

**COMPARED**

INST # 11938  
RECORDING FEE 15<sup>00</sup>  
AUDITOR FEE 5<sup>00</sup>  
RMA FEE 1.00 ECOM 1.00

FILED FOR RECORD  
POTTAWATTAMIE CO. IA.

04 DEC 27 AM 10:23

JOHN SCIORTINO  
RECORDER

Space Above This Line For Recording Information

When recorded mail to Robert J. Murray, Lamson, Dugan & Murray, 10306 Regency Parkway Drive, Omaha, NE 68114

Address Tax Statements: Marathon Investments Two (Bluffs Gateway Lot 3), c/o Marathon Realty, 11222 Davenport Street, Omaha, NE 68154; ATTN: Cindy

**SPECIAL WARRANTY DEED**

This Deed, made this 15<sup>th</sup> day of December, 2004, between Carol J. Gendler, Trustee of the Carol J. Gendler Revocable Trust, Grantor, in consideration of One Dollar (\$1.00) and other valuable consideration received from Grantee, Marathon Investments Two, LLC, a Nebraska limited liability company, conveys to Grantee, an undivided one-half interest in the real estate situated in Pottawattamie County, Iowa, legally described on Exhibit "A" attached.

Grantor covenants with Grantee that Grantor:

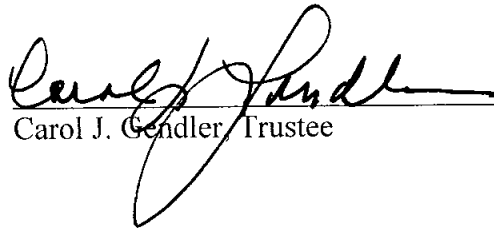
- (1) Is lawfully seized of such real estate and that it is free from encumbrances except (a) existing easements, leases, rights of tenants, covenants, restrictions, rights-of-way, liens, and encumbrances, whether or not of record, and (b) real estate taxes not yet delinquent;
- (2) Has legal power and lawful authority to convey the same; and
- (3) Warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof, through, by or under Grantor.

Executed: December 15, 2004.

Carol J. Gendler Revocable Trust,

This Deed is exempt from transfer tax. Consideration less than \$500.00.

By:

  
\_\_\_\_\_  
Carol J. Gendler, Trustee

*pet*  
SPENCE TITLE SERVICES, INC.  
1905 HARNEY STREET SUITE 210  
OMAHA, NEBRASKA 68102

TA-49563

BK105PG11957

DEC 27 2004

COUNTY AUDITOR

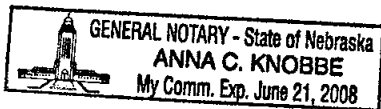
Entered for Taxation

*Marilyn J. Drake*

58-1

STATE OF NEBRASKA            )  
  )ss.  
COUNTY OF DOUGLAS        )

The foregoing instrument was acknowledged before me on December 15<sup>th</sup>, 2004, by Carol J. Gendler, Trustee of the Carol J. Gendler Revocable Trust.



  
Notary Public

My commission expires: 8/21/08  
333194

**EXHIBIT A**

Lot 3, in Bluffs Gateway, a Subdivision, as surveyed, platted, and recorded, in Pottawattamie County, Iowa.