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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/19/2014 10:58:35.11



2014064383

Prepared by and
After recording return to:

GINSBERG JACOBS LLC
300 South Wacker Drive, Suite 2750
Chicago, Illinois 60606
Attention: Steven F. Ginsberg
(Site Name: OMA Burke)

Memorandum of Lease Agreement

ATTN: Abigail Seper

QK.004395

Prepared by and upon recording
Please return to:

Ginsberg Jacobs LLC
300 South Wacker Drive
Suite 2750
Chicago, Illinois 60606
Attn: Steven F. Ginsberg, Esq.
(Site Name: OMA Burke)

Key ID No. 3013 0000 01

MEMORANDUM OF LEASE AGREEMENT

This Memorandum of Lease Agreement is made this 4th day of August, 2014, between Douglas County School District 001, a Nebraska Political Subdivision, with a mailing address of 3215 Cuming Street, Omaha Nebraska 68131-2024, hereinafter designated "LANDLORD" and Omaha Cellular Telephone Company d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, hereinafter referred to as "TENANT". LANDLORD and TENANT are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. LANDLORD and TENANT entered into a Lease Agreement (the "Lease") on August 4, 2014 for an initial term of five (5) years, commencing on the Commencement Date. The Lease shall automatically be extended for four (4) additional periods of five (5) years each ("Extended Term") unless the TENANT gives written notice of its decision not to exercise any option(s) to LANDLORD before expiration of the then current term.
2. LANDLORD hereby leases to TENANT, and TENANT leases from TENANT, space ("Tower Space") on an existing stadium light standard ("Tower") owned by LESSOR located at 12200 Burke Boulevard, Omaha, Douglas County, Nebraska and known as Burke High School, located on a larger tract of real property described in Book 1187, at Page 561 as recorded in the Office of Register of Deeds of Douglas County, and legally described in Exhibit A ("Property") attached hereto and made a part hereof, together with a parcel containing 266 square feet of land space ("Land Space") located on the Property to enable TENANT to construct a communications building for TENANT's exclusive use. The legal description of the portion of the Property to be leased to TENANT is more particularly shown on Exhibit B. The Tower Space and the Land Space are hereinafter collectively referred to as the "Premises". The Premises are described in Exhibit B attached hereto and made a part hereof, and as shown on the plat of survey attached hereto and incorporated herein as Exhibit C. LANDLORD further grants a license to TENANT over existing drives and walkways on the Property on a twenty-four (24) hour daily basis and seven (7) days per week, for ingress and egress to and from the Premises (the "Access License") as identified on the attached Exhibit B. LANDLORD agrees to grant to TENANT an easement for the installation, operation and maintenance of necessary utilities for

TENANT'S communications facility (the "Utility Easement") as described in the attached Exhibit B.

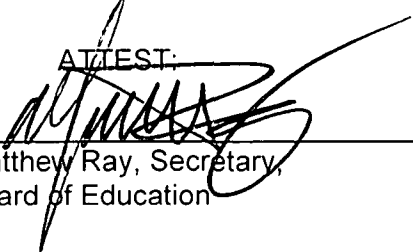
3. The Commencement Date of the Lease, of which this is a Memorandum, is August 4, 2014.
4. The terms, covenants and provisions of the Lease, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LANDLORD and TENANT.


[Signature Page To Follow]

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LANDLORD and TENANT have caused this Memorandum to be duly executed on the date first written hereinabove.

LANDLORD:

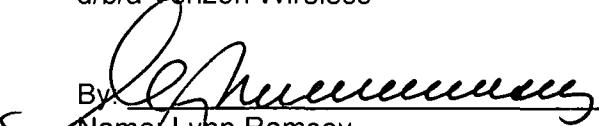
Douglas County School District 001, a
Nebraska Political Subdivision

ATTEST:

Matthew Ray, Secretary,
Board of Education

By: 
Name: Justin Wayne
Its: President of Board of Education
Date: 8/4/14

TENANT:

Omaha Cellular Telephone Company
d/b/a Verizon Wireless

By: 
Name: Lynn Ramsey
Its: Area Vice President Network
Date: 7/10/14

[Acknowledgments Follow On Next Page]

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

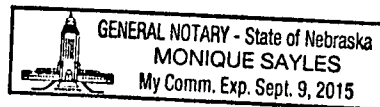
LANDLORD ACKNOWLEDGEMENT

On this 5 day of August, 2014, before me, Monique Sayles, the undersigned Notary Public, duly commissions and sworn, personally appeared, Justin Wayne, personally known to me (or proved to me on the basis of satisfactory evidence) to be the President of Board of Education of Douglas County School District 001, whose name is subscribed to the within instrument and acknowledged to me that he 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.

WITNESS my hand and official Notarial Seal, this 5 day of August, 2014.

