

Title Services of the Plains, LLC Agent for

Old Republic National Title Insurance Company

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

1. Effective Date: **February 11, 2011, 8:00 am**

2. Policy (or Policies) to be issued: POLICY AMOUNT

(a) ALTA OWNER'S POLICY 06-17-06 Premium: \$0.00
Proposed Insured:

(b) ALTA LOAN POLICY 06-17-06 Premium: \$0.00
Proposed Insured:

Proposed Borrower: **TBD**

Endorsements:
TBD Commitment **\$150.00**

3. **Fee Simple** interest in the land described in this Commitment is owned, at the Commitment Date, by **Prucka Family Partnership, a Nebraska general partnership and Margaret D. Prucka, Living Trust, Frank H. Prucka Jr., Trustee (OutLot A Normandy Hills Replat 4)**

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

SEE ATTACHED EXHIBIT "A"

Countersigned
Title Services of the Plains, LLC

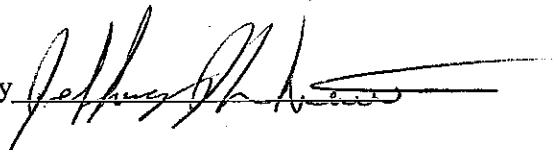
By 

EXHIBIT "A"

Tracts 1 - 5

Tax Lot 11 in Section 14, Township 13 North, Range 13, East of the 6th P.M. Sarpy County, Nebraska

Tax Lot 12 in Section 14, Township 13 North, Range 13, East of the 6th P.M. Sarpy County, Nebraska

OutLot A in Normandy Hills Replat 4, a subdivision as surveyed platted and recorded in Sarpy County, Nebraska

EXCEPT any part thereof used or conveyed for road purposes.

Tract 6

The Southwest Quarter of the Northwest Quarter in Section 18, Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska

The Northwest Quarter of the Southwest Quarter in Section 18, Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska

EXCEPT any part thereof used or conveyed for road purposes.

Tracts 7 & 8

That Part of Tax Lot 14 and Part of Tax Lot 11 Lying South of Drainage Ditch and West of Levee in Section 7, Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska

EXCEPT any part thereof used or conveyed for road purposes.

Tract 9

That part of Tax Lot 14 and Part of Tax Lot 11 lying South of Drainage Ditch and East of Levee in Section 7 Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska

Tax Lot 11 in Section 8, Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska

Irregular Part of Tax Lot 14 lying North and East of Levee & Drainage Ditch NE1/4 of Section 7, Township 13 North, Range 14, East of the 6th P.M. Sarpy County, Nebraska.

EXCEPT any part thereof used or conveyed for road purposes.

AND

Tax Lot 3 in Section 5, Township 13 North, Range 14, East of the 6th P.M., Sarpy County, Nebraska

Part of the South Half of the Southeast Quarter lying East of NRD Dike in Section 6, Township 13 North, Range 14, East of the 6th P.M., Sarpy County, Nebraska

EXCEPT any part thereof used or conveyed for road purposes.

Tract 10

Part of the South Half of the Southeast Quarter, lying west of NRD Dike in Section 6, Township 13 North, Range 14, East of the 6th P.M., Sarpy County, Nebraska

That Part of Tax Lot 14 Lying North of Drainage Ditch and West of Levee in the Northeast Quarter of Section 7, Township 13 North, Range 14, East of the 6th P.M., Sarpy County, Nebraska

EXCEPT any part thereof used or conveyed for road purposes.

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SCHEDULE B - SECTION I REQUIREMENTS

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or according to the mortgage to be insured.
- (b) Pay us the premium, fees and charges for the policy.
- (c) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (d) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
 - 1. **Warranty Deed from an authorized agent of the Prucka Family Partnership, to a buyer yet to be determined, conveying the subject lands.**
 - 2. **Trustee's Deed from Frank H. Prucka Jr., Trustee of the Margaret D. Prucka, Living Trust, to a buyer yet to be determined, conveying OutLot A Normandy Hills Replat 4.**
 - 3. **Receipt of a copy of the partnership agreement and all amendments thereto and other evidence satisfactory to the Company that Prucka Family Partnership is a valid and subsisting partnership under the laws of Nebraska and that all necessary consents, authorizations, resolutions, notices and partnership actions relating to the sale and the execution and delivery of the deed and required under applicable law and partnership agreements have been conducted, given or properly waived.**
 - 4. **We reserve the right to make further requirements with regard to ingress and egress or easements in regards to tracts 7, 8, & 10 which may be necessary at such time as we are furnished with information on how these parcels were sold, and are to be conveyed**
- (e) **If an ALTA LOAN TITLE POLICY is to be issued, any endorsements required by the lender must be ordered prior to closing this transaction and additional fees will be charged. Any endorsements ordered after closing this transaction will be billed directly to the lender.**
- (f) **The attached "Affidavit of Debts and Liens" must be signed and returned to our office for our files. Any matters disclosed by this document or otherwise brought to the attention of the insurer will be shown as exceptions in the policy.**
- (g) **Title Services of the Plains, LLC, requires that we be notified prior to closing this transaction so that the records be searched for any changes in title.**

