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SUBMITTED <u>CHICAGO TITLE INSURANCE - K</u>

FILED SARPY CO. NE. INSTRUMENT NUMBER

2012-16527

2012 Jun 05 12:20:32 PM

REGISTER OF DEEDS

When recorded return to:

Troutman Sanders LLP 600 Peachtree Street, Suite 5200 Atlanta, Georgia 30308 Attn: Michael H. Wall, Esq.

NOTICE STATEMENT PURSUANT TO THE TERMS OF THE EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND

Pursuant to the terms of Section 21(a) of the EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND executed by and among Market Pointe, LLC, a Missouri limited liability company, Wal-Mart Real Estate Business Trust, a Delaware statutory trust, and Lowes Home Centers, Inc., a North Carolina corporation, dated January 23, 2006 and filed with Sarpy County, Nebraska Register of Deeds on January 24, 2006 as Instrument No. 2006-02430, as amended by that certain First Amendment to Easements With Covenants and Restrictions Affecting Land, dated September 1, 2006 and filed with Sarpy County, Nebraska Register of Deeds on September 5, 2006 as Instrument No. 2006-30539, and as further amended by that certain Second Amendment to Easements with Covenants and Restrictions Affecting Land, dated December 22, 2008 and filed with Sarpy County, Nebraska Register of Deeds on February 9, 2009 as Instrument No. 2009-03341, hereinafter to be referred to collectively as the "ECR", covering the Market Pointe Shopping Center located in Papillion, Nebraska (the "Shopping Center") and as described in Exhibit A attached hereto, Chick-fil-A, Inc., a Georgia Corporation ("CFA"), hereby provides notice that, on May 22, 2012, it acquired a fee interest from Market Pointe, LLC, a Missouri limited liability company, in that portion of the Shopping Center that is legally described in Exhibit B attached hereto (the "CFA Property").

All notices and other communications under the ECR shall be sent to CFA at the following address:

Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, Georgia 30349
Attn: Real Property Asset Management

[SIGNATURE PAGE FOLLOWS]

CITE 2011-1800 1C

CFA:

CHICK-FIL-A, INC.,
a Georgia comporation

By:

Name: B. Lynn Chastain

Title: Wana Asst. General Counsel

Name: Roger E. Blythe
Title: VP of Business Analysis

STATE OF GEORGIA)
) SS
COUNTY OF FULTON)

On this 2 day of May, 2012, before me appeared Lynn Chastain and Roger Blythe to me personally known, who, being by me duly sworn, did say that he/she is the VP/Asst. General Counsel and VP & Business Anglysis, respectively, of Chick-fil-A, Inc., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors, acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first written above.

Notary Public:

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION OF THE SHOPPING CENTER

Lots Two (2) and Three (3), Market Pointe Addition; Lots Nine (9) through Thirteen (13), Market Pointe Addition Replat 1, an Administrative Subdivision; Lots One (1) and Two (2), Market Pointe Addition Replat 2, an Administrative Subdivision; Lots One (1), Two (2) and Three (3), Market Pointe Addition Replat 4, an Administrative Subdivision; and Outlots "E" and "F", Stockmans Hollow.

A Lot three (3) Northet Pointe Addition leptor 5,

EXHIBIT B

LEGAL DESCRIPTION OF THE CFA PROPERTY

Lot 1, Market Pointe Addition Replat 4, a subdivision in Sarpy County, Nebraska.