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## AFTER RECORDING RETURN TO:

Jan Packard, ACP Paralegal Specialist Mutual of Omaha Insurance Company Law Operation 3rd Floor Mutual of Omaha Plaza Omaha, NE 68175

## DECLARATION OF ASSIGNMENT AND TRANSFER OF STORAGE SPACE AND AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR MIDTOWN CROSSING BUILDING 200 CONDOMINIUM

This Declaration made this \_\_\_ day of \_\_\_\_\_\_\_, 2016, by East Campus Realty, LLC, a Nebraska limited liability company, as legal title owner of Condominium Unit 4303 located at Midtown Crossing Building 200 Condominium, 200 South 31st Avenue, Omaha, Nebraska ("Transferor") and Gail Bant, as legal title owner of Condominium Unit 3601 located at Midtown Crossing Building 220 Condominium, 220 South 31st Avenue, Omaha, Nebraska ("Transferee").

WHEREAS, Transferor, as the owner of Condominium Unit 4303, has the right to transfer the exclusive use and possession, as a Limited Common Element, of Storage Space No. 4216.17 ("S-4216.17"), and

WHEREAS, Transferee, as the owner of Condominium Unit 3601, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of S-4216.17, which Storage Space is located at Midtown Crossing Building 200 Condominium, and

WHEREAS, Transferor and Transferee desire that the right to the exclusive use and possession of S-4216.17 be transferred and assigned to Transferee as the owner of Condominium Unit 3601.

**NOW, THEREFORE**, pursuant to the terms of the Condominium Property Act of the State of Nebraska and the Declaration of Midtown Crossing Building 200 Condominium ("Condominium Declaration"), recorded in the Office of the Register of Deeds of Douglas County, Nebraska on February 11, 2010, as Document No. 2010012980, as amended, the parties agree as follows:

- 1. Transferor hereby assigns to Transferee, as owner of Condominium Unit 3601, the right to the exclusive use and possession of S-4216.17, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 3601. No other Unit Owners have any right to the use or possession of S-4216.17. The new legal description of Transferee's Condominium Unit 3601 is described on Exhibit A attached hereto.
- 2. The right to the use and possession of S-4216.17 being transferred and assigned hereunder is subject to: (a) the Condominium Property Act of the State of Nebraska; (b) the Condominium Declaration and any amendments thereto; (c) such rules and regulations as the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc. may from time to time prescribe; and (d) existing leases, liens and encumbrances encumbering the Condominium Unit to which S-4216.17 is assigned by this Declaration.
- 3. A copy of this Declaration of Assignment and Transfer of Storage Space and Amendment to Declaration of Condominium shall be lodged with the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc.
- 4. To the best of the knowledge of the parties hereto, said transfer of **S-4216.17** to Unit 3601, does not change the parties' respective percentage ownership in the common elements.

TRANSFEROR

EAST CAMPUS REALTY, LLC

By: Joseph T. Schmidt

Gail Bant

Title: Vice President – Operations

STATE OF NEBRASKA ) ss.

COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2016 by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.

My Commission Expires: 9-1-19

General Notary - State of Nebraska JANICE J. PACKARD My Comm. Exp. Sept. 1, 2019.

STATE OF NEBRASKA	) ) ss.
COUNTY OF DOUGLAS	) 55.
The foregoing instrument wa Gail Bant, Transferee.	s acknowledged before me on the $\underline{5}$ day of $\underline{5}$ , 2016 by
My Commission Expires: 1	Notary Public, State of Nebraska
	State of Nebraska - General Notary CATHY A. LATHROP My Commission Expires February 7, 2018

## EXHIBIT A

## **LEGAL DESCRIPTION:**

Unit 3601, together with appurtenant Parking Space P-2023, and together with appurtenant Storage Space S-4216.17, Midtown Crossing Building 220 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.