

Old Republic National Title Insurance Company

COMMITMENT FOR TITLE INSURANCE

Issued Through: TitleCore National, LLC | 9140 West Dodge Road, Suite 380 | Omaha, NE 68114
Phone: 402-691-9933 | Fax: 402-691-9970

File No. 14702CX-16

SCHEDULE A

1. Effective Date: **March 9, 2016 at 08:00am**

2. Policy or Policies to be issued:
 - A. ALTA Owner's Policy - (6-17-06) Amount of Insurance: **To Be Determined**
Premium: **To Be Determined**

Proposed Insured: **A Purchaser to be Named**

 - B. ALTA Loan Policy - (6-17-06) Amount of Insurance: **To Be Determined**
Premium: **To Be Determined**

Proposed Insured: **A Lender to be Named**

 - C. ALTA Endorsement(s) to be issued in connection with the loan policy:

None.

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

4. Title to the **Fee Simple** estate or interest in the land is at the effective date vested in:

I-80 Business Park, L.L.C., a Nebraska limited liability company

Vesting Deeds at [Instrument No. 99-20940](#) and [Instrument No. 99-20941](#)

5. The land referred to in the Commitment is described as follows:

Lot 2, I-80 Business Park 2nd Addition, an addition to the city of La Vista, as surveyed, platted and recorded in Sarpy County, Nebraska.

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SCHEDULE B - SECTION I

REQUIREMENTS

The following requirements must be complied with:

1. Instruments creating the estate or interest(s) to be insured, the form and execution of which shall be satisfactory to the Company, must be executed, delivered and duly filed for record.
 - a. Warranty Deed from I-80 Business Park, L.L.C., a Nebraska 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 the Proposed Insured Purchaser.
 - b. Loan documents from the Proposed Insured Purchaser in favor of the Proposed Insured Lender.
2. A complete copy of the Articles of Organization, the Operating Agreement and any amendments thereto for I-80 Business Park, L.L.C., a Nebraska 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.
3. Evidence satisfactory to the Company that all necessary consents, authorizations, resolutions, notices or other action required under applicable law or the organizational documents of I-80 Business Park, L.L.C., a Nebraska limited liability company with regard to the subject transaction and the execution of all documents pertaining thereto have been conducted, given or properly waived.
4. Execution of the Affidavit Regarding Owner by the titleholder.
5. In order to delete the standard exception to survey, as shown on this Commitment, we require a current comprehensive survey of the premises showing location of all improvements, easements and encroachments thereon, and that it be duly certified by a Nebraska Registered Land Surveyor, in manner acceptable to this Company.
6. Upon receipt of an acceptable survey and the Affidavit Regarding Owner required above, the standard exception to rights and claims of parties in possession, as shown on this commitment, will be deleted and the following language will appear in lieu thereof: Rights and claims of lessees/tenants under unrecorded leases, contracts and/or verbal agreements.

NOTE: The Company reserves the right to make additional requirements as details of the transaction contemplated herein are disclosed to it.

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SCHEDULE B - SECTION II

EXCEPTIONS

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. 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 proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
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:

6. General taxes assessed under Tax Key No. 011574134 for the year 2015 payable in the year 2016 levied in the amount of \$2,290.48, first installment is due and will become delinquent April 1, 2016, second installment is due and will become delinquent August 1, 2016.

Special taxes or 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.

Special taxes or assessment certified to the Office of the County Treasurer for collection at the date hereof: None.

7. Right of Way Agreement dated February 27, 1941 and recorded March 11, 1941 at [Book 10, Page 455](#) of the Miscellaneous Records of Sarpy County, Nebraska, granted to Socony-Vacuum Oil Company, Incorporated, to lay, maintain and operate pipe lines and appurtenances for the transportation of oil and/or gas, land products, water and other substances, on, over, or through a portion of subject property as described therein.
 - a. Assigned to Magnolia Pipe Line Company by Assignment dated November 30, 1959 and recorded January 14, 1960 at [Book 26, Page 126](#) of the Miscellaneous Records of Sarpy County, Nebraska.
 - b. Assigned to Williams Pipe Line Company by Assignment of Right-of-Way dated October 31, 1983 and recorded January 18, 1984 at [Book 57, Page 31](#) of the Miscellaneous Records of Sarpy County, Nebraska.
 - c. Modification of Easement and Encroachment Agreement recorded August 10, 2001 at [Instrument No. 2001-25315](#) of the Records of Sarpy County, Nebraska.
8. Easement dated December 17, 1962 and recorded January 7, 1963 at [Book 31, Page 123](#) of the Miscellaneous Records of Sarpy County, Nebraska, granted to the State of Nebraska for the control of outside advertising signs, displays and other advertising devices adjacent to the National System of Interstate and Defense Highways.

