



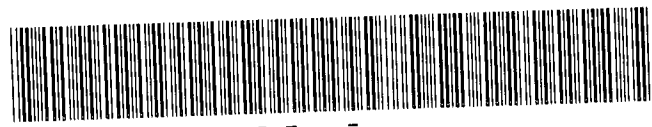
MISC 2014055307

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JUL 21 2014 10:03 P 3

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
7/21/2014 10:03:07.05



2014055307

THE SPACE ABOVE IS RESERVED FOR USE BY THE REGISTER OF DEEDS

TERMINATION OF PARTY WALL AGREEMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF ADAMS)

I, SUSAN M. ROBERTS, YOUR AFFIANT HEREIN, after being first duly sworn on oath, depose and state as follows:

1. This Affidavit is based upon Your Affiant's personal knowledge of the facts stated herein and is authorized to be recorded pursuant to Neb. Rev. Stat. §76-271, et seq., as amended.
2. Your Affiant is over the age of 21-years.
3. Your Affiant is the Manager of MORRISON ENTERPRISES, LLC, A Nebraska Limited Liability Company, and has served in said capacity for more than four (4) years.
4. Your Affiant has also served as the President of MORRISON ENTERPRISES, LLC, since 2013.
5. MORRISON ENTERPRISES, LLC, is Sole Member of OLD MARKET DEVELOPERS, LLC, A Nebraska Limited Liability Company.
6. Your Affiant, as the Manager and President of MORRISON ENTERPRISES, LLC, knows and is familiar with the assets of that Company as well as the assets of OLD MARKET DEVELOPERS, LLC.
7. The assets owned by OLD MARKET DEVELOPERS, LLC, now include or have included certain residential condominiums and certain commercial real property legally described as:

Units 302, 303, 307, 310, 312, 317, 401, 403, 405; 408, 410, 417, 501, 503, 504, 505, 507, 508, 510, 511, 514, 516, 517, 601, 603, 605, 608, 610, 612, and parking

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units P101, P102, P104, P105, P106, P107, P108, P109, P110, P111, P112, P114, P115, P116, P117, P118, P120, P123, P124, P125, P126, P127, P128, P129, P130, P131, P132, P203, P204, P205, P206, P207, P208, P213, P214, P215, P216, P217, P218, P219, P220, P226, P230, P235, P236, P239, P240, P254, P255, of jLofts Condominium, a Condominium property regime organized under the laws of the State of Nebraska pursuant to the Condominium Declaration filed June 9, 2008 as Instrument No. 2008056896, as amended by the First Amendment to Declaration filed August 5, 2009 as Instrument No. 2009085704, and as amended by the Second Amendment to Declaration filed November 25, 2009 as Instrument No. 2009126763, Records, and as amended by the Third Amendment to Declaration filed December 17, 2010 as Instrument No. 2010120694, as amended by the Fourth Amendment to Declaration filed August 14, 2013, as Instrument Number 2013082917, as amended by the Fifth Amendment to Declaration filed February 28, 2014, as Instrument Number 2014014932, as amended by the Sixth Amendment to Declaration, filed February 28, 2014, as Instrument Number 2014015045. all in Douglas County, Nebraska,

together with Lots 5, 6, and 7, Block 167, Original City of Omaha, except for that part taken for jLofts Condominium, as Surveyed and Lithographed in Douglas County, Nebraska.

8. OLD MARKET DEVELOPERS, LLC, acquired title to the above-described property (“the subject property”) by virtue of that certain Warranty Deed dated September 25, 2012, filed October 4, 2012, in the Douglas County Register of Deeds Office as Instrument Number 2012100199.
9. At the time of said recording the Douglas County Register of Deeds’ Office records included a Party Wall Agreement indexed and recorded against the subject property dated April 16, 1991, filed May 13, 1991, in the Records of the Douglas County Register of Deeds Office in Miscellaneous Book 963 at Page 137.
10. Said Party Wall Agreement references a wall between Lot 5, Block 167 and Lots 6 and 7, Block 167, Original City of Omaha.
11. Said Party Wall was removed when part of Lots 5, 6 and 7 were developed into jLofts Condominiums and the remainder of Lots 5, 6 and 7 were developed as commercial bays. All of this development was completed by the year 2009.
12. The above-referenced Party Wall Agreement was therefore extinguished when the jLoft Condominiums and related commercial bays were developed in 2009, and said Agreement was terminated and has been of no force or effect since 2009.

**[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.
SIGNATURE PAGE TO FOLLOW]**

FURTHER YOUR AFFIANT SAYETH NOT.

Dated this 15th day of July, 2014.


SUSAN M. ROBERTS, Affiant Herein

SUBSCRIBED AND SWORN TO before me this 15th day of July, 2014, by SUSAN M. ROBERTS, known to me to be the same individual who executed the above and foregoing as her free and voluntary act and deed as Manager and President of MORRISON ENTERPRISES, LLC, A Nebraska Limited Liability Company.




Notary Public