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Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 04/17/2017 12:28:53.00

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 14th day of April, 2017, by East Campus Realty, LLC, a Nebraska limited liability company, as legal title owner of Condominium Unit 4303 located at 200 South 31st Avenue, Omaha, Nebraska ("Transferor") and Anthony M. Smith and Anne M. Smith, as legal title owner of Condominium Unit 4209 located at 200 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. 4216.3 ("S-4216.3"), and

WHEREAS, Transferee, as the owner of Condominium Unit 4209, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of S-4216.3, which Storage Space is located at the Condominium, and

WHEREAS, Transferor and Transferee desire that the right to the exclusive use and possession of S-4216.3 be transferred and assigned to Transferee as the owner of Condominium Unit 4209.

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 4209, the right to the exclusive use and possession of S-4216.3, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 4209. No other Unit Owners have any right to the use or possession of S-4216.3. The new legal description of Transferree's Condominium Unit 4209 is described on Exhibit A attached hereto.
- 2. The right to the use and possession of S-4216.3 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-4216.3 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-4216.3 to Unit 4209, does not change the parties' respective percentage ownership in the common elements.

TRANSFEROR	TRANSFEREE
EAST CAMPUS REALTY, LLC	
By: Joseph T. Schmidt Title: Vice President – Operations	Anthony M. Smith
	Anne M. Smith
COLOR OF MEDDACKA	
STATE OF NEBRASKA)) ss.	
COUNTY OF DOUGLAS)	
The foregoing instrument was acknowledged before me	

My Commission Expires: 9-1-19

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

company, Transferor.

STATE OF NEBRASKA) ss.
COUNTY OF DOUGLAS)
The foregoing instrument was acknowledged before me on the 14 day of April, 2017, by Anthony M. Smith, Transferee.
GENERAL NOTARY - State of Nebraska MARISSA A ALLEN My Comm. Exp. May 8, 2017 Notary Public, State of Nebraska
My Commission Expires:
STATE OF NEW JERSEY)
COUNTY OF) ss.
The foregoing instrument was acknowledged before me on the day of April, 2017 by Anne M. Smith, Transferee.
Notary Public, State of New Jersey
My Commission Expires:

- 1. Transferor hereby assigns to Transferee, as owner of Condominium Unit 4209, the right to the exclusive use and possession of S-4216.3, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 4209. No other Unit Owners have any right to the use or possession of S-4216.3. The new legal description of Transferree's Condominium Unit 4209 is described on Exhibit A attached hereto.
- 2. The right to the use and possession of S-4216.3 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-4216.3 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-4216.3 to Unit 4209, does not change the parties' respective percentage ownership in the common elements.

TRANSFEROR	TRANSFEREE
EAST CAMPUS REALTY, LLC	
By:	Anthony M. Smith
Title: Vice President – Operations	Jane M. Smith
STATE OF NEBRASKA)) ss. COUNTY OF DOUGLAS)	
The foregoing instrument was acknowledge Schmidt, Vice President – Operations, of E company, Transferor.	ed before me on the day of April, 2017, by Joseph T. ast Campus Realty, LLC, a Nebraska limited liability
	Notary Public, State of Nebraska
My Commission Expires:	

	4-11-17	
Anne M. Smith	Date	

State of War Tarray County of Builington

On this 11 day of 12 2017, before me personally appeared the foregoing instrument and thereupon duly acknowledged to me that she/he/they executed the same.

Notary Public

.LOUIS A. FORRESTER Notary Public, State of New Jersey My Commission Expires November 21, 2018

EXHIBIT A

LEGAL DESCRIPTION:

Unit 4209, together with appurtenant Storage Space S-4216.3, Midtown Crossing Building 200 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.