



MISC 2016066351



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Fee amount: 28.00
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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
08/16/2016 15:19:27.00



2016066351

**AFTER RECORDING
RETURN TO:**

Jan Packard, ACP
Paralegal Specialist
Mutual of Omaha Insurance Company
Law Operation 3rd Floor
Mutual of Omaha Plaza
Omaha, NE 68175

DECLARATION OF ASSIGNMENT AND TRANSFER
OF STORAGE SPACE AND AMENDMENT TO THE
DECLARATION OF CONDOMINIUM FOR
MIDTOWN CROSSING BUILDING 200 CONDOMINIUM

This Declaration made this 12 day of AUGUST, 2016, by East Campus Realty, LLC, a Nebraska limited liability company, as legal title owner of Condominium Unit 4303 located at 200 South 31st Avenue, Omaha, Nebraska (“Transferor”) and Andrew W. Peck, as legal title owner of Condominium Unit 4814 located at 200 South 31st Avenue, Omaha, Nebraska (“Transferee”).

WHEREAS, Transferor, as the owner of Condominium Unit 4303, has the right to transfer the exclusive use and possession, as a Limited Common Element, of Storage Space No. 4315.41 (“S-4315.41”), and

WHEREAS, Transferee, as the owner of Condominium Unit 4814, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of S-4315.41, which Storage Space is located at the Condominium, and

WHEREAS, Transferor and Transferee desire that the right to the exclusive use and possession of S-4315.41 be transferred and assigned to Transferee as the owner of Condominium Unit 4814.

NOW, THEREFORE, pursuant to the terms of the Condominium Property Act of the State of Nebraska and the Declaration of Midtown Crossing Building 200 Condominium (“Condominium Declaration”), recorded in the Office of the Register of Deeds of Douglas County, Nebraska on February 11, 2010, as Document No. 2010012980, as amended, the parties agree as follows:

1. Transferor hereby assigns to Transferee, as owner of Condominium Unit 4814, the right to the exclusive use and possession of **S-4315.41**, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 4814. No other Unit Owners have any right to the use or possession of **S-4315.41**. The new legal description of Transferee's Condominium Unit 4814 is described on Exhibit A attached hereto.

2. The right to the use and possession of **S-4315.41** being transferred and assigned hereunder is subject to: (a) the Condominium Property Act of the State of Nebraska; (b) the Condominium Declaration and any amendments thereto; (c) such rules and regulations as the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc. may from time to time prescribe; and (d) existing leases, liens and encumbrances encumbering the Condominium Unit to which **S-4315.41** is assigned by this Declaration.

3. A copy of this Declaration of Assignment and Transfer of Storage Space and Amendment to Declaration of Condominium shall be lodged with the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc.

4. To the best of the knowledge of the parties hereto, said transfer of **S-4315.41** to Unit 4814, does not change the parties' respective percentage ownership in the common elements.

TRANSFEROR

TRANSFeree

EAST CAMPUS REALTY, LLC

By: *Joseph T. Schmidt*
Joseph T. Schmidt

Andrew W. Peck
Andrew W. Peck

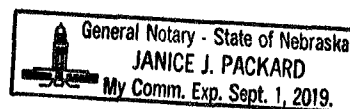
Title: Vice President – Operations

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of AUGUST, 2016 by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.

Janice Packard
Notary Public, State of Nebraska

My Commission Expires: 9-1-19



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 12 day of August, 2016 by Andrew W. Peck, Transferee.

Marissa Allen
Notary Public, State of Nebraska

My Commission Expires: May 8, 2017

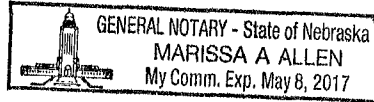


EXHIBIT A

LEGAL DESCRIPTION:

Unit 4814, together with appurtenant Storage Space S-4315.41, Midtown Crossing Building 200 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.