



BK 0931 PG 474



MISC 1990 13120

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

7903057

BOOK 931 PAGE 474

RELEASE OF PARTICIPATION AGREEMENT

WHEREAS, Stockyards Plaza, Limited Partnership and Omaha Livestock Market, Inc., a Nebraska corporation, on the 29th day of November, 1989 entered into a certain Participation Agreement ("Agreement") which was filed on November 30, 1989 in Book 906 at Page 407 of the Miscellaneous Records of Douglas County, Nebraska covering the real property more particularly described on Exhibit "A";

WHEREAS, Stockyards Plaza, Limited Partnership and Omaha Livestock Market, Inc. desire to cancel and terminate the Agreement as it relates to the real property more particularly described on Exhibit "B" ("Released Property").

NOW, THEREFORE, IT IS AGREED by and between the undersigned parties hereto as follows:

1. For and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid by Stockyards Plaza, Limited Partnership, receipt of which is hereby acknowledged, the undersigned, Omaha Livestock Market, Inc. does hereby release, relinquish, terminate, rescind and cancel the Agreement insofar as it relates to the Released Property.

2. It is understood and agreed by and between the parties hereto that this is a full and complete release of the Agreement only with respect to the Released Property.

3. This Release is executed this 17<sup>th</sup> day of ~~June~~ <sup>July</sup>, 1990.

STOCKYARDS PLAZA, LIMITED PARTNERSHIP, a Nebraska limited partnership,

By: Stockyards Plaza, Inc., a Nebraska corporation,

By [Signature] VICE, President

13/20 hand RECEIVED

JUL 19 2 57 PM '90  
GEORGE J. WELCH  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

931  
474-78  
OF Misc COMP. PV 24  
26.50  
WC  
35-37075

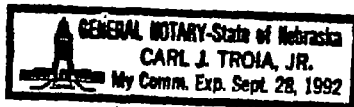
BOOK 931 PAGE 475

OMAHA LIVESTOCK MARKET, INC., a Nebraska corporation,

BY Raymond [Signature] President

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

Before me, the undersigned, a notary public in and for said county and state, on this 17<sup>th</sup> day of July, 1990, personally appeared Christopher R. Havel, to me known to be the identical person who executed the within and foregoing instrument as Vice President of STOCKYARDS PLAZA, INC., A Nebraska corporation, General Partner of STOCKYARDS PLAZA, LIMITED PARTNERSHIP, a Nebraska limited partnership and acknowledged to me that he executed the same as his free and voluntary act and deed, and the free and voluntary act and deed of the partnership for the uses and purposes therein set forth.



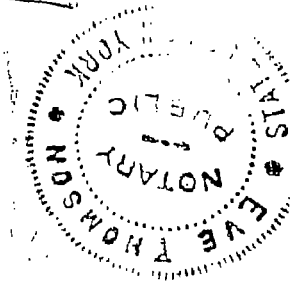
[Signature]  
Notary Public

New York  
STATE OF ~~NEBRASKA~~ )  
 ) ss.  
Douglas  
COUNTY OF ~~DOUGLAS~~ )

Before me, the undersigned, a notary public in and for said county and state, on this 27<sup>th</sup> day of June, 1990, personally appeared Raymond [Signature], to me known to be the identical person who executed the within and foregoing instrument as \_\_\_\_\_ President of OMAHA LIVESTOCK MARKET, INC., a Nebraska corporation, and acknowledged to me that he executed the same as his free and voluntary act and deed, and the free and voluntary act and deed of the corporation for the uses and purposes therein set forth.

[Signature]  
Notary Public

EVE THOMSON  
Notary Public, State of New York  
No. 31-6327800  
Qualified in New York County  
Commission Expires April 30, 1992



TA-19407

BOOK 931 PAGE 476

## EXHIBIT "A"

## LEGAL DESCRIPTION

PARCEL 1: Part of Tax Lot 10 located in the Southwest Quarter (SW1/4) of Section 4, Township 14 North, Range 13 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, described as follows:

