

ACKNOWLEDGEMENT

SR 249

BOOK 880 PAGE 719

I/We, TOD COMPANY, a Nebraska Corporation ("Trustor") under that certain Deed of Trust dated March 7, 1989 ("Deed of Trust") to be entered into among Trustor, FirstTier Bank, National Association, Omaha, Nebraska ("Trustee") and FirstTier Bank, National Association, Omaha, Nebraska ("Beneficiary") covering the following described property:

LEGAL DESCRIPTION:

7 Lots 2 through 8 inclusive; 12, 16, 17, 28 through 120 inclusive; 122 through 126 inclusive; 128 through 139 inclusive; 141 through 153 inclusive; 155 through 162 inclusive; 164, 169, 176 through 210 inclusive; 212 through 225 inclusive; 232 through 289 inclusive Lake Cunningham-Hills, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, except not including Lot 242.

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GEORGE J. BUGLEWICZ REGISTER OF DEEDS DOUGLAS COUNTY, NEBR.

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hereby acknowledge that it is understood that (a) the Deed of Trust to be executed by Trustor is a trust deed and not a mortgage and (b) the power of sale provided for in the Deed of Trust provides substantially different rights and obligations to the Trustor than a mortgage in the event of a default or breach of obligation.

Trustor acknowledges that this Acknowledgement was made prior to the execution of the Deed of Trust.

Executed and delivered this 7th day of March, 19 89

TOD COMPANY, a Nebraska Corporation

BY Judith C. Morgan, Pres Trustor

Clair H. Morgan Trustor

State of Nebraska ) ) ss. County of Douglas )

The foregoing instrument was acknowledged before me this 7th day of March, 19 89, by Judith C. Morgan, Pres and Clair H. Morgan, Secy of Tod Company, a Nebraska Corporation.

Witness my hand and notarial seal at Omaha, Nebraska in said County, the date aforesaid.

My commission expires:



Tracy J. Connor Notary Public