

2012-07160

03/09/2012 1:24:17 PM

Lloyd J. Dowling

REGISTER OF DEEDS

COUNTER WS C.E. WS
VERIFY WS D.E. LM
PROOF P
FEES \$ 5.50
CHECK# 1478
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____



WHEN RECORDED RETURN TO:

Cox Communications Omaha, Inc. - Nikki Quakenbush
~~41600 W. Dodge Rd.~~ 401 N. 117th St.
Omaha NE 68154

MEMORANDUM OF AGREEMENT
(NEBRASKA)

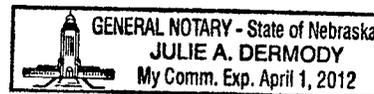
PLEASE TAKE NOTICE that **RM9, Holdings, LLC** ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, Inc., a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated **April 1, 2011** which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit B 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: *L. Sargent*
Its: L. SARGENT
Print Name: VP SALES



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 14 day of June, 2011 by Lloyd Sargent the Vice President of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

Nikki Quakenbush
NOTARY PUBLIC
My Commission Expires: 9-1-12

RM9, Holdings, LLC

By: *Marc Guizzo*
Its: Director of Facilities
Print Name: MARC GUIZZO

STATE OF NEW YORK
COUNTY OF NIAGARA

The foregoing instrument was acknowledged before me this 18th day of April, 2011 by MARC GUIZZO as Dir of Facilities of RM9 Holding a representative on behalf of said company.

Dawn I. Gilliam
NOTARY PUBLIC
My Commission Expires: _____

Dawn I. Gilliam
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires July 7, 2011

Exhibit B: Lot 4, in Harrison Heights, an Addition to the City of La Vista, as surveyed, platted and recorded in Sarpy County, Nebraska.