

COMPARED

Pottawattamie County, IA 2008-009684
Recorder John Sciortino
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Rec-\$20.00 Aud-\$5.00 RMA-\$1.00 ECM-\$1.00
Current Transfer Tax Paid: \$1160.80



R Fee 2000 ✓

A Fee 5.00

T Tax 1160.80

Preparer Information: David A Young, Weyerhaeuser Company, PO Box 9777, Federal Way WA 98063
Return Document To: Schull Construction Company, 405 1st Ave. N.E., Waterton SD 57201
Address Tax Statement: 405 1st Ave. N.E., Waterton SD 57201

Warranty Deed

(Corporate/Business Entity Grantor)

For the consideration of TEN and NO/100 Dollars and other valuable consideration, Weyerhaeuser Company, a corporation organized and existing under the laws of Washington does hereby Convey to Schull Construction Company, a South Dakota corporation, the following described real estate in Pottawattamie County, Iowa:

LOT 13, BLOCK 2, FIRST FOUNDATION SUBDIVISION, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY IOWA, ACCORDING TO THE FINAL PLAT THEREOF FILED FOR RECORD JULY 3, 1979, IN BOOK 80 PAGE 247 IN THE OFFICE OF THE COUNTY RECORDER, POTTAWATTAMIE COUNTY IOWA.

SUBJECT TO matters on Exhibit A, attached, incorporated by reference.

The Grantor 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, lawfully claiming or to claim by, through or under Grantor and not otherwise, 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: June 19, 2008.



WEYERHAEUSER COMPANY

By: Scott Marshall
Vice President

By: Paul Pittman
Assistant Secretary

Personal Property valued at \$24,173.00

Entered for Rec. JUL 7 2008
COUNTY CLERK

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Personally appeared before me, the undersigned authority in and for said county and state, on this 19TH Day of June, 2008, within my jurisdiction, the within named Scott Marshall and Britt Pittman, who acknowledged that they are Vice President and Assistant Secretary of **WEYERHAEUSER COMPANY**, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing Warranty Deed, after first having been duly authorized by said corporation so to do.

DAVID A. YOUNG
Notary Public
STATE OF WASHINGTON
My Commission Expires 04/01/09

David A Young

Notary Public
My appointment expires: April 1, 2009

EXHIBIT A

1. Easements for lead track and sanitary sewer purposes as shown on the Final Plat of First Foundation Subdivision, recorded July 3, 1979 in Book 80 Page 247.
2. Covenants, conditions, restrictions, obligations, provisions, and easements as contained in the Conditions, Covenants, Restrictions and Reservations and Easements Affecting Council Bluffs Industrial Foundation, Inc., Council Bluffs, Iowa, dated March 27, 1962, recorded March 27, 1962 in Book 1304 Page 25.
3. Covenants, conditions, restrictions, obligations, provisions, and easements as contained in the Conditions, Covenants, Restrictions and Reservations and Easements Affecting Council Bluffs Industrial Foundation, Inc., Council Bluffs, Iowa, dated June 25, 1971, recorded June 25, 1971 in Book 71 Page 07673; as amended by the Amendment to Conditions, Covenants, Restrictions, Reservations and Easements Affecting Council Bluffs Industrial Foundation, Inc., Council Bluffs, Iowa, dated January 18, 1974, recorded January 22, 1974 in Book 74 Page 1198.
4. Covenants, conditions, restrictions, obligations, provisions, and easements as contained in the Conditions, Covenants, Restrictions and Reservations and Easements Affecting Council Bluffs Industrial Foundation, Inc., Council Bluffs, Iowa, dated June 25, 1974, recorded June 25, 1974 in Book 74 Page 10019; as amended by Exhibit 1 attached to the Warranty Deed, dated June 28, 1974, recorded July 5, 1974 in Book 74 Page 10757.
5. Easement for sanitary sewer purposes, together with any incidental rights, in favor of the City of Council Bluffs, Iowa, as contained in the Right of Way Easement, dated September 3, 1971, recorded September 21, 1971 in Book 71 Page 12200.
6. Terms and conditions of the obligation shown on Exhibit A attached to the Warranty Deed, dated August 28, 1978, recorded September 13, 1978, as Document No. Book 79 page 4993.
7. Easement for railroad lead track purposes, together with any incidental rights, in favor of Council Bluffs Industrial Foundation, Inc., an Iowa corporation, as contained in Exhibit I attached to the Warranty Deed, dated August 30, 1978, recorded September 13, 1978 in Book 79 Page 4989.
8. Terms, conditions, obligations and provisions of the agreements shown on Exhibit II attached to the Warranty Deed, dated August 30, 1978, recorded September 13, 1978 in Book 79 Page 4989.
9. Matters arising from differences between surveyed distances and measurements and recorded distances and measurements as shown on the Boundary Survey dated January 26, 2000, recorded March 2, 2000 in Book 100 Page 40821.

10. Covenants, conditions, restrictions, obligations, provisions, and easements as contained in the Revised Declaration of Conditions, Covenants, Restrictions, Reservations and Easements of Manawa Business Park, Council Bluffs, Iowa, dated July 10, 2002, recorded July 15, 2002 in Book 103 Page 03726.

END OF EXHIBIT A