



MISC 2014086848



NOV 05 2014 16:54 P 4

Fee amount: 28.00
FB: 07-14005
COMP: SB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/05/2014 16:54:24.00



2014086848

THE ABOVE SPACE IS RESERVED FOR THE REGISTER OF DEEDS RECORDING INFORMATION

**THIS PAGE INCLUDED
FOR INDEXING**

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Cox Communications

401 N 117th Street

Omaha NE 68154

Attn: NIKKI QUAKENBUSH

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 **Tuesday, July 01, 2014**, by and between **Grace Plaza Part (Grantor)** and **Cox Communications Omaha, LLC, a Delaware limited liability company, 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 July 1st, 2014, as such may be amended, extended, renewed or replaced (collectively, the "**Agreement**") pursuant to which Grantor has granted to Cox the 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 an exclusive or 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.

Grace Plaza Partners, Inc.

By: Charlotte J. Weitzel
Name: Charlotte J. Weitzel
Title: Agent for Owner

GRANTOR ACKNOWLEDGMENT

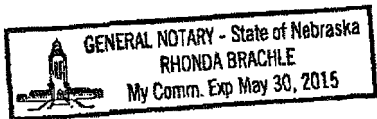
STATE OF Nebraska
COUNTY OF Douglas

On July 23, 2014 (date) before me, Rhonda Brachle (Notary), personally appeared Charlotte Weitzel (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 Nebraska that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[NOTARY SEAL]



Rhonda Brachle
Notary Public
Name: RHONDA BRACHLE
My Commission Expires: May 30, 2015

EXHIBIT A:

LEGAL DESCRIPTION

LOTS 1, 2, 3 AND 4 IN GRACE PLAZA ARE ADMINISTRATIVE SUBDIVISION OF PROPERTY PREVIOUSLY (AND COLLECTIVELY) DESCRIBED AS LOTS 4 THROUGH 9, BLOCK 2, LOTS 1 THROUGH 3 AND THE NORTH ½ OF LOT 4, BLOCK 12, AND LOTS 15 AND 16, BLOCK 13, E.V. SMITH'S ADDITION, AN ADDITION TO THE CITY OF OMAHA, WITH LOT 1 GRACE PLAZA BEING A SUBDIVISION OF THE FORMER LOTS 6 THROUGH 9, BLOCK 2; E.V. SMITH'S ADDITION, LOT 2 GRACE PLAZA BEING A SUBDIVISION OF LOTS 4 AND 5, BLOCK 2, LOT 3 GRACE PLAZA BEING A SUBDIVISION OF LOTS 1, 2, AND 3 AND THE NORTH ½ OF LOT 4, BLOCK 12 AND LOT 4 GRACE PLAZA BEING A SUBDIVISION OF LOTS 15 AND 16 AND THE WEST ½ OF THE VACATED ALLEY ADJOINING ON THE EAST, BLOCK 13 E.V. SMITH'S ADDITION

(07-14005)

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