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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
6/20/2008 13:07:18.46



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WHEN RECORDED RETURN TO:

Julie Dermody Lauren Manhart
Cox Communications Omaha, Inc.
11505 W. Dodge Rd.
Omaha NE 68154

MEMORANDUM OF AGREEMENT
(NEBRASKA)

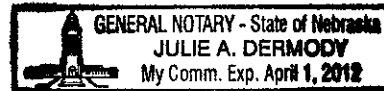
PLEASE TAKE NOTICE that **McDonnell Tudor, LLC**, ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated January 17, 2007, which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit A attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox Communications with rights of ingress and egress to the property necessary or useful to provide such service and maintain its facilities on the property used in providing such services. The Agreement binds any successors and assigns of the Owner in accordance with its terms. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Cox Communications requests that it receive notice of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the property, sent to the address above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

Cox Communications Omaha
A Nebraska corporation

By: Jeff Butler
Its: VP of Sales
Print Name: Jeff Butler



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 10th day of April, 2008 by Jeff Butler as VP of Sales of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporation.

Jan A. Seaman
NOTARY PUBLIC
My Commission Expires: 4-1-12

McDonnell Tudor, LLC

By: Daniel R. Stanger
Its: manager
Print Name: Daniel R. Stanger

STATE OF Utah
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 29th day of January 2007 by Daniel R. Stanger as manager of McDonnell Tudor LLC a owner on behalf of said company.

Janet Seamon-Workman
NOTARY PUBLIC
My Commission Expires: 06-01-2008



EXHIBIT A

Legal Description

Lots 1 through 15, inclusive, part of Lot 16, and Lots 17 through 22, inclusive, and vacated portions of Birch and Pinkney Streets, in MAPLE HEIGHTS, an Addition to the City of Omaha, as surveyed, platted and recorded, in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 9, Township 15 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, more particularly described as follows:

Beginning at a point South 89°53'20" East, 50.0 feet from the Northwest corner of said Section 9, said point also being the Northwest corner of Lot 17, Maple Heights; thence South 89°53'20" East, a distance of 991.55 feet, to a point on the Southwesterly right-of-way line of Old Maple Street; thence South 52°44'25" East, on the Southwesterly right-of-way line of Old Maple Street, 54.77 feet, to a point of curve; thence on a curve to the right (radius being 540.70 feet), on the Southwesterly right-of-way line of Old Maple Street (chord bearing South 25°54'20" East), an arc distance of 500.63 feet; thence South 00°18'35" West, on the West right-of-way line of Old Maple Street, 786.30 feet, to a point of curve; thence on a curve to the left (radius being 183.00 feet), on the Westerly right-of-way line of Old Maple Street (chord bearing South 00°24'20" East), an arc distance of 4.57 feet, to the point of intersection of the North right-of-way line of Bedford Street, said point also being the Southeast corner of Lot 1, Maple Heights; thence North 89°57'05" West, on the North right-of-way line of Bedford Street, 630.06 feet, to the Southeast corner of Lot 16, Maple Heights; thence North 00°02'55" East, a distance of 726.03 feet, to a point that intersects a curve; thence on a curve to the right (radius being 638.00 feet - chord bearing North 38°17'51" West), an arc distance of 28.90 feet; thence North 37°00'00" West, 173.10 feet, to a point on the Southerly right-of-way line of Birch Street, said point also being the Northern most corner of Lot 16, Maple Heights; thence on a curve to the left (radius being 40.00 feet - chord bearing North 37°00'00" West), for an arc distance of 192.32 feet, to a point on the Northerly right-of-way line of said Birch Street; thence South 53°32'46" West, 325.01 feet, along said Northerly right-of-way line, to a point of curve; thence on a curve to the right (radius being 117.94 feet - chord bearing South 71°46'23" West), for an arc distance of 75.04 feet; thence West, 128.78 feet, along said Northerly right-of-way line, to a point on the East right-of-way line of 108th Street, said point also being the Southwest corner of Lot 17, Maple Heights; thence North, along said East right-of-way line, 544.85 feet, to the Point of Beginning.

NOTE: The West line of the Northwest Quarter of said Section 9 assumed North-South in direction.