



**COMPARED**

**020139**

R Fee 20.00

A Fee 5.00

T Tax 319.20

**WARRANTY DEED**  
(CORPORATE GRANTOR)  
THE IOWA STATE BAR ASSOCIATION  
Official Form No. 104  
Recorder's Cover Sheet

**Preparer Information:** (name, address and phone number)

Jack E. Ruesch, 25 Main Place, Suite 200, P.O. Box 248, Council Bluffs, IA 51502-0248,  
Phone: (712) 325-9000

**Taxpayer Information:** (name and complete address)

117 Pearl Street Limited Liability Company  
500 S. 18<sup>th</sup> Street, Suite 150, Omaha, NE 68102

**Return Document To:** (name and complete address)

Jack E. Ruesch, 25 Main Place, Suite 200, P.O. Box 248, Council Bluffs, IA 51502-0248,  
Phone: (712) 325-9000

**Grantors:**

Pottawattamie County Development Corporation  
A. W. Tauke

**Grantees:**

117 Pearl Street Limited Liability Company

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:**

Entered for Taxation:  
JUN 7 2007  
Marilyn S. Drake, COUNTY AUDITOR

1-33

**COMPARED**

Jack E. Ruesch ISBA # AT0006826

**WARRANTY DEED  
(CORPORATE GRANTOR)**

For the consideration of 1.00 Dollar(s) and other valuable consideration, Pottawattamie County Development Corporation, a corporation organized and existing under the laws of Iowa does hereby Convey to 117 Pearl Street Limited Liability Company the following described real estate in Pottawattamie County, Iowa:

Lots 4 and 5 and Lots 1 and 2 of Auditor's Subdivision  
of Lots 6 and 7, all in Block 9, Bayliss First Addition  
to the City of Council Bluffs, Pottawattamie County, Iowa

“The conveyance of this Property is specifically subject to the use restrictions set forth in Exhibit A attached hereto which restrictions GRANTEES hereby accept and which shall be binding upon their heirs, successors, and assigns and which shall run with the land. GRANTOR or its successors and assigns may enforce the provisions of the use restrictions by injunctive relief or any other remedy available.”

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Dated: April 30, 2007 Pottawattamie County Development Corporation,  
a(n) Iowa corporation

By   
A. W. Tauke, President

STATE OF IOWA, COUNTY OF POTTAWATTAMIE

This instrument was acknowledged before me on April 30, 2007,  
by A. W. Tauke as President of Pottawattamie County Development Corporation.



Peggy L. Hansen  
Notary Public

## EXHIBIT "A"

### USE RESTRICTIONS

PROPERTY USE. The property shall be used only for administrative, professional, residential and general commercial purposes as presently defined in Chapters 15.13 through 15.16 of the Municipal Code of the city of Council Bluffs, Iowa. Provided however, at no time shall any of the property be used for adult entertainment activities or as a massage establishment as those terms are now or hereafter may be defined by the Municipal Code of the City of Council Bluffs, Iowa. Provided further, none of said property shall be used for any of the following purposes, as those items are now or hereafter defined by the City Code of the City of Council Bluffs, Iowa:

Automobile service stations including auto repair, cigar stores, commercial amusements, drive-in fast food, pawn shops, taverns, radiator or repair shops, adult bookstores, adult mini motion picture theaters and adult motion picture theaters, massage establishments, artist-body painting studios, tattoo parlors, modeling studios, blood plasma or platelet centers, automobile painting and upholstering businesses, second hand stores, payroll advance, auto title establishments, and buildings used for the storage of household goods and wares or living quarters for watchmen or security guards of commercial properties, establishments for custom manufacturing of goods or merchandise for sale or retail, or tire shops. The provisions of this paragraph shall survive the closing and the foregoing use restrictions shall be enforceable against Borrower and its assigns by injunctive relief or any other remedy available to PCDC.