



REL 2003189420

RICHARD N. TAKECHI
REGISTER OF DEEDS
OFFICE OF THE CLERK



SEP 29 2003 09:55 P 3

RECEIVED

When recorded return to:
Mr. William A. Carson, II
Armstrong Allen Prewitt Gentry Johnston & Holmes
80 Monroe Avenue, Suite 700
Memphis, Tennessee 38103-2467

RELEASE OF LIEN

STATE OF NEBRASKA §
§
COUNTY OF DOUGLAS §

This RELEASE OF LIEN is executed on February 4, 1997, by Credit Lyonnais New York Branch, a duly licensed branch under the laws of the State of New York of a foreign banking corporation organized under the laws of the Republic of France ("Lender").

WHEREAS, on or about July 2, 1996, EPT Omaha Limited Partnership, a Delaware limited partnership ("Borrower"), executed three (3) promissory notes in the aggregate original principal amount of \$109,211,196.00, as more particularly described in the Deed of Trust (as defined below) (collectively, the "Notes"), which Notes are secured by that certain Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rental (the "Deed of Trust") dated of even date with the Notes, recorded July 11, 1996 in Book 4778, Page 299 of the Mortgage Records of Douglas County, Nebraska, and covering the real and personal property more fully described therein, including, without limitation, the land described on Exhibit A attached hereto and incorporated herein for all purposes (collectively, the "Property") and that certain Multistate Assignment of Leases and Rents (the "Assignment") dated of even date with the Notes, recorded July 11, 1996 in Book 1181, Page 540 of the Miscellaneous Records of Douglas County, Nebraska.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender, being the agent of the current owners and holders of the Notes, and the holder of the Deed of Trust and Assignment, has RELEASED and DISCHARGED, and by these presents hereby RELEASES and DISCHARGES the Property from the liens and security interests of the Deed of Trust and the Assignment.

D-381259.1

Rel
FEE 15.50 FB 01-60000
3 BKP 26-15-12 C/O _____ COMP _____
1 DEL _____ SCAN _____ FV _____

28 ALC 97010019

EXECUTED as of the day and date first above written.

LENDER:

CREDIT LYONNAIS NEW YORK BRANCH

By: 

Name: Misha A. Zabotin

Title: Vice President

STATE OF NEW YORK

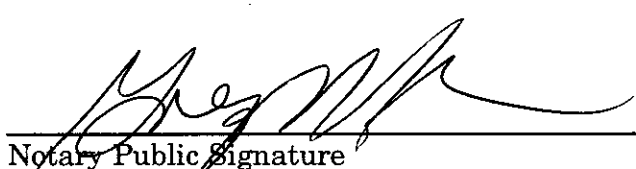
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§

COUNTY OF NEW YORK

§

This instrument was acknowledged before me on this 4th day of February, 1997, by Misha A. Zabotin, Vice President of Credit Lyonnais New York Branch, a duly licensed branch under the laws of the State of New York of a foreign banking corporation organized under the laws of the Republic of France, as Agent for the Lenders.


Notary Public Signature

(PERSONALIZED SEAL)

GREGORY J. NUBER
Notary Public, State of New York
No. 01NU5045215
Qualified in New York County
Commission Expires June 12, 1997

EXHIBIT A

NE SE
SE NE

Legal Description of Property

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 26, TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 26, ALL IN T15N, R12E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: AT THE NE CORNER OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 26;

THENCE: N89° 48' 45"W (ASSUMING THE EAST LINE OF SAID NE 1/4 TO BEAR NORTH - SOUTH) 278.00 FEET ON THE NORTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING;

THENCE: SOUTH 320.62' ON A LINE 278.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NE 1/4;

THENCE: N89° 48' 45"W 15.00';

THENCE: S00° 11' 15"W 115.11' TO THE NORTH LINE OF CEDAR STREET;

THENCE: WEST 360.13' ON THE NORTH LINE OF CEDAR STREET AND ITS WESTERLY EXTENSION;

THENCE: N00° 20' 15"E 436.91' TO THE NORTH LINE OF SAID NE 1/4;

THENCE: S89° 48' 45"E 242.95' ON THE NORTH LINE OF SAID NE 1/4;

THENCE: N00° 11' 15"E 1.00';

THENCE: S89° 48' 45"E 129.98' ON A LINE 1.00' NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4;

THENCE: S00° 11' 15"W 1.00' TO THE POINT OF BEGINNING.