



MISC Inst. # 2017095848, Pg: 1 of 4 Rec Date: 11/29/2017 07:00:44.643
Fee Received: \$28.00 Electronically Recorded By: AH
Douglas County, NE Assessor/Register of Deeds DIANE L. BATTIATO

WHEN RECORDED MAIL TO:
First National Bank of Omaha
114th and Dodge
11404 W Dodge Rd, Stop 4250
Omaha, NE 68154

FOR RECORDER'S USE ONLY

NEGATIVE PLEDGE AGREEMENT

This Negative Pledge Agreement, dated November 15, 2017, and is made by and between **First National Bank of Nebraska** ("LENDER"), a national bank, with an office at 11404 W Dodge Rd, Stop 4250, Omaha, Nebraska, 68154 and **Great Omaha Chamber Foundation**, a Nebraska nonprofit corporation ("BORROWER"), located at 1301 Harney Street, Omaha, NE 68102.

Whereas, LENDER has agreed to lend to BORROWER the sum of \$700,000.00 (the "LOAN") on condition that BORROWER make certain pledges and covenants to LENDER; and

Whereas, BORROWER is the owner of real property commonly known as **1301 Harney Street, Omaha, NE 68102** (the "REAL PROPERTY") which is located in Douglas County, Nebraska, and legally described as:

Please see Legal Description on Attached Exhibit "A"

Parcel ID: 1404-0004-03

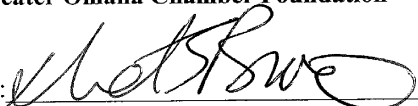
Now, therefore, in consideration of the LOAN, and for other valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1. This Agreement will be effective as of the date first set forth above and continue until the LOAN in favor of LENDER has been paid in full, or until such time as the parties may agree in writing to terminate this Agreement.
2. BORROWER warrants to LENDER that BORROWER is sole owner in fee of the REAL PROPERTY, and that the REAL PROPERTY is free and clear of liens and encumbrances, except for liens for accruing taxes which are not delinquent, liens in favor of LENDER, and easements of record.

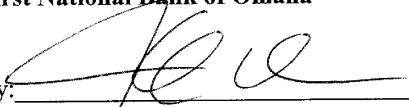
3. BORROWER will grant no lien, mortgage, trust deed, nor any other encumbrance on the REAL PROPERTY, without prior written permission of LENDER, until the LOAN and all other obligations of BORROWER to LENDER, direct or indirect, are paid in full.

In witness whereof, the parties have set their hands as of the 15th day of November, 2017.

BORROWER:
Greater Omaha Chamber Foundation

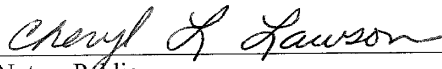
By: 
David G. Brown, President

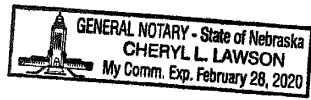
LENDER:
First National Bank of Omaha

By: 
Kendall D. Scheer, Vice President

State of Nebraska)
 ss.
County of Douglas)

On this 17 day of November, 2017, before me, a Notary Public, personally came David G. Brown, known to me to be President of Greater Omaha Chamber Foundation, a Nebraska non-profit corporation, that executed this instrument on behalf of the entity herein named and executed same as the voluntary act of the entity.


Notary Public



State of Nebraska)

County of Douglas)
SS.

On this 28th day of November, 2017, before me, a Notary Public, personally came, Kendall D. Scheer, known to me to be Vice President of First National Bank of Omaha, a national bank, that executed this instrument on behalf of the entity herein named and executed same as the voluntary act of the entity.

State of Nebraska – General Notary
LYNNE E MARTIN
My Commission Expires
September 13, 2020

Lynne E. Martin
Notary Public

Inst. # 2017095848, Pages: 4 of 4

EXHIBIT "A"

All of Lots 1 and 2; and Lot 3, except the West 48.5 feet thereof; all in Block 149, Original City of Omaha, as surveyed and lithographed in Douglas County, Nebraska; together with the North 1/2 of vacated alley adjacent thereto on the South; and, that part of Lot 3, Block 149, Original City of Omaha, Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of the West 48.5 feet of said Lot 3; thence N 0°00'23" W (assumed bearings) for 10.05 feet along the East line of the West 48.5 feet of said Lot 3; thence N 89°34'57" W for 3.73 feet; thence S 0°00'33" E for 20.08 feet to the Centerline of the vacated alley; thence N 89°59'34" E for 3.73 feet along said Centerline; thence N 0°00'23" W for 10.00 feet to the Point of Beginning.

ADDRESS: 1301 Harney Street, Omaha, NE 68102