



MISC 2016051411



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FB: 55-00243
COMP: AH

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
06/30/2016 10:49:14.00



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MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (this "Memorandum") is made as of the Effective Date (as hereinafter defined) by and between Zone 5, LLC, a Nebraska limited liability company ("Seller") and Aksarben Lodging, LLC, a Nebraska limited liability company ("Buyer"). The "Effective Date" shall be the date in which the last of the parties have signed this Memorandum.

WHEREAS, Seller is the fee simple owner of the real estate located in Douglas County, Nebraska and legally described on Exhibit "A" attached hereto (the "Real Estate");

WHEREAS, Seller and Buyer entered into an Agreement, dated as of the Effective Date in connection with certain operations and charges related to the Real Estate (the "Agreement"); and

WHEREAS, Seller and Buyer have agreed to place this Memorandum of record for purposes of putting all persons on notice of the Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, Seller and Buyer agree as follows:

1. Purpose. The purpose of this Memorandum is to give record notice of the Agreement and of the rights created thereby, all of which are hereby confirmed. This Memorandum is for notice purposes only and is not a complete summary of the Agreement. For a complete description of all matters referenced in this Memorandum, a copy of the Agreement is held at Dvorak & Donovan Law Group, LLC, 13625 California Street, Suite 110, Omaha, Nebraska 68154.

2. Term. The Agreement shall expire on January 1, 2021.

3. Miscellaneous. This Memorandum shall be governed and construed in accordance with the laws of the State of Nebraska. Initially capitalized terms not otherwise defined herein shall have their respective meanings set forth in the Agreement.

[Remainder of this page is left intentionally blank; Signature page to follow.]

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum the day and year first above written.

SELLER:

Zone, 5, LLC

By: *John Hughes*

Name: *John Hughes*

Title: *Manager*

Date: *6-29-16*

BUYER:

Aksarben Lodging, LLC

By: _____

Name: _____

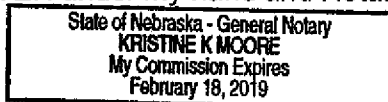
Title: _____

Date: _____

STATE OF NEBRASKA)
) SS
COUNTY OF *Douglas*)

On this *29th* day of *June*, 2016, before me, a Notary Public in and for said county and state, personally appeared *John Hughes*, who executed the foregoing Memorandum, and acknowledged before me that he/she was duly authorized and did execute the same as *Manager* of Zone 5, LLC, a Nebraska limited liability company, on behalf of the LLC.

GIVEN under my hand and Notarial Seal, this *29th* day of *June*, 2016.



Kristine K Moore
Notary Public

My Commission expires: *2/18/19*

STATE OF NEBRASKA)
) SS
COUNTY OF _____)

On this _____ day of _____, 2016, before me, a Notary Public in and for said county and state, personally appeared _____, who executed the foregoing Memorandum, and acknowledged before me that he/she was duly authorized and did execute the same as _____ of Aksarben Lodging, LLC, a Nebraska limited liability company, on behalf of the LLC.

GIVEN under my hand and Notarial Seal, this _____ day of _____, 2016.

Notary Public

My Commission expires: _____

Exhibit "A"

Legal Description

Lots 1 through 3 and Lot 7, Aksarben Village Replat 11, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

Lots 1 through 3, Aksarben Village Replat 15, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

55-00253