

COPY

|                                  |            |
|----------------------------------|------------|
| REAL ESTATE TRANSFER<br>TAX PAID |            |
| \$ - 359.20-                     |            |
| <i>Anita K. Van Bruggen</i>      |            |
| RECORDER                         |            |
| 6-20-2007                        | SIOUX (IA) |
| DATE                             | COUNTY     |

3167  
3167

RECORDED  
SIOUX COUNTY IOWA

2007 JUN 20 PM 12:45

FILE 2007 CARD 3167  
*Anita K. Van Bruggen*  
A. VAN BRUGGEN RECORDER

## WARRANTY DEED

### Preparer Information:

Curt Ward, Esq.  
P.O. Box 908  
6 West Main  
Marshalltown, IA 50158

### Taxpayer Information:

Wal-Mart Stores, Inc.  
Property Tax Dept. #8013  
Mail Stop No. 0555  
1301 S.E. 10th Street  
Bentonville, AR 72716-0555

### Return Document To:

First Nebraska Title Company  
2425 S. 120th St.  
Omaha, NE 68144

STATE OF IOWA

Sioux County, ss:

Entered for taxation this 25  
day of June A.D. 20 07

Sioux County Auditor

*Recd 6-25-07 LF*  
*ORNC*

### Grantors:

Ruth A. Hurd (formerly known as Ruth Ann Den Herder) and husband Ronald F. Hurd; Kaye L. Vaughan (formerly known as Kaye Lynn Den Herder, Kaye L. Den Herder, Kaye Den Herder) and husband Eric Vaughan; James A. Den Herder (also known as James Alan Den Herder) and wife, Amy S. Den Herder; and Kirk A. Den Herder (also known as Kirk Alan Den Herder, Kirk Den Herder) and wife Diane K. Den Herder (also known as Diane Den Herder)

### Grantees:

Wal-Mart Real Estate Business Trust

### Legal description:

See Page 2

### Document or Instrument Number of previously recorded documents:

4839-6861-6449.2  
Sioux Center, IA (Store No. 1152-03)  
Date of Document: 8/7/06  
Document Version: 1  
LawPack Number: 207995

T-0598886

**WARRANTY DEED**

For the consideration of Ten Dollar(s) and other good and valuable consideration, **RUTH A. HURD** (formerly known as Ruth Ann Den Herder) and husband **RONALD F. HURD**; **KAYE L. VAUGHAN** (formerly known as Kaye Lynn Den Herder, Kaye L. Den Herder, Kaye Den Herder) and husband **ERIC VAUGHAN**; **JAMES A. DEN HERDER** (also known as James Alan Den Herder) and wife, **AMY S. DEN HERDER**; and **KIRK A. DEN HERDER** (also known as Kirk Alan Den Herder, Kirk Den Herder) and wife **DIANE K. DEN HERDER** (also known as Diane Den Herder) (collectively as "Grantor"), do hereby convey to **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust ("Grantee"), Grantor's interest in the following described real estate located in the City of Sioux Center, Sioux County, Iowa:

Lot 1, Block One, Den Herder Development South – Third Addition, according to the recorded plat thereof, City of Sioux Center, Sioux County, Iowa

Grantor does hereby covenant with Grantee, its successors and assigns, that Grantor holds the real estate title in fee simple; that it does have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances done or suffered by Grantor or those under whom it claims, and that it will warrant and defend the title to said real estate and unto said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all person whomsoever excepting, however, those permitted exceptions listed on Exhibit A attached hereto and incorporated herein by this reference.

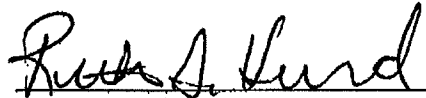
Grantor hereby relinquishes all of its rights to the fence and dirt driving path presently located on the Property.

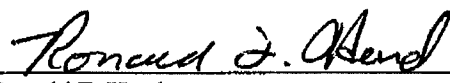
Words and phrases herein, including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

[SIGNATURE PAGE FOLLOWS]

Store No. 1152-03  
Sioux Center, Iowa

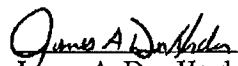
Dated: Jan 3, 2007

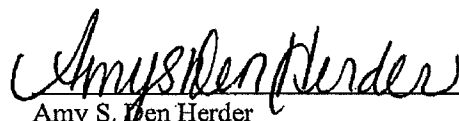
  
Ruth A. Hurd


  
Ronald F. Hurd


  
Kaye L. Vaughan

  
Eric Vaughan

  
James A. Den Herder

  
Amy S. Den Herder

  
Kirk A. Den Herder

  
Diane K. Den Herder

STATE OF Iowa )  
COUNTY OF Marshall ) ss

On this 25 day of October, 2006, before me, Cathryn N. Weeden, personally appeared Ruth A. Hurd, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



Cathryn N. Weeden  
Notary Public

My Commission Expires:

March 22, 2008

STATE OF Iowa )  
COUNTY OF Marshall ) ss

On this 25 day of October, 2006, before me, Cathryn N. Weeden, personally appeared Ronald F. Hurd, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.



