



MISC 2004157097



DEC 03 2004 15:04 P 1

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
12/3/2004 15:04:43.02



2004157097

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 **Kooper-Fellman Partnership**, as agent for "Owner"/**California 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 Regional Manager

STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 7th day of October, 2004 by Penny Link as VP/Gen of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporation.

NOTARY PUBLIC

My Commission Expires: 4-1-08

Kooper-Fellman Partnership

By: Howard Kooper

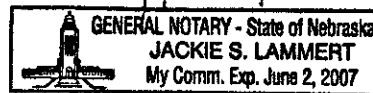
Its: Partner

STATE OF Nebraska

The foregoing instrument was acknowledged before me this 21st day of Sept, 2004 by Howard Kooper as Partner of Kooper-Fellman Partnership, on behalf of said partnership.

NOTARY PUBLIC

My Commission Expires: 6/2/07



Legal Description:

Lots 16, 17, 18, Block 100, Dundee Place, and addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska together with the vacated alley adjoining said premises described as follows: Commencing at the Northwest corner of said Lot 18; running thence North 14 feet; thence west 140 feet; thence south 14 feet; thence East 140 feet to the place of the beginning.

FEE 6.50 FB 39-09840
BKP _____ C/O _____ COMP [Signature]
DEL _____ SCAN _____ FV _____