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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
12/05/2014 09:37:44.00



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SPACE ABOVE RESERVED FOR REGISTER OF DEEDS OFFICE RECORDING INFORMATION

RETURN TO: John I. Opert, Esq.  
Krooth & Altman LLP  
1850 M Street NW, Suite 400  
Washington, DC 20036

## **ASSIGNMENT OF DEED OF TRUST**

**AFTER RECORDING RETURN TO:**

Jon I. Opert, Esq.  
Krooth & Altman LLP  
1850 M Street, N.W., Suite 400  
Washington, D.C. 20036

**ASSIGNMENT OF DEED OF TRUST**

**HOWARD STREET APARTMENTS  
OMAHA, DOUGLAS COUNTY, NEBRASKA**

**FOR VALUE RECEIVED**, and for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **BERKELEY POINT CAPITAL LLC**, a Delaware limited liability company (the "Assignor") whose address is 4550 Montgomery Avenue, Suite 1100, Bethesda, Maryland 20814, as of December 1, 2014, does hereby sell, assign, transfer, set over and deliver unto **FANNIE MAE**, a corporation organized and existing under the laws of the United States of America (the "Assignee"), whose address is c/o Berkeley Point Capital LLC, 4550 Montgomery Avenue, Suite 1100, Bethesda, Maryland 20814, all of its right, title and interest in, to and under the following:

That certain Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement, and Fixture Filing from **HOWARD STREET APARTMENTS, LLC**, a Delaware limited liability company, doing business in Nebraska as **H.S. APARTMENTS, LLC** (the "Borrower"), to **BERKELEY POINT CAPITAL LLC**, a Delaware limited liability company (as the "Lender" therein), dated as of even date herewith, and recorded on the same date as this Assignment of Deed of Trust is recorded in the Records of Douglas County, Nebraska describing certain real estate located in Omaha, Nebraska, and more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Security Instrument"). The Security Instrument secures a certain Multifamily Note dated of even date herewith, from the Borrower to the Lender in the original principal amount of Two Million Seven Hundred Fifty Thousand and No/100 Dollars (\$2,750,000.00), which Multifamily Note has also been endorsed and delivered this date from the Assignor to the Assignee.

**[DOCUMENT EXECUTION AND ACKNOWLEDGMENT  
OCCUR ON THE FOLLOWING PAGE]**



## EXHIBIT A

PARCEL 3: A tract of land located in the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) of Section 23, Township 15 North, Range 12 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, more particularly described as follows:

Commencing at the point of intersection of the East right-of-way line of 76th Street and the North right-of-way line of Howard Street; thence North 90°00'00" East (assumed bearing), along said North right-of-way line of Howard Street, a distance of 164.76 feet, to the Point of Beginning; thence North 00°06'16" East, a distance of 357.25 feet, to a point on the Southwesterly bank of the Little Papillion Creek; thence along said Southwesterly bank of the Little Papillion Creek, on the following described courses; thence Southeasterly, on a curve to the left with a radius of 1,082.71 feet, a distance of 91.97 feet, said curve having a long chord which bears South 45°38'02" East, a distance of 91.94 feet; thence South 48°04'02" East, a distance of 82.52 feet; thence North 42°20'07" East, a distance of 2.64 feet; thence Southeasterly, on a curve to the right with a radius of 593.63 feet, a distance of 74.31 feet, said curve having a long chord which bears South 44°28'51" East, a distance of 74.26 feet, to a point on the West line of Lot 10, West Pacific Commercial, a Subdivision located in said West half of the Southeast Quarter of Section 23; thence South 00°10'42" West, along said West line of Lot 10, West Pacific Commercial, a distance of 186.78 feet, to a point on said North right-of-way line of Howard Street; thence North 90°00'00" West, along said North right-of-way line of Howard Street, a distance of 181.00 feet, to the Point of Beginning;

And,

A tract of land located in the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) of Section 23, Township 15 North, Range 12 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the East right-of-way line of 76th Street and the North right-of-way line of Howard Street; thence North 00°06'16" East (assumed bearing), along said East right-of-way line of 76th Street and the East line of West Pacific Terrace, a Subdivision located in said West half of the Southeast Quarter of Section 23, a distance of 585.67 feet, to a point on the Southwesterly bank of the Little Papillion Creek; thence South 28°18'04" East, along said Southwesterly bank of the Little Papillion Creek, a distance of 0.65 feet; thence Southeasterly, along said Southwesterly bank of the Little Papillion Creek, on a curve to the left with a radius of 1,082.71 feet, a distance 281.55 feet, said curve having a long chord which bears South 35°45'03" East, a distance of 280.76 feet; thence South 00°06'16" West, a distance of 357.25 feet, to a point on the said North right-of-way line of Howard Street; thence North 90°00'00" West, along said North right-of-way line of Howard Street, a distance of 164.76 feet, to the Point of Beginning.

All together with beneficial easement rights appurtenant thereto as reserved in Warranty Deed dated May 19, 1970 and recorded May 26, 1970, in Book 1410 at Page 13 of the Deed Records of Douglas County, Nebraska.