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Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 05/10/2017 13:47:44.00

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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 9th day of May, 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 31st Avenue, Omaha, Nebraska ("Transferor") and David E. Gardels, Trustee of the David E. Gardels Revocable Trust Agreement dated August 26, 2004, and Linda W. Gardels, Trustee of the Linda W. Gardels Revocable Trust Agreement dated August 26, 2004, as legal title owner of Condominium Unit 3806, 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. 4315.25 ("S-4315.25"), and

WHEREAS, Transferee, as the owner of Condominium Unit 3806, desires to acquire the right to the exclusive use and possession, as a Limited Common Element, of S-4315.25, 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-4315.25 be transferred and assigned to Transferee as the owner of Condominium Unit 3806.

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 3806, the right to the exclusive use and possession of S-4315.25, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 3806. No other Unit Owners have any right to the use or possession of S-4315.25. The new legal description of Transferee's Condominium Unit 3806 is described on Exhibit A attached hereto.
- 2. The right to the use and possession of S-4315.25 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-4315.25 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-4315.25 to Unit 3806, does not change the parties' respective percentage ownership in the common elements.

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TRANSFEROR	TRANSFEREE
EAST CAMPUS REALTY, LLC	10
By: Joseph T. Schmidt	David E. Gardels, Trustee of the David E. Gardels Revocable Trust Agreement dated
Title: Vice President – Operations	August 26, 2004 Linda W. Gardels, Trustee of the Linda W. Gardels Prust Agreement dated August 26, 2004
STATE OF NEBRASKA)	
) ss. COUNTY OF DOUGLAS)	
The foregoing instrument was acknowledged before me on the <u>OO</u> day of <u>FPLIL</u> , 2017 by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.	
My Commission Expires: 9-1-19	Public, State of Nebraska
	General Notary - State of Nebraska JANICE J. PACKARD My Comm. Exp. Sept. 1, 2019.

STATE OF NEBRASKA)) ss.	
COUNTY OF DOUGLAS)	
The foregoing instrument was acknowledged before me on the _O_ day of	
GENERAL NOTARY - State of Nebraska MARISSA ALLEN My Comm. Exp. May 8, 2021 Notary Public, State of Nebraska	
My Commission Expires:	
STATE OF NEBRASKA)) ss.	
COUNTY OF DOUGLAS)	
The foregoing instrument was acknowledged before me on the day of, 2017 by Linda W. Gardels, Trustee of the Linda W. Gardels Revocable Trust Agreement dated August 26, 2004, Transferee.	
GENERAL NOTARY - State of Nebraska MARISSA ALLEN My Comm. Exp. May 8, 2021 Notary Public, State of Nebraska	
My Commission Expires:	

EXHIBIT A

LEGAL DESCRIPTION:

Unit 3806, together with appurtenant Parking Spaces P-1164 and P-1165, and together with appurtenant Storage Space S-4315.25, Midtown Crossing Building 220 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.