



MISC 2017028769



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Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 04/17/2017 12:28:53.00



2017028769

**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 PARKING SPACE AND AMENDMENT TO THE  
 DECLARATION OF CONDOMINIUM FOR  
 MIDTOWN CROSSING BUILDING 200 CONDOMINIUM**

This Declaration made this 14<sup>th</sup> day of April, 2017, by East Campus Realty, LLC, a Nebraska limited liability company, as legal title owner of Condominium Unit 4303 located at 200 South 31<sup>st</sup> Avenue, Omaha, Nebraska ("Transferor") and Anthony M. Smith and Anne M. Smith, as legal title owner of Condominium Unit 4209 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 Parking Space No. 2053 ("P-2053"), and

**WHEREAS**, Transferee, as the owner of Condominium Unit 4209, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of P-2053, which Parking Space is located at the Condominium, and

**WHEREAS**, Transferor and Transferee desire that the right to the exclusive use and possession of P-2053 be transferred and assigned to Transferee as the owner of Condominium Unit 4209.

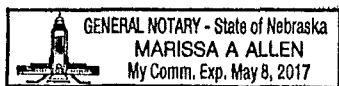
**NOW, THEREFORE**, pursuant to the terms of the Condominium Property Act of the State of Nebraska and the Declaration of Midtown Crossing Building 200 Condominium ("Condominium Declaration"), recorded in the Office of the Register of Deeds of Douglas County, Nebraska on February 11, 2010, as Document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

1. Transferor hereby assigns to Transferee, as owner of Condominium Unit 4209, the right to the exclusive use and possession of P-2053, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 4209. No other Unit Owners have any right to the use



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on the 14 day of April, 2017, by Anthony M. Smith, Transferee.



*Marissa A Allen*  
\_\_\_\_\_  
Notary Public, State of Nebraska

My Commission Expires: \_\_\_\_\_

STATE OF NEW JERSEY )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me on the \_\_\_\_\_ day of April, 2017, by Anne M. Smith, Transferee.

\_\_\_\_\_  
Notary Public, State of New Jersey

My Commission Expires: \_\_\_\_\_

or possession of **P-2053**. The new legal description of Transferee's Condominium Unit 4209 is described on Exhibit A attached hereto.

2. The right to the use and possession of **P-2053** 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 **P-2053** is assigned by this Declaration.

3. A copy of this Declaration of Assignment and Transfer of Parking 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 **P-2053** to Unit 4209, does not change the parties' respective percentage ownership in the common elements.

TRANSFEROR

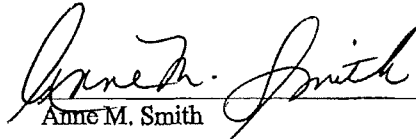
TRANSFeree

EAST CAMPUS REALTY, LLC

By: \_\_\_\_\_  
Joseph T. Schmidt

\_\_\_\_\_  
Anthony M. Smith

Title: Vice President – Operations

  
\_\_\_\_\_  
Anne M. Smith

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on the \_\_\_\_\_ day of April, 2017 by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.

\_\_\_\_\_  
Notary Public, State of Nebraska

My Commission Expires: \_\_\_\_\_

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on the \_\_\_\_\_ day of April, 2017, by Anthony M. Smith, Transferee.

\_\_\_\_\_  
Notary Public, State of Nebraska

My Commission Expires: \_\_\_\_\_

STATE OF NEW JERSEY )  
 ) ss.  
COUNTY OF Burlington )

The foregoing instrument was acknowledged before me on the 13 day of April, 2017, by Anne M. Smith, Transferee.

Mary Jo Ricca  
Notary Public, State of New Jersey

My Commission Expires: \_\_\_\_\_

MARY JO RICCA  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES SEPT. 25, 2017

**EXHIBIT A**

**LEGAL DESCRIPTION:**

**Unit 4209, together with appurtenant Parking Space P-2053, Midtown Crossing Building 200 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.**