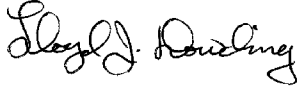



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SUBMITTED_TITLECORE NATIONAL, LLC

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2016-07268
2016 Apr 06 09:12:57 AM

REGISTER OF DEEDS


After Recording Please Return To:
Michael D. Matejka
WOODS & AITKEN LLP
10250 Regency Circle, Suite 525
Omaha, NE 68114

MEMORANDUM OF OPTION AGREEMENT

THIS MEMORANDUM OF OPTION AGREEMENT ("Memorandum") dated April 5, 2016, is made and entered into by and between RODNEY D. RHODEN, Trustee of the Rodney D. Rhoden Trust dated December 23, 2011 ("Optionor"), and MCCUNE DEVELOPMENT, L.L.C., a Nebraska limited liability company ("Optionee").

RECITALS:

- A. Optionor and Optionee are parties to that certain Option Agreement dated April 5, 2016 (the "Option"), by which Optionor has granted Optionee the right to purchase that certain real estate legally described in Exhibit "A" attached hereto and incorporated by reference herein (the "Property").
- B. Optionor and Optionee desire to execute and record this Memorandum in the office of the Sarpy County Register of Deeds to provide record notice of the Option.

AGREEMENT:

NOW THEREFORE, Optionor and Optionee hereby execute this Memorandum for the purpose of acknowledging the parties' respective interests in, and rights and obligations under, the Option and recording the same in the office of the Register of Deeds of Sarpy County, Nebraska.

- 1. Grant of Option. Optionee shall have the right to purchase the Property during the period beginning April 5, 2018, and ending April 5, 2021, upon the terms and conditions set forth in the Option.
- 2. Effect of Memorandum. This Memorandum is subject in each and every respect to the terms, covenants and conditions of the Option, all of which are hereby incorporated into

EXHIBIT "A"

Taxlot 9, in the Northeast Quarter of Section 1, Township 13 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, EXCEPT the East fifty feet (50') now taken for right of way, the remaining tract described by metes and bounds as follows:

Commencing at the survey spike at the Southeast corner of the said Northeast Quarter of Section 1; Thence South 87°20'31" West (bearings referenced to the Nebraska State Plane System NAD83 with the 95 adjustment) for 50.00 feet along the South line of the Southeast Quarter of the Northeast Quarter of Section 1 to the West right of way line of 204th Street and the TRUE POINT OF BEGINNING; Thence South 87°20'31" West for 1269.05 feet along the South line of the Southeast Quarter of the Northeast Quarter of Section 1 to a 3/4" open top pipe at the Southwest corner thereof; Thence South 87°20'41" West for 1318.94 feet to a 1" open top pipe at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 1; Thence North 02°30'56" West for 1320.04 feet to a 3/4" open top pipe at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 1; Thence North 02°33'27" West for 391.00 feet along the west line of the North Half of the Northeast Quarter of Section 1; Thence South 62°20'45" East for 477.24 feet; Thence South 76°00'10" East for 59.15 feet; Thence North 88°31'21" East for 289.24 feet; Thence North 82°11'14" East for 264.42 feet; Thence North 67°16'41" East for 466.01 feet; Thence North 60°48'30" East for 199.43 feet; Thence North 84°49'40" East for 954.51 feet to the West right of way line of 204th Street; Thence South 02°25'59" East for 1761.93 feet along the West right of way line parallel with and fifty feet West of the East line of the Northeast Quarter of Section 1 to the Point of Beginning.