Monique Sayles
Notary Public

My Commission Expires:

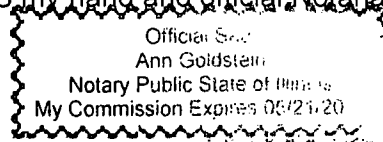


STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

TENANT ACKNOWLEDGEMENT

On this 10 day of July, 2014, before me, Ann Goldstein, the undersigned Notary Public, duly commissions and sworn, personally appeared Lynn Ramsey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the Area Vice President Network of Omaha Cellular Telephone Company d/b/a Verizon Wireless, the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official Notarial Seal, this 10 day of July, 2014.



Ann Goldstein

Notary Public

My Commission Expires:

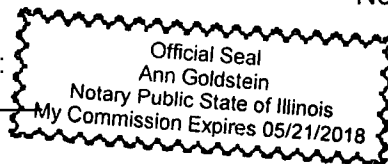


EXHIBIT A

[LEGAL DESCRIPTION OF LANDLORD'S PROPERTY]

The Irregular South 119.75 Feet of the North 1204.74 Feet of the North 1204.74 Feet of the Northeast 1/4 of Section 19, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, except those portions taken for roads.

EXHIBIT B

[WRITTEN METES AND BOUNDS OF THE PREMISES AND ACCESS LICENSE AND UTILITY EASEMENT]

LEASE AREA

SEE DETAIL "A"

A PROPOSED LEASE AREA, LOCATED IN THE NE1/4 OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, BLOCK 2, WEST FAIRACRES. SAID POINT ALSO BEING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BURKE BOULEVARD, AND THE WEST RIGHT-OF-WAY LINE OF 123RD STREET; THENCE N02°24'02"W (ASSUMED BEARING), A DISTANCE OF 698.68 FEET; THENCE S87°35'58"W, A DISTANCE OF 65.13 FEET TO THE POINT OF BEGINNING; THENCE S22°30'59"E, A DISTANCE OF 19.00 FEET; THENCE S67°29'01"W, A DISTANCE OF 14.00 FEET; THENCE N22°30'59"W, A DISTANCE OF 19.00 FEET; THENCE N67°29'01"E, A DISTANCE OF 14.00 FEET TO THE POINT OF BEGINNING.

SAID LEASE AREA CONTAINS 266 SQUARE FEET OR 0.006 ACRES, MORE OR LESS.

INGRESS/EGRESS RIGHT-OF-WAY EASEMENT

A 20.0 FOOT INGRESS/EGRESS EASEMENT, LOCATED IN THE NE1/4 OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, BLOCK 2, WEST FAIRACRES, SAID POINT ALSO BEING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BURKE BOULEVARD, AND THE WEST RIGHT-OF-WAY LINE OF 123RD STREET; THENCE N02°24'02"W (ASSUMED BEARING), A DISTANCE OF 72.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BURKE BOULEVARD; THENCE N87°35'58"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BURKE BOULEVARD, A DISTANCE OF 9.99 FEET TO THE POINT OF BEGINNING; THENCE N01°23'12"W, A DISTANCE OF 35.22 FEET; THENCE N36°54'27"E, A DISTANCE OF 77.78 FEET; THENCE N02°47'05"W, A DISTANCE OF 318.98 FEET; THENCE N50°25'48"W, A DISTANCE OF 30.12 FEET; THENCE N24°03'21"W, A DISTANCE OF 198.45 FEET; THENCE S65°57'50"W, A DISTANCE OF 27.09 FEET; THENCE N24°02'10"E, A DISTANCE OF 20.00 FEET; THENCE N65°57'50"E, A DISTANCE OF 47.09 FEET; THENCE S24°03'21"E, A DISTANCE OF 213.75 FEET; THENCE S50°25'48"E, A DISTANCE OF 34.26 FEET; THENCE S02°47'05"E, A DISTANCE OF 335.02 FEET; THENCE S36°54'27"W, A DISTANCE OF 78.06 FEET; THENCE S01°23'12"E, A DISTANCE OF 27.92 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BURKE BOULEVARD; THENCE S87°35'58"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID 20.0 FOOT INGRESS/EGRESS EASEMENT CONTAINS 14,237 SQUARE FEET OR 0.327 ACRES, MORE OR LESS.

