

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

~~MD NO:~~ MS 20-8  
CASE NO: CI 19-8449

**Name of Lien Claimant:** Sioux City Brick & Tile LLC ("Sioux City"), 501 4<sup>th</sup> St., Sergeant Bluff, IA 51054.

**Owner:** DSL Hospitality, LLC, c/o Greg Scaglione, Koley Jessen, 1125 South 103 Street, Suite 800, Omaha, Nebraska 68124, (402) 390-9500, [greg.scaglione@koleyjessen.com](mailto:greg.scaglione@koleyjessen.com).

**Description of the Real Estate:** Lot 1, Saddle Creek Midtown, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska (the "Real Estate").

**Two Construction Liens (collectively the "Construction Liens"):**

1. Instrument No. 2019097590 recorded on November 8, 2019 with the Douglas County Register of Deeds (the "Lien") for the claimed amount of \$65,434.31.
2. Instrument No. 2019110914, which amended Instrument No. 2019097590, recorded on December 16, 2019 with the Douglas County Register of Deeds (the "Amended Lien") for the claimed amount of \$65,434.31.

**By Order of this Court entered January 21, 2020 ( the "Order"), the Court has set the total claimed amounts unpaid, whether due or not, for the Construction Liens as \$65,434.31.**

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JAN 28 2020

CLERK OF THE DISTRICT COURT

RETURN:

Koley Jessen, PC, LLC  
c/o Gregory Scaglione  
1125 S. 103rd St., Suite 800  
Omaha, NE 68124

**CLERK'S CERTIFICATE**

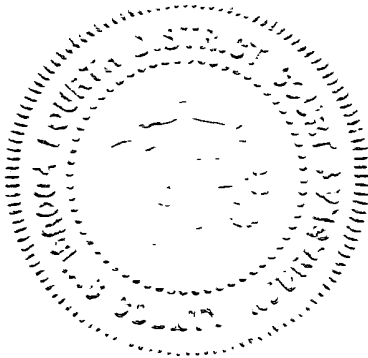
WHEREAS, pursuant to this Court's Order, DSL is permitted to deposit with the Clerk an original letter of credit from Dundee Bank to serve as substitution of collateral under Neb. Rev. Stat. § 52-142(1)(A),

WHEREAS, pursuant to this Court Order, DSL may deposit an original letter of credit from Dundee Bank to serve as substitution of collateral for the Construction Liens, in the amount of \$75,249.46 (115% of the unpaid amount the Court set, whether due or not, for the Construction Liens), to remove the Construction Liens off the Real Estate and onto the deposited letter of credit, and

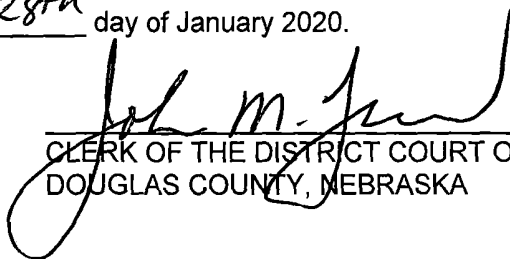
WHEREAS, DSL, did, on the January 28<sup>th</sup>, 2020, deposit with the Clerk an original letter of credit from Dundee Bank in the amount of \$75,249.46 per the Court Order.

THEREFORE, by virtue of the foregoing deposit, the Construction Liens, (Instrument Nos. 2019097590 and 2019110914) are hereby declared released from the Real Estate and transferred to the deposited letter of credit.

Dated in Omaha, Nebraska, this 28<sup>th</sup> day of January 2020.



**Imprinted Seal**

  
CLERK OF THE DISTRICT COURT OF  
DOUGLAS COUNTY, NEBRASKA