9. Grant dated June 29, 1987 and recorded July 6, 1987 at [Book 60, Page 2200](#) of the Miscellaneous Records of Sarpy County, Nebraska, granted to AT&T Communications of the Midwest, Inc. to construct, operate and maintain communication systems and appurtenances upon, over and under a strip of land one rod wide across a portion of subject property as described therein.
 - a. Partial Release of Easement dated October 7, 2003 and recorded October 10, 2003 at [Instrument No. 2003-58546](#) of the Records of Sarpy County, Nebraska.
10. Restrictions and easements as set forth in Quitclaim Deed - State dated June 17, 1999 and recorded July 1, 1999 at [Instrument No. 99-20941](#) of the Records of Sarpy County, Nebraska.
 - a. Reserves rights to all salt springs, coal, oil, gas, natural resources or other mineral rights in favor of the State of Nebraska.
 - b. Reserves easement for the operation and maintenance of any and all existing utilities located over, under or upon subject property.
 - c. Reserves easement over which impacts of noise, air, light, and dust, associated with vehicular traffic on the highway may be disbursed.
11. Easements as shown on the plat and as set forth in the Dedication of the Final Plat of I-80 Business Park 2nd Addition recorded March 19, 2001 at [Instrument No. 2001-06701](#) of the Records of Sarpy County, Nebraska, granted to Omaha Public Power District, U.S. West Communications and any company which has been granted a franchise to provide a cable television system in the area to be subdivided to erect, operate and maintain utilities on, over, through, under and across a 5 foot wide strip of land abutting all front and side boundary lot lines; an 8 foot wide strip of land abutting the rear boundary lines of all interior lot lines; and a 16 foot wide strip of land abutting the rear boundary lines of all exterior lots, with provision to reduce said 16 foot easement to 8 feet. Further, grants easement to Metropolitan Utilities District of Omaha and Peoples Natural Gas Company to erect, install, operate and maintain pipes for the transmission of gas and water on through, under and across a 5 foot wide strip of land abutting all streets.
 - a. Plat reveals Permanent 100' Wide Gas Pipeline Easement granted to Williams Pipeline Company across the Easterly portion of subject property as shown.
 - b. Plat reveals Permanent U.S. West Communications Easement across the Easterly portion of the Northerly portion of subject property and over a 20' wide strip through subject property as shown.
 - c. Plat reveals Permanent 16.5' Wide Easement granted to AT & T Communications across the Easterly portion of subject property as shown. (Recites Book 805, Page 181 and Book 1208, Page 524)
 - d. Plat reveals 50' Ingress/Egress Easement granted to the General Public across the Easterly portion of subject property as shown.
 - e. Plat reveals Permanent 20' wide Cable Television Company Easement through a portion of subject property as shown.
 - f. Plat Notes state that direct vehicular access will not be allowed to Harry Anderson Ave.
12. Terms and provisions of Lease Agreement dated November 21, 1968 and recorded December 24, 1968 at [Book 40, Page 686](#) of the Miscellaneous Records of Sarpy County, Nebraska, by and between Caroline Borman, Lessor, and National Advertising Company, of Bedford Park, Illinois, Lessee.
13. Terms and provisions of Lease Agreement dated May 18, 1971 and recorded May 18, 1971 at [Book 44, Page 245](#) of the Miscellaneous Records of Sarpy County, Nebraska, by and between Caroline Borman, Lessor, and National Advertising Company, of Bedford Park, Illinois, Lessee.
14. Terms and provisions of Lease Agreement dated June 28, 1971 and recorded June 28, 1971 at [Book 44, Page 314](#) of the Miscellaneous Records of Sarpy County, Nebraska, by and between Caroline Borman, Lessor, and National Advertising Company, of Bedford Park, Illinois, Lessee.