

WHEN RECORDED MAIL TO:

Five Points Bank
Omaha Branch
8820 Arbor St
PO Box 24889
Omaha, NE 68124

FOR RECORDER'S USE ONLY

FIVE POINTS BANK

NOTICE OF COMMENCEMENT

To Whom It May Concern:

The undersigned hereby informs all concerned that improvements will be made to certain real property, and in accordance with Neb. Rev. Stat. 52-145, the following information is stated in this NOTICE OF COMMENCEMENT.

Description of Property:

LOT 1, IN THE CAPITOL DISTRICT REPLAT 1, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED, IN DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THAT PART OF VACATED DAVENPORT STREET ADJACENT THERETO ON THE NORTH

The Real Property or its address is commonly known as 1101 DAVENPORT PLAZA, OMAHA, NE 68102.

General Description of Improvements:

CONSTRUCTION OF 22,000 SQUARE FOOT RETAIL BUILDING WITH 31 BELOW GROUND PARKING SPACES, COMMONLY KNOW AS THE CAPITOL DISTRICT RETAIL BUILDING. PROJECT ALSO INCLUDES THE OUTDOOR COMMON SPACE COMMONLY KNOWN AS THE PLAZA.

CAPITOL DISTRICT RETAIL, LLC

Contracting Owner

1111 N 13TH STREET SUITE 101, OMAHA, NE 68102

Address

OWNER

Interest in the Real Estate

**NOTICE OF COMMENCEMENT
(Continued)**

Loan No: 101305942

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CAPITOL DISTRICT RETAIL, LLC

Fee Simple Title Holder (if other than contracting owner)

1111 N 13TH STREET SUITE 1, OMAHA NE 68102

Address

NOTE:

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.

Duration of this Notice of Commencement: 24 MONTHS

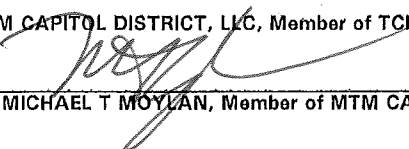
Executed this 8th Day of September, 2017

CONTRACTING OWNER:

CAPITOL DISTRICT RETAIL, LLC

TCD 2, LLC, Sole Member of CAPITOL DISTRICT RETAIL, LLC

MTM CAPITOL DISTRICT, LLC, Member of TCD 2, LLC

By: 
MICHAEL T MOYLAN, Member of MTM CAPITOL DISTRICT, LLC

SMITH CAPITOL DISTRICT HOLDINGS, LLC, Member of TCD 2, LLC

BLACK DOG MANAGEMENT, LLC, Manager of SMITH CAPITOL DISTRICT HOLDINGS, LLC

By: 
PAUL G SMITH, Sole Member of BLACK DOG MANAGEMENT, LLC

NOTICE OF COMMENCEMENT
(Continued)

Loan No: 101305942

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska

COUNTY OF Douglas

On this 19th day of September, 2017, before me, the undersigned Notary Public, personally appeared MICHAEL T MOYLAN, Member of MTM CAPITOL DISTRICT, LLC, Member of TCD 2, LLC, Sole Member of CAPITOL DISTRICT RETAIL, LLC and PAUL G SMITH, Sole Member of BLACK DOG MANAGEMENT, LLC, Manager of SMITH CAPITOL DISTRICT HOLDINGS, LLC, Member of TCD 2, LLC, Sole Member of CAPITOL DISTRICT RETAIL, LLC, and known to me to be members or designated agents of the limited liability company that executed the Notice of Commencement and acknowledged the Notice to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Notice and in fact executed the Notice on behalf of the limited liability company.

By Deena P. Parrish
Printed Name: Deena Parrish
Notary Public in and for the State of Nebraska
Residing at 51148 24th St. Genwold IA 51534
My commission expires August 22 2019

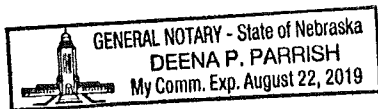


EXHIBIT "A"

LEGAL DESCRIPTION

Lot 1, in The Capitol District Replat 1, an addition to the city of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, together with that part of vacated Davenport Street adjacent thereto on the North.