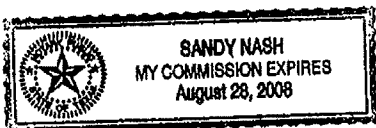
Cathryn N. Weeden  
Notary Public

My Commission Expires:

March 22, 2008

STATE OF Texas )  
COUNTY OF Bailey ) ss

On this 27 day of October, 2006, before me, Kathryn N. Weeden, personally appeared Kaye L. Vaughan, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



Sandy Nash  
Notary Public

My Commission Expires:

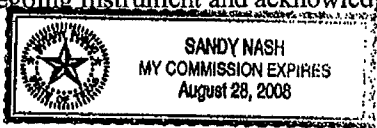
8-28-2008

Correction OK'd by Sandi Wilds, Title Officer,  
First Nebraska Title & Escrow Co.,  
Omaha, NE

Correction OK'd by Sandi Wilds, Title Officer,  
First Nebraska Title & Escrow Co., Omaha, NE

STATE OF Texas )  
COUNTY OF Bailey ) ss

On this 27 day of October, 2006, before me, Eric Vaughan personally appeared Eric Vaughan, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

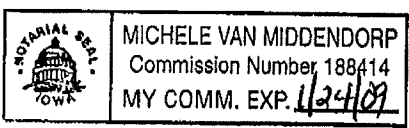


Sandy Nash  
Notary Public

My Commission Expires:  
8-28-2008

STATE OF Iowa )  
COUNTY OF Sioux ) ss

On this 3rd day of November, 2006, before me, Michele Van Middelburg personally appeared James A. Den Herder, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

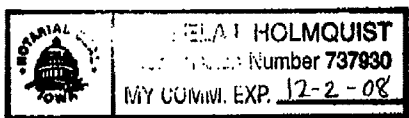


Michele Van Middelburg  
Notary Public

My Commission Expires: 1/24/09  
1/24/09

STATE OF Iowa )  
COUNTY OF Sioux ) ss

On this 3rd day of November, 2006, before me, Angela A. Holmquist personally appeared Amy S. Den Herder, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

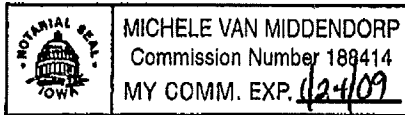


Angela A. Holmquist  
Notary Public

My Commission Expires:  
12-2-08

STATE OF Iowa )  
COUNTY OF Sioux ) ss

On this 3rd day of January, 2008, before me Michele Van Middendorp personally appeared Kirk A. Den Herder, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



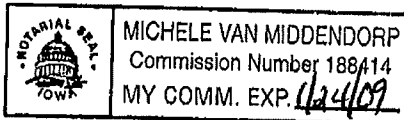
Michele Van Middendorp  
Notary Public

My Commission Expires:

1/24/09

STATE OF Iowa )  
COUNTY OF Sioux ) ss

On this 3rd day of January, 2008, before me Michele Van Middendorp personally appeared Diane K. Den Herder, an individual, to me known to be the person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



Michele Van Middendorp  
Notary Public

My Commission Expires:

1/24/09

## **EXHIBIT A**

### **PERMITTED EXCEPTIONS**

1. Zoning Ordinance and Subdivision Regulation, filed September 12, 1979, in 1979 File Card No. 3124.
2. Right of Way Easement Agreement in favor of the City of Sioux Center, Iowa, as set forth in instrument filed June 21, 1978, in 1978 File-Card No. 2164.
3. Right of Way Easement in favor of the City of Sioux Center, Iowa, as set forth in instrument filed December 11, 1998, in 1998 File-Card No. 7373.
4. Sanitary Sewer Installation/Connection Agreement, in favor of The Incorporated City of Sioux Center, Iowa, filed March 16, 1999, in 1999 File-Card No. 1447.