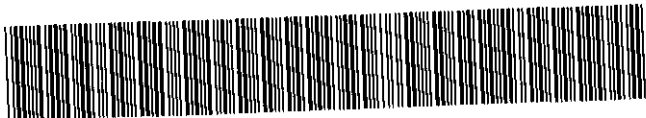


MISC 2004157098



DEC 03 2004 15:04 P 1

Received - RICHARD TAKECHI  
Register of Deeds, Douglas County, NE  
12/3/2004 15:04:48.18



2004157098

WHEN RECORDED RETURN TO: Julie Dermody  
Cox Communications Omaha, Inc.  
11505 W. Dodge Rd.  
Omaha NE 68154

MEMORANDUM OF AGREEMENT  
(NEBRASKA)

PLEASE TAKE NOTICE that 37<sup>th</sup> Street Apartments Limited Partnership, as agent for "Owner"/Jackson Apartments, and CoxCom, Inc. d/b/a Cox Communications Omaha, Inc., a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Services Agreement ("Agreement") dated September 9, 2004, which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit A attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox Communications with rights of ingress and egress to the property necessary or useful to provide such service and maintain its facilities on the property used in providing such services. The Agreement binds any successors and assigns of the Owner in accordance with its terms. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Cox Communications requests that it receive notice of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the property, sent to the address above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

Cox Communications Omaha  
A Nebraska corporation

By: [Signature]  
Its: Vice President Region Manager



STATE OF NEBRASKA  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of October, 2004 by [Signature] as VP/om of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

[Signature]  
NOTARY PUBLIC  
My Commission Expires: 4-1-08

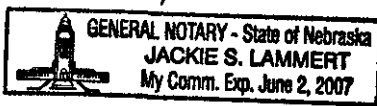
37<sup>th</sup> Street Apartments Limited Partnership

By: [Signature]  
Its: Partner

STATE OF Nebraska

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of Sept, 2004 by Howard Keeper Partner of 37<sup>th</sup> Street Apartments Limited Partnership, on behalf of said partnership.

[Signature]  
NOTARY PUBLIC  
My Commission Expires: 6/2/07



Legal Description:  
West 145 feet of Lot 2, in block 10, West Omaha, an addition to the City of Omaha, Douglas County, Nebraska

miss 590  
FEE 5.00 FEB 15 4 27 0  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP \_\_\_\_\_  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_