

MISC 2015062951



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Fee amount: 22.00
FB: 03-80000
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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
07/29/2015 16:46:14.00



2015062951

GPIN/Other#: _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Cox Communications

401 N 117th Street

Omaha, NE 68154

Attn: _____

THIS IS A CONVEYANCE OF A LICENSE
AND CONSIDERATION IS LESS THAN \$100.00

(space above for recorder's use only)

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (this "Memorandum") is made this 11th Day of December 2014, by and between 1015 N. 14th Street Limited Liability Company ("Grantor") and Cox Communications Omaha, L.L.C., d/b/a Cox Communications ("Cox"). Grantor is the owner of certain real property located in Douglas County, Nebraska, which is more particularly described in Exhibit A, attached hereto and incorporated herein (the "Property").

PLEASE TAKE NOTICE that Grantor and Cox have entered into that certain Service and Access Agreement, dated December 11th, 2014, as such may be amended, extended, renewed or replaced (collectively, the "**Agreement**") pursuant to which Grantor has granted to Cox the nonexclusive right to (a) install construct, install, operate, maintain, repair, replace, and remove telecommunications and other facilities consisting of, without limitation, conduits, strands, wires, coaxial cables, hardware, wireless access points, backhaul modems, antennas, pedestals, junction boxes, and other equipment (collectively, the "**Facilities**") as Cox may from time-to-time require, and (b) offer, provide, and market (on a non-exclusive basis) video, entertainment, high-speed data, voice and other services (collectively, the "**Services**") to the Property and other properties and persons that can be served by the Facilities. Cox owns and/or Grantor has granted to Cox the exclusive right to use all or a portion of the Facilities. Any Facilities owned by Cox shall not be deemed a fixture of the Property. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Grantor shall provide notice to Cox of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the Property, sent to the address above.

1015 N. 14th Street Limited Liability Company:

By: [Signature]
Name: Todd Heistand
Title: Mgr.

GRANTOR ACKNOWLEDGMENT

STATE OF Iowa

COUNTY OF Harrison

On December 11, 2014 (date) before me, Amy Cogdill (Notary), personally appeared Todd Heistand (name of signer), who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Iowa that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[NOTARY SEAL]

Amy Cogdill
Notary Public
Name: Amy Cogdill
My Commission Expires: 4/3/2017

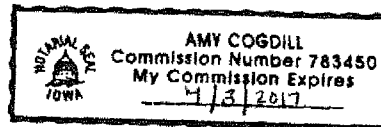


EXHIBIT A

Part of Lots 3 and 6, Block 319, original City of Omaha, together with all of Lots 4 and 5, said Block 319, Original City of Omaha, together with vacated 14th Street right -of- way and vacated alley right -of-way In said Block 319, original City of Omaha, all located in the Southeast Quarter of Section 15, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Northeast corner of said Lot 3, block 319, original City of Omaha, said point also being the Northwest corner of Lot 2, said Block 319, original City of Omaha, said point also being on the South right-of-way line of Nicholas Street; thence S87°37'10"W (assumed bearing) along the North line of said Lot 3, Block 319, original City of Omaha, said line also being said right-of-way line of Nicholas Street, A distance of 19.00 feet to the point of beginning; thence South 02°22'12"E a distance of 284.00 feet to a point on the South line of said Lot 6, Block 319, original City of Omaha, said line also being the North Right-of-way line of Izard Street; thence S87°37'15"W along said South line of Lot 6, Block 319, original City of Omaha, and also the South line of said Lot 5, Block 319, original City of Omaha, said line also being said North right-of-way line of Izard Street, a distance of 113.27 feet to the Southwest corner of said Lot 5, Block 319, original City of Omaha, said point also being the point of intersection of said North right-of-way line of Izard Street, and the Easterly right-of-way line of said 14th Street; thence N02°18'49"W along the West line of said Lot 5, Block 319, original City of Omaha, said line also being said Easterly right-of-way line of 14th Street, a distance of 85.60 feet; thence N22°10'18"W along said Easterly right-of-way line of 14th Street, a distance of 58.88 feet; thence N02°18'49"W along said Easterly right-of-way line of 14th Street, a distance of 143.00 feet to the point of intersection of said Easterly right-of-way line of 14th Street, and said South right-of-way line of Nicholas Street; thence N87°37'10"E along the North line of Lot 4, Block 319, original City of Omaha and the Westerly extension thereof, and also said North line of Lot 3, Block 319, original City of Omaha, said line also being said South right-of-way line of Nicholas Street, a distance of 132.99 feet to the point of beginning.