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SCHEDULE B - SECTION II EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Facts which would be disclosed by a comprehensive survey of the premises herein described.
2. Rights or claims of parties in possession.
3. Mechanics', Contractors', or Materialmen's liens and lien claims, if any, where no notice thereof appears of record.
4. Any change in title occurring subsequent to the effective date of this Commitment and prior to the date of issuance of the title policy.
5. Easements, or claims of easements, not shown by the public records.

Special Exceptions

6. **Taxes or special assessments which are not shown as existing liens by the public record.**
7. **General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs):**
8. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$2,238.54; Tax ID #011040742.) (Tax Lot 12 14-13-13)**
9. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$6,675.64; Tax ID #011040432.) (Tax Lot 11 14-13-13)**
10. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$8.60; Tax ID #011568230.) (OutLot A Normandy Hills Replat 4)**
11. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$1,092.54; Tax ID #011045876.) (SW1/4 NW1/4 18-13-14)**
12. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$1,136.62; Tax ID #011045884.) (NW1/4 SW1/4 18-13-14)**
13. **2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$8,770.22; Tax ID #011040416.) Pt of Tax Lot 14 & Pt of Tax Lot 11 South of Ditch & West of Levee 7-13-14)**

14. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$1,594.46; Tax ID #010634045.) (Pt S1/2 SE1/4 West of Dike 6-13-14)
15. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$0.00; Tax ID #011592214.) (1.62 acres of NRD Dike, not Taxed) (Pt of Tax Lot 14 North of Ditch & West of Levee 7-13-14)
16. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$536.64; Tax ID #011592215.) (Pt of Tax Lot 14 & Tax Lot 11 South of Ditch & East of Levee 7-13-14)
17. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$1,472.40; Tax ID #011040424.) (Tax Lot 11 in 8-13-14)
18. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$0.00; Tax ID #011592216.) (.87 acres of NRD Dike not Taxed) (Pt Tax Lto 14 North & East of Levee & Drainage Ditch 7-13-14)
19. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$140.16; Tax ID #010629513.) (Tax Lot 3 in 5-13-14)
20. 2009 Taxes Paid. 2010 Taxes due, but not delinquent. 2011 Taxes Accruing. Special Assessments not yet of record. (For information only: 2010 taxes \$300.30; Tax ID #011592193.) (Pt S1/2 SE1/4 E of NRD Dike 6-13-14)
21. Terms and Conditions of Conveyance, Assignment and Bill of Sale filed January 7, 1991 in Instrument Number 1991-00203 (Auction Tracts 1-5)
22. Terms and Conditions of Return of Appraisers filed February 21, 1997 in Instrument Number 97-03338 (Auction Tracts 1-5)
23. Terms and Conditions of Report of Appraisers filed November 15, 1950 in Miscellaneous Record No. 14 Page 516 (Auction Tracts 1-5)
24. Terms and Conditions of Easement to Northern Natural Gas Company filed in Book 15 Page 399 (Auction Tracts 1-5)
25. Terms and Conditions of Report of Appraisers filed March 6, 1954 in Miscellaneous Record No. 17 Page 13 (Auction Tracts 1-5)
26. Terms and Conditions of Easement to Omaha Public Power District filed January 8, 1960 in Miscellaneous Record No. 26, Page 223. (Auction Tracts 1-5)
27. Terms and Conditions of Easement and Right of Way to Metropolotian Utilites District of Omaha filed December 12, 1972 in Miscellaneous Record No. 45 Page 683. (Auction Tract 4)

