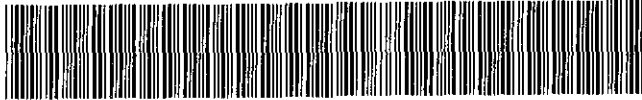




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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
8/20/2007 15:39:59.47



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After recording, return to: Troy F. Meyerson, 409 S. 17<sup>th</sup> Street, Suite 500 Omaha, NE 68102

**AFFIDAVIT**

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF NEBRASKA )

John J. Houlihan, III, being duly sworn, deposes and states that he is the Manager of Safeway Transportation, LLC and as follows:

A. Pursuant to a certain Lease Agreement dated June 27, 2006 (the "Lease Agreement"), Safeway Transportation, LLC leased from Jeannine M. Miller, the following described real estate:

**Legal Description:** THORNELLS ADD LOT 4 BLOCK 0 S 1/2 LT 1 & ALL LOTS 2 & 3 & N 25.68 FT LT 4 & S 48.64 FT E 1/2 LOT 4 IRREG

**Parcel Size: Acres: 0.77 Sq. Ft.: 33560**

B. The Lease Agreement is for a term extending until June 27, 2009 with four (4) options to extend the term for a period of twelve (12) months each.

B. Pursuant to Section 32 of the Lease Agreement, Safeway Transportation, LLC has an option to purchase the real estate.

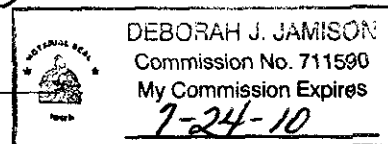
C. Safeway Transportation, LLC wishes to record this Affidavit in order to give constructive notice of its leasehold interest and its option to purchase.

DATED this 16 day of August, 2007.

John J. Houlihan, III  
Manager, Safeway Transportation, LLC

SUBSCRIBED and sworn to before me this 16 day of August, 2007.

[SEAL]



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