

COMPARED

FILED FOR RECORD
POTTAWATTAMIE CO. NE

INST # 015056
RECORDING FEE 10.00
AUDITOR FEE _____
RMA FEE 1.00 ECOM 1.00

2006 JAN 26 AM 9:09

JOHN SCIORTINO
RECORDER

Exhibit "B"

WHEN RECORDED RETURN TO: Shawn Bailey
Cox Communications Omaha, Inc.
11505 W. Dodge Rd.
Omaha NE 68154

MEMORANDUM OF AGREEMENT
(NEBRASKA)

PLEASE TAKE NOTICE that Tierney Properties, LLC ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, Inc., a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated November 7, 2005 which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit B attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox Communications with rights of ingress and egress to the property necessary or useful to provide such service and maintain its facilities on the property used in providing such services. The Agreement binds any successors and assigns of the Owner in accordance with its terms. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Cox Communications requests that it receive notice of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the property, sent to the address above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

Cox Communications Omaha
A Nebraska corporation

By: [Signature] for Percy Kiril
Its: [Signature]
Print Name: HYMAN SUK KEN HILL



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 22 day of Dec, 2005 by Hyman for Percy Kiril as [Signature] of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

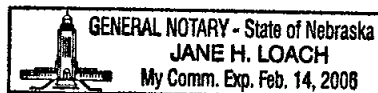
[Signature]
NOTARY PUBLIC
My Commission Expires: 4-1-08

Tierney Properties, LLC

By: Gerald P. Kelly
Its: Agent for Tierney Properties LLC
Print Name: Gerald P. Kelly

STATE OF Nebraska
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 9th day of Dec, 2005 by Gerald P. Kelly as Agent of Tierney Properties LLC a _____, on behalf of said company.



[Signature]
NOTARY PUBLIC
My Commission Expires: 2/14/04

OKB

BK106PG15013

Exhibit "A"

[Legal Description]

Brown's Sub Lots 1-3 Block 9 and
Lots 1-5 Block 18 and vacant
Rail Road ave. adj. and vacant S.
34th between block 9 + block 18
(property) including all fixtures and
equipment permanently attached
to the property.