28. **Terms and Conditions of Easement and Right of Way to Sanitary and Improvement District No. 67 filed July 3, 1973 in Book 46 Page 363. (Auction Tracts 1-5)**
29. **Terms and Conditions of Easement of Pipeline Easement to Northern Natural Gas Company, filed December 13, 1973 in Book 46 Page 755 (Auction Tracts 1-5)**
30. **Terms and Conditions of Right-of-Way Easement to Omaha Public Power District, a public corporation, filed August 9, 1985 in Book 58 Page 1621 (Auction Tracts 3, 4, & 5)**
31. **Terms and Conditions of Right-of-Way Easement to Omaha Public Power District, a public corporation, filed August 9, 1985 in Book 58 Page 1619 (Auction Tracts 3, 4, & 5)**
32. **Terms and Conditions of Plat of Normandy Hills, filed October 18, 1972 in Plat Book 5 Page 82 (Auction Tract 4)**
33. **Terms and Conditions of Plat of Normandy Hills Replat 4, filed July 27, 1999 in Instrument Number 99-027416 (Auction Tract 4)**
34. **Protective Covenants recorded in Book 45 at Page 593, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. (Auction Tract 4)**
35. **Amendment to Protective Covenants, Restrictions and Conditions for the Plat of Normandy Hills Subdivision as recorded March 30, 1973 as/in Book 46 Page 156, records of Sarpy County, Nebraska, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. (Auction Tract 4)**
36. **Amendment to Protective Covenants, Restrictions and Conditions for the Plat of Normandy Hills Subdivision as recorded May 30, 1973 as/in Book 46 Page 293, records of Sarpy County, Nebraska, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. (Auction Tract 4)**
37. **Terms and Conditions of Report of Appraisers filed February 11, 1991 in Instrument Number 1991-01780 (Auction Tracts 8, 9, & 10)**
38. **Terms and Conditions of Right-of-Way Easement to Omaha Public Power District filed March 20, 2001 in Instrument Number 2001-06797 (Auction Tract 7)**
39. **Terms and Conditions of Judgment on Declaration of Taking filed July 2, 1954 in Miscellaneous Record No. 17 Page 224 (Auction Tract 7)**

40. **Terms and Conditions of Right-of-Way Easement to Eastern Nebraska Public Power District filed February 28, 1955 in Miscellaneous Record No. 18 Page 226 (Auction Tract 7)**
41. **Terms and Conditions of Judgement on Declaration of Taking filed September 12, 1959 in Miscellaneous Record No. 25 Page 343 (Auction Tract 7)**
42. **Terms and Conditions of Judgement on Declaration of Taking filed July 20, 1961 in Miscellaneous Record No. 28 Page 356 (Auction Tract 7)**
43. **Terms and Conditions of Easement to Omaha Public Power District, filed January 20, 1972 in Book 45 Page 63 (Auction Tract 7)**
44. **Terms and Conditions of Report of Appraisers filed September 5, 1978 in Miscellaneous Record No. 51 Page 587 (Auction Tracts 8, 9, & 10)**
45. **Terms and Conditions of Easement to Papio Natural Resources District filed October 25, 1985 in Miscellaneous Record No. 58 Page 2315 (Auction Tracts 9 & 10)**
46. **Decrease in area, if any of the premises in quesxtion by erosion and consequences of any future change in location of the Missouri River (Auction Tract 9)**
47. **Subject to rights of way of county roads, state highways, and irigation ditches and canals. (All Auction Tracts)**
48. **Rights of the upper and lower riparian owners in and to the free and unobstructed flow of water of the Missouri River which is the eastern border of a portion of the subject property. (Auction Tract 9)**
49. **This policy does not insure title to land comprising the shores or bottoms of navigable waters or to artificial accretions or fills. (Auction Tract 9)**
50. **The consequence of any past or future change in the location of the Missouri River which forms the east boundary of a portion of the subject land, or any dispute arising over the location of the old bed of the Missouri River or any variance between the east boundary of said land as originally conveyed and the east boundary thereof as now used and occupied. (Auction Tract 9)**
51. **With regard to Auction Tract 10, access is currently gained through adjoining Tracts 8 or 9. In the event that Tract 10 is sold sepearately from Tracts 8 and/or 9, an easement will need to be filed of record against tracts 8 and/or 9 to obtain an insurable right of access to and from Tract 10. NOTE: The Title Company has been informed negotiations for an easment through another land owner's adjacent property to provide access to Tract 10 are underway. In the event that access can be obtained through other adjoining land to access Tract 10, the Title Company will insure such access after such easement is filed of record**
52. **Should property be sold or divided into multiple parcels we reserve the right to require a survey in order to determine a proper legal description and legal access.**