

MISC 2006052174

MAY 10 2006 15:18 P 1

WHEN RECORDED RETURN TO: Julie Dermody
Cox Communications Omaha, Inc.
11505 W. Dodge Rd.
Omaha NE 68154

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
5/10/2006 15:18:01.62



MEMORANDUM OF AGREEMENT
(NEBRASKA)

PLEASE TAKE NOTICE that Wiener Omaha LLC ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated August 1, 2005, which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit A attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox Communications with rights of ingress and egress to the property necessary or useful to provide such service and maintain its facilities on the property used in providing such services. The Agreement binds any successors and assigns of the Owner in accordance with its terms. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Cox Communications requests that it receive notice of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the property, sent to the address above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

Cox Communications Omaha
A Nebraska corporation

By: [Signature]
Its: VP Regional Manager
Print Name: Percy J Kirk



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 3rd day of Oct, 2005 by Percy Kirk as VP Regional Manager of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

Julie A Dermody
NOTARY PUBLIC
My Commission Expires: 4-1-08

Wiener Omaha LLC

By: [Signature]
Its: Managing member
Print Name: NANCY DECK

Misc
FEE 5.50 FB 63-16040
BKP _____ C/O _____ COMP Six
DEL _____ SCAN _____ FV _____

STATE OF NE
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 9th day of Sept, 2005 by Nancy Deck as Managing member of Wiener Omaha LLC a LLC, on behalf of said company.

Wanda Perez
NOTARY PUBLIC
My Commission Expires: 3/12/06

Legal description:



one p Heide Heights Lot 2 Block O
ALL Lt 2

FOX RIDGE