



C/LIEN 2016077875



SEP 20 2016 17:15 P 5

Fee amount: 34.00  
FB: 07-05673  
COMP: BW

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
09/20/2016 17:15:54.00



2016077875

### NOTICE OF COMMENCEMENT

1. The real estate being or intended to be improved or directly benefited is legally described on Exhibits A-1, A-2 and A-3 attached hereto and incorporated herein by reference.
2.
  - a. The contracting party is: Capitol District Parking, LLC.
  - b. The address of the contracting party is: 1111 N. 13<sup>th</sup> Street, Suite 101, Omaha, NE 68102.
  - c. The interest of contracting party in the real estate is: fee simple title owner as to property described in Exhibit A-1 hereto and leasehold or sub-leasehold interest in the property described in Exhibits A-2 and A-3 hereto.
  - d. The name and address of the fee simple title holder, if other than the contracting party, is:
 

Exhibit A-1: Not applicable.

Exhibits A-2 and A-3:

City of Omaha  
Omaha/Douglas Civic Center  
1819 Farnam Street  
Omaha, NE 68183

Department of Roads of the State of Nebraska  
1500 Highway 2  
Lincoln, NE 68502
3. If, after this notice of commencement is recorded, a lien is recorded as to an improvement covered by this notice of commencement, the lien has priority from the time this notice of commencement is recorded.
4. The duration of this notice of commencement is 30 months.
5. If this notice of commencement is limited to a particular improvement project, or portion thereof, on the real estate, the limitation is as follows: None.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;  
EXECUTION PAGE FOLLOWS]

CAPITOL DISTRICT PARKING, LLC, a  
Nebraska limited liability company

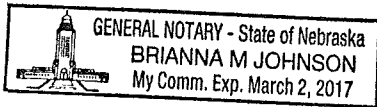
By: The Capitol District, LLC, a  
Nebraska limited liability company,  
its Sole Member

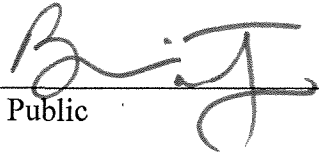
By: MTM Capitol District, LLC,  
a Nebraska limited liability  
company, its Administrative Member

By:   
Name: Michael T. Moylan  
Title: Member

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of September, 2016, by Michael T. Moylan, Member of MTM Capitol District, LLC, a Nebraska limited liability company, the administrative member of The Capitol District, LLC, a Nebraska limited liability company, the sole member of Capitol District Parking, LLC, a Nebraska limited liability company, on behalf of the company.



  
Notary Public

**[EXECUTION PAGE OF NOTICE OF COMMENCEMENT]**

**EXHIBIT A-1**

**Legal Description**

**(Parking Garage Real Estate)**

Lot 1, The Capitol District, an Addition to the City of Omaha, Nebraska, as surveyed, platted, and recorded in Douglas County, Nebraska.

**EXHIBIT A-2**

**Legal Description**

**(9<sup>th</sup> Street Parking Lot Real Estate)**

**PARCEL 1:** Lot 13, in UNION PACIFIC PLACE, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska. **07-39766**

**PARCEL 2:** All of Lot 1, the East 54.0 feet of Lot 2, and the North Half (N½) of Lot 4, in Block 70, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska;

And, **03-80000**

The South Half (S½) of Lot 4 and the North Half (N½) of Lot 5, in Block 70, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska;

**03-80000**

And,

A tract of land located in Lot 8 and the South 30 feet of Lot 5, in Block 70, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, described as follows:

**03-80000**

Referring to the Southeast corner of Lot 8, said Block 70; thence Northerly, on the East line of said Lot 8, a distance of 53.0 feet, to the Point of Beginning; thence continuing Northerly, on the East line of Lots 5 and 8, said Block 70, a distance of 37.0 feet, to a point on the Northerly property line; thence Westerly, on a line 30.0 feet Northerly from and parallel to the South line of said Lot 5 and on said property line, a distance of 35.9 feet; thence Southeasterly, a distance of 51.6 feet, to the Point of Beginning.

**PARCEL 3:** All that part of Lots 5, 6 and 7, in Block C, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, lying Southwesterly from and adjacent to the Southwesterly Chicago, Burlington and Quincy Railroad Company right-of-way line, and Southeasterly from and adjacent to the Southeasterly right-of-way line of Abbott Drive;

**03-80000**

And,

Part of Lot 5, in Block C, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, more particularly described as follows:

**03-80000**

Beginning at the Northwest corner of said Lot 5; thence Easterly, on the North line of said Lot 5, a distance of 25.1 feet; thence Southwesterly, on a 4,754.9 foot radius curve to the right (initial tangent of which forms an angle of 117°19' right from said North line, a distance of 54.1 feet, to a point on the West line of said Lot 5; thence Northerly, on said West line, a distance of 48.0 feet, to the Point of Beginning.

**EXHIBIT A-3**

**Legal Description**

**(Lot E Parking Lot Real Estate)**

**PARCEL 4:** A tract of land located in Lots 2, 3 and 4, in Block 62, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, being more particularly described as follows:

**03-80000**

Beginning at the Southwest corner of Lot 4, said Block 62; thence Easterly, on the South line of Lots 2, 3 and 4, said Block 62, a distance of 178.6 feet; thence Northwesterly, on a 1,237.6 foot radius curve to the left (initial tangent of which forms an angle of 161°20' left from said South line), a distance of 13.0 feet, to a point of tangency; thence continuing Northwesterly, tangent, a distance of 124.8 feet, to a point of curvature; thence continuing Northwesterly, on a 2,276.3 foot radius curve to the right (initial tangent of which coincides with the last described course), a distance of 50.3 feet, to a point on the West line of said Lot 4; thence Southerly, on said West line, a distance of 59.2 feet, to the Point of Beginning;

And,

Lots 5, 6, 7 and 8, in Block 62, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, EXCEPT those portions thereof included within or designated as street improvement area in the Plat and Dedication of Union Pacific Place.

**PARCEL 5:** The vacated East-West alley between Davenport Street and Chicago Street from 10th Street to 11th Street, in Block 62, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, EXCEPT those portions thereof included within or designated as street improvement area in the Plat and Dedication of Union Pacific Place.

**03-80000**