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Received – DIANE L. BATTIATO Register of Deeds, Douglas County, NE 03/24/2017 13:42:14.00

## 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 23<sup>rd</sup> day of March, 2017, 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 31<sup>st</sup> Avenue, Omaha, Nebraska ("Transferor") and Thomas A. Andreoli, as legal title owner of Condominium Unit 3500, 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. 4315.34 ("S-4315.34"), and

WHEREAS, Transferee, as the owner of Condominium Unit 3500, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of S-4315.34, 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-4315.34 be transferred and assigned to Transferee as the owner of Condominium Unit 3500.

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 3500, the right to the exclusive use and possession of S-4315.34, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 3500. No other Unit Owners have any right to the use or possession of S-4315.34. The new legal description of Transferee's Condominium Unit 3500 is described on Exhibit A attached hereto.
- 2. The right to the use and possession of S-4315.34 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-4315.34 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-4315.34 to Unit 3500, does not change the parties' respective percentage ownership in the common elements.

TRANSFEREE

EAST CAMPUS REALTY, LLC

Joseph T. Schmidt

TRANSFEROR

Title: Vice President - Operations

Thomas A Andreoli

STATE OF NEBRASKA

) ss.

COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on the 20 day of March, 2017, by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.

otary Public State of Nebraska

My Commission Expires: 4.

JANICE J. PACKARD

My Comm. Exp. Sept. 1, 2019.

STATE OF NEBRASKA	)	
COUNTY OF DOUGLAS	) ss. )	
The foregoing instrument wa Andreoli, Transferee.	acknowledged before me on the 23 day of March	, 2017 by Thomas A.
GENERAL NOTARY - State of MARISSA A A' My Comm. Exp. May		

My Commission Expires:

## EXHIBIT A

## **LEGAL DESCRIPTION:**

Unit 3500, together with appurtenant Parking Space P-2008, and together with appurtenant Storage Space S-4315.34, Midtown Crossing Building 220 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.