 1004-67 (Rev. 6-86)

Authorized Officer or Agent

Valid Only if Schedule B and Cover Are Attached

Issued by:
FIRST NEBRASKA TITLE
2425 South 120th Street
Omaha, NE 68144
Phone (402) 691-9933 Fax 691-9970

Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters which are not covered under the terms of the Title Insurance Policy and should be carefully considered. It is important to note that this form is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

File No. T-9808457

EXHIBIT 'A'

Lots 1 thru 123, inclusive and Outlots A and B, Heartland Hills, a Subdivision, in Sarpy County, Nebraska.

Schedule B - Section 1

The following are the requirements to be complied with:

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to-wit:

Deed from Hosking Land and Cattle Company, Inc. to Fox Ridge, L.L.C., a Nebraska Limited Liability Company.
(Conveying Parcel I)

Mortgage form Fox Ridge, L.L.C. to U.S. Bank National Association. (Parcels I and II)

Title Company requires a Certified copy of the Articles of Organization and all Amendments thereto, and a certified copy of the Operating Agreement and all Amendments thereto for Fox Ridge, L.L.C.

Title Company requires proof that proper consents have been obtained, authorizing the LLC to enter in the mortgage to be insured.
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor or material.

Revision #1

Schedule B - Section 2

Schedule B of the Policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements or claims of easements not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien or right to a lien for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
6. Taxes and assessment not appearing of record in the Office of the Treasurer of said County.

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 to be issued.)

7. Taxes due December 31, 1997, total \$6,669.36 - PAID IN FULL.. (Key No. 011351470) Affects Tax Lot 13A 8-13-13
Taxes due December 31, 1997, total \$292.46 - PAID IN FULL. (Key No. 011216085) Affects Tax Lot 1A1 & 2A1 8-13-13
8. The premises in question appear to be within the boundaries of S.I.D. No. 197 of Sarpy County, Nebraska, created for public improvements for which assessments may be levied.
9. Easement granted to Nebraska Power Company over a portion of the premises in question, as set forth in instrument filed February 11, 1942 in Misc. Book 11 at Page 194; and as shown on the Plat filed as Instrument No. 98-08947.
10. *N/A* Easement granted to the Board of County Commissioners of Sarpy County, Nebraska over a portion of the premises in question, as set forth in instrument filed in Misc. Book 39 at Page 260; and Assignment to Papio Natural Resources District filed August 26, 1982 in Misc. Book 54 at Page 545; and Partial Release of Easement filed April 16, 1986 in Misc. Book 59 at Page 816. *OLA*
11. Terms and provisions of the Agreement filed in Misc. Book 43 at Page 10, by and between Gladys Marie Fornoff and Walter E. Fornoff and Omaha Public Power District; and easement to Omaha Public Power District over a portion of the premises in question, as set forth in the Report of Appraisers filed in Misc. Book 39 at Page 385; and Partial Disclaimer and Release filed as Instrument No. 94-14189; and as shown on the Plat filed April 13, 1989 as Instrument No. 98-08947. *affects 124, 117B, 118A, 77-90*
12. Terms and provisions of the Waiver Agreement filed December 3, 1977 in Misc. Book 50 at Page 904, with Metropolitan Utilities District.

Continued

13. Outfall Sewer Easement granted to S.I.D. No. 177 over a portion of the premises in question, as set forth in instrument No. 96-20457 and as shown on the Plat filed April 13, 1998 as Instrument No. 98-08947. *affects OLA, OLB, LI*
14. Easement granted to Metropolitan Utilities District over a portion of the premises in question, as set forth in instrument filed in Book 37 at Page 415; and as shown on the Plat filed as Instrument No. 98-08947. *affects OLB*
15. Outlot B shall have no direct vehicle access to 36th Street as set forth on the Plat filed April 13, 1998 as Instrument No. 98-08947.
16. Lots 56 thru 62 shall have no driveway access to 38th Street, as set forth on the Plat filed as Instrument No. 98-08947.
17. Easement granted to Omaha Public Power District and U.S. West Communications, Inc. and any company which has been granted a franchise to provide a cable television system in the area to be subdivided on, over, through and across a 5' wide strip of land abutting all front and side boundary lot lines; and an 8' wide strip of land abutting the rear boundary liens of all interior lots; and a 16' wide strip of land abutting the rear boundary lines of all exterior lots, with termination clause; and an easement to Metropolitan Utilities District of Omaha on, over, through, under and across a 5' wide strip of land abutting all streets, avenues and circles, as set forth in the Dedication of Plat filed April 13, 1998 as Instrument No. 98-08947.

23. Easement granted to American Telephone and Telegraph Company over a portion of the premises in question, as set forth in instrument filed in Misc. Book 28 at page 623 and as shown on the Plat filed as Instrument No. 96-13864. (Lots 15, 35 and 36)
24. Restricted Vehicular Access from Lots 1 and 6 to 36th Street, as shown on the Plat filed as Instrument No. 96-13864.
25. Permanent Sanitary Sewer Easement granted to Sanitary and Improvement District No. 177 of Sarpy County, Nebraska, over a portion of Lots 18, 19, 20, 21, 25, 26, 27, 29, 30, 31, 34, 35, 41, 42, as shown on the Plat filed as Instrument No. 96-13864.
26. Overhead power line easement granted to Omaha Public Power District in Misc. Book 43 at Page 146 and as shown on the Plat filed as Instrument No. 96-138964. (Lots 18, 25, 26, 30, 31, 34, 35, 46 and 47)
27. Perpetual Transmission Line easement granted to Nebraska Public Power Company in Misc. Book 11 at Page 194 and as shown on the Plat filed as Instrument No. 96-13864. (Lots 38, 39, 41, 42 and 43)
28. Building Street Yard Minimum setback restrictions, as shown on the Plat filed as Instrument No. 96-13864.
29. Easement and Right of Way granted to Metropolitan Utilities District of Omaha over a portion of the premises in question, as set forth in the instrument filed September 20, 1996 as Instrument No. 96-019120.
30. Terms and provisions of the instrument captioned "Declaration of Covenants" filed October 3, 1996 as Instrument No. 96-020108, created for, among other things, assessments which may become liens thereon.
31. Easement granted to Omaha Public Power District, U S West Telephone Company and any company which has been granted a franchise to provide a cable television system in the area, Metropolitan Utilities Company and Sanitary and Improvement District No. 177 on, over, through, under and across a 5' wide strip of land abutting the front and side boundary liens of the lots; an 8' wide strip of land abutting the rear boundary lines of all interior lots and all exterior lots that are adjacent to presently platted and recorded lots; and a 16' wide strip of land abutting the rear boundary lines of all exterior lots that are not adjacent to presently platted and recorded lots; and an easement to Metropolitan Utilities District of Omaha on, through, under and across a 5' wide strip of land abutting all streets, all as set forth in the instrument filed October 3, 1996 as Instrument No. 96-020108.
32. Right of Way Easement granted to Omaha Public Power District over a portion of Lot 41, as set forth in instrument filed February 24, 1997 as Instrument no. 97-03242.