UTILITY RIGHT-OF-WAY EASEMENT

A 8.0 FOOT UTILITY RIGHT-OF-WAY EASEMENT, LOCATED IN THE NE1/4 OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, BLOCK 2, WEST FAIRACRES. SAID POINT ALSO BEING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BURKE BOULEVARD, AND THE WEST RIGHT-OF-WAY LINE OF 123RD STREET; THENCE N02°24'02"W (ASSUMED BEARING), A DISTANCE OF 72.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BURKE BOULEVARD. SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S87°35'58"W, A DISTANCE OF 6.30 FEET; THENCE N01°37'44"W, A DISTANCE OF 22.79 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 60.28 FEET, A DISTANCE OF 47.36 FEET; SAID CURVE HAVING A LONG CHORD WHICH BEARS N20°52'49"E, A DISTANCE OF 46.15 FEET; THENCE N43°23'22"E, A DISTANCE OF 48.11 FEET; THENCE N02°29'02"W, A DISTANCE OF 308.25 FEET; THENCE N24°03'21"W, A DISTANCE OF 29.62 FEET; THENCE S50°26'45"E, A DISTANCE OF 18.00 FEET; THENCE S24°03'21"E, A DISTANCE OF 15.02 FEET; THENCE S02°29'02"E, A DISTANCE OF 313.16 FEET; THENCE S43°23'22"W, A DISTANCE OF 51.49 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 52.28 FEET, A DISTANCE OF 41.08 FEET; SAID CURVE HAVING A LONG CHORD WHICH BEARS S20°52'49"W, A DISTANCE OF 40.03 FEET; THENCE S01°37'21"E, A DISTANCE OF 22.68 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BURKE BOULEVARD; THENCE S87°35'58"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BURKE BOULEVARD, A DISTANCE OF 1.70 FEET TO THE POINT OF BEGINNING.

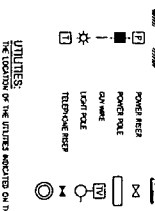
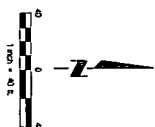
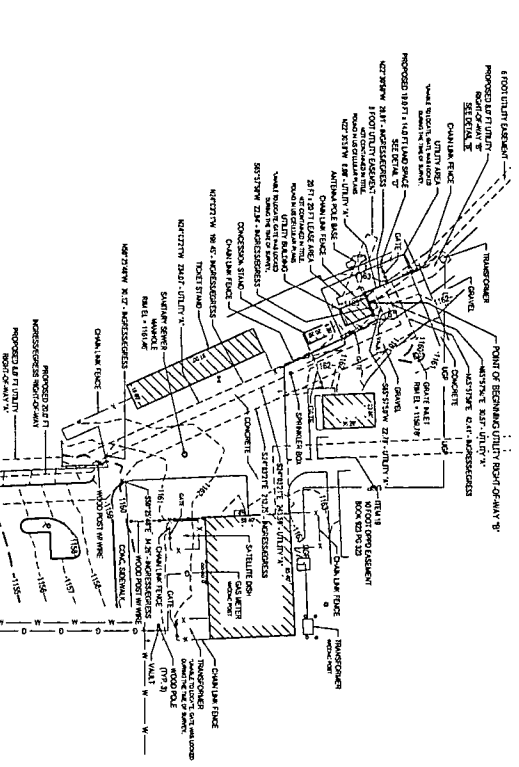
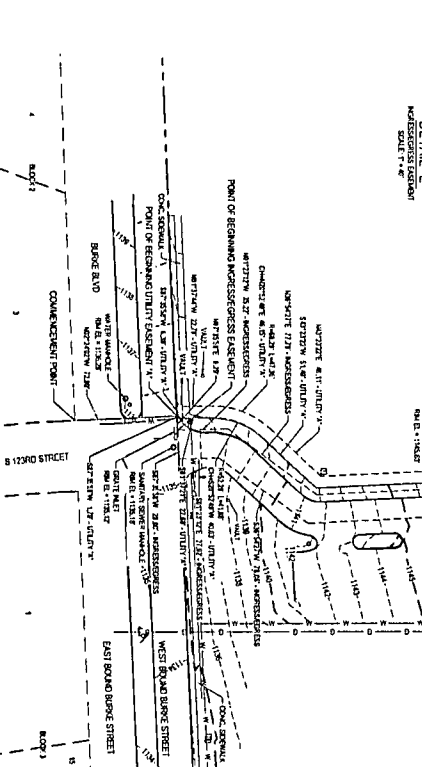
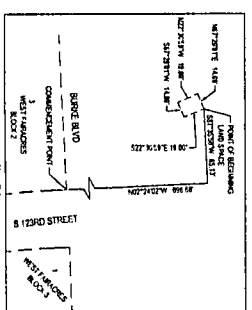
SAID 8.0 FEET UTILITY RIGHT-OF-WAY EASEMENT CONTAINS 3,598 SQUARE FEET OR 0.083 ACRES, MORE OR LESS.

EXHIBIT C

**[BOUNDARY SURVEY OF THE PREMISES
AND INGRESS/EGRESS AND UTILITY EASEMENT]**

[SEE ATTACHED]

LOCATED IN NE 1/4 OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 12 EAST OF
THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA



NOTE: FOR REFERENCE ONLY. ITEMS DELETED IN LEGEND MAY NOT APPEAR ON PLANS.

LEGEND

[illegible][illegible][illegible][illegible][illegible]

SURVEY

OMA_BURKE
DOUGLAS COUNTY, NEBRASKA



9225 Indian Creek Pkwy., Suite 400
Overland Park, Kansas 66210
Phone 913-438-7700 Fax 913-438-7777



Engineering Answers

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