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BOOK 4225 PAGE 269

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Locke Purnell Rain Harrell  
(A Professional Corporation)  
2200 Ross Avenue, Suite 2200  
Dallas, Texas 75201-6776

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DEC 14 4 12 PM '93  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

Omaha Apts.  
Omaha, NE  
689265-5

**TRANSFER OF PROMISSORY NOTE, LIENS  
AND ASSIGNMENT OF RENTS AND LEASES**

THE STATE OF NEBRASKA §  
§ KNOW ALL MEN BY THESE PRESENTS THAT:  
COUNTY OF DOUGLAS §

WHEREAS, Dundee Realty Investment Company, a Nebraska general partnership ("Borrower"), made, executed and delivered that certain Amended Promissory Note ("Note") dated June 7, 1988, in the original principal amount of \$1,686,051.42 to GOLDOME CREDIT CORPORATION, a Delaware corporation ("Assignor"), said Note being secured by the following instruments:

1. That certain Amended Deed of Trust, Security Agreement and Assignment of Rents ("Deed of Trust") dated of even date with the Note, executed by Borrower, covering that certain tract of land described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property") said Deed of Trust being duly filed for record in the official public records of Douglas County, Nebraska and recorded on July 11, 1988, in Book 3250 at Page 734, et seq., of the Mortgage Records of Douglas County, Nebraska;

2. That certain Amended Assignment of Leases and Rents ("Lease Assignment"), dated of even date with the Note, from Borrower to Assignor covering the rights of Borrower under leases granted by Borrower (or any predecessor in interest) to tenants located on the Property, the Lease Assignment being duly filed for record in the official public records of Douglas County, Nebraska and recorded in Book 854 at Page 623, et seq., of the Miscellaneous Records of Douglas County, Nebraska;

Reference to said instruments (collectively, the "Security Documents") and the record thereof being here made for all purposes as if set forth verbatim herein; and

WHEREAS, CS First Boston Mortgage Capital Corp., a Delaware corporation ("Assignee") is purchasing the Note and all rights, titles, estates, interests and equities owned, held or claimed by Assignor in and under the Security Documents, including, without limitation, any and all escrow deposits or accounts (the "Escrow Deposits") for taxes and insurance as may be provided in the Security Documents.

NOW, THEREFORE, for and in consideration of the premises and the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, Assignor has transferred, assigned and delivered the Note to Assignee bearing the endorsement "Pay to the order of CS First Boston Mortgage Capital Corp., a Delaware corporation, without recourse, representation or warranty, except the representations and warranties expressly set forth in that certain Loan Sale Agreement by and between Assignor and Assignee," followed by Assignor's execution of said endorsement and has transferred, assigned and

TRANSFER OF PROMISSORY NOTE, LIENS  
AND ASSIGNMENT OF RENTS AND LEASES - Page 1

B CASH 11160 BK 4225 R \_\_\_\_\_ PB \_\_\_\_\_  
TYPE Ass PG 269-271 C/O \_\_\_\_\_ COMP S SOAN m/p  
FEE 21.50 OF 100 MEGL PG 2079 MO \_\_\_\_\_ PV \_\_\_\_\_

delivered, and by these presents does hereby transfer, assign and deliver, unto Assignee all of Assignor's rights, titles and interests, owned, held or claimed by Assignor in and under the Security Documents, including, without limitation, the Escrow Deposits.

IN WITNESS WHEREOF, Assignor has executed this Transfer instrument on the date shown in the acknowledgment but effective as of December 6<sup>th</sup>, 1993.

ASSIGNOR:

GOLDOME CREDIT CORPORATION, a Delaware corporation

By: [Signature]  
Typed Name: John Carter Biggs  
Typed Title: Vice President

Attest:  
[Signature]  
Secretary

IMPRINTED CORPORATE SEAL  
REGISTER OF DEEDS

[CORPORATE SEAL]

STATE OF Texas §  
COUNTY OF Harris §  
§

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of December, 1993, by John Carter Biggs, as VP of GOLDOME CREDIT CORPORATION, a Delaware corporation, on behalf of the corporation.

[Signature]  
Notary Public in and for the State of \_\_\_\_\_

My Commission Expires 9-13-97

Print Name of Notary \_\_\_\_\_

[Notarial Seal]

ADDRESS OF ASSIGNOR:

Goldome Center  
Two Perimeter Park South  
Birmingham, Alabama 35243



ADDRESS OF ASSIGNEE:

55 East 52nd Street  
32nd Floor  
New York, New York 10055

NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS

EXHIBIT A

21 Arlington Apartments and Duplex

820  
1-26

Lots 3, 4 and the East 45 feet of Lot 5, in Block 115, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

39-09840

39-9840

3

567 Genoa and Saganore Apartments

The East 54 feet of the South 155.50 feet of the North 270 feet of Lot 9, in Block 4, Park Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

11-29440

AND

844 Lot 6, in Block 2, in Brennan Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

11-04440

23 Glendale Apartments

921

Lots 23 and 24, in Block 119, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

39-09840

2

29 Norton Theater Building

858

The West 10.00 feet of Lot 9 and all of Lot 10, in Block 100, Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska;

39-09840

2

and a strip of ground 7.00 feet wide North and South by 60.00 feet long East and West, being the North half of the vacated alley adjoining said property on the South;

and the East triangular part of the North 100.00 feet of Lot 11, in Block 100, said Dundee Place, more particularly described as follows: Commencing at the Northeast corner of Lot 11, Block 100, Dundee Place running thence South along the line between Lots 10 and 11 in said Block 100, 100.00 feet; thence Northwesterly direction in a straight line to a point on the North line of said Lot 11, 6 inches West of the Northeast corner thereof; thence East 6 inches to the Place of Beginning.

337 Roycroft Apartments

829

Lots 7, 8 and the East 40 feet of Lot 9, in Block 100, in Dundee Place, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

39-09840

3