Commencing at the point of intersection of the Northerly right-of-way line of Edward Babe Gomez Avenue and the Easterly right-of-way line of 33rd Street; thence North 07°00'14" East (assumed bearing), along the Easterly right-of-way line of said 33rd Street, a distance of 205.23 feet; thence South 88°52'32" East, along the Easterly right-of-way line of 33rd Street, as dedicated and recorded in Book 823, Page 100 of the Douglas County Register of Deeds, a distance of 46.52 feet, to the Point of Beginning; thence North 01°07'28" East, along said Easterly right-of-way line of 33rd Street, a distance of 263.50 feet; thence North 86°46'42" East, along the proposed "L" Street right-of-way line, a distance of 132.08 feet; thence South 89°02'07" East, along said right-of-way line, a distance of 13.41 feet; thence South 01°07'28" West, a distance of 293.55 feet; thence North 88°52'32" West, a distance of 145.11 feet; thence North 01°07'28" East, a distance of 20.00 feet, to the Point of Beginning.

NOTE: The above premises is to be known as Lot 1, in STOCKYARDS PLAZA II.

PARCEL 2: Part of Tax Lot 10 located in the Southwest Quarter (SW1/4) of Section 4, Township 14 North, Range 13 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, described as follows:

Commencing at the point of intersection of the Northerly right-of-way line of Edward Babe Gomez Avenue and the Easterly right-of-way line of 33rd Street; thence North 07°00'14" East (assumed bearing), along the Easterly right-of-way line of said 33rd Street, a distance of 205.23 feet; thence South 88°52'32" East, along the Easterly right-of-way line of 33rd Street, as dedicated and recorded in Book 823, Page 100 of the Douglas County Register of Deeds, a distance of 46.52 feet; thence North 01°07'28" East, along said Easterly right-of-way line of 33rd Street, a distance of 275.00 feet; thence South 88°52'32" East, along the South line of "L" Street, a distance of 445.11 feet; thence South 01°07'28" West, a distance of 6.24 feet, to the Point of Beginning; thence South 84°26'48" East, along the proposed right-of-way line of "L" Street, a distance of 79.74 feet; thence South 89°02'07" East, a distance of 91.50 feet; thence South 01°07'28" West, a distance of 192.86 feet; thence North 88°52'32" West, a distance of 171.00 feet; thence North 01°07'28" East, a distance of 198.76 feet, to the Point of Beginning.

NOTE: The above premises is to be known as Lot 2, in STOCKYARDS PLAZA II.

PARCEL 3: Part of Tax Lot 10 located in the Southwest Quarter (SW1/4) of Section 4, Township 14 North, Range 13 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, described as follows:

Beginning at the point of intersection of the Northerly right-of-way line of Edward Babe Gomez Avenue and the Easterly right-of-way line of 33rd Street; thence North 07°00'14" East (assumed bearing), along the Easterly right-of-way line of said 33rd Street, a distance of 205.23 feet; thence South 88°52'32" East, along the Easterly right-of-way line of 33rd Street, as dedicated and recorded in Book 823, Page 100 of the Douglas County Register of Deeds, a distance of 46.52 feet; thence South 01°07'28" West, a distance of 20.00 feet; thence South 88°52'32" East, a distance of 145.11 feet; thence North 01°07'28" East, a distance of 293.55 feet; thence South 89°02'07" East, along the proposed South right-of-way line of "L" Street, a distance of 229.95 feet; thence South 84°26'48" East, along said right-of-way line, a distance of 70.26 feet; thence South 01°07'28" West, a distance of 198.76 feet; thence South 88°52'32" East, a distance of 171.00 feet; thence North 01°07'28" East, a distance of 192.86 feet; thence South 89°02'07" East, along the proposed South right-of-way line of "L" Street, a distance of 50.00 feet; thence South 01°07'28" West, a distance of 339.00 feet; thence North 88°52'32" West, a distance of 264.81 feet; thence South 01°07'28" West, a distance of 225.72 feet; thence North 78°25'46" West, along the proposed Northerly right-of-way line of Edward Babe Gomez Avenue, a distance of 457.29 feet; thence North 51°24'31" West, along said right-of-way line, a distance of 24.10 feet, to the Point of Beginning.

NOTE: The above premises is to be known as Lot 3, in STOCKYARDS PLAZA II.

TA-19820

BOOK 931 PAGE 478

## EXHIBIT "B"

## LEGAL DESCRIPTION

Part of Tax Lot 10 located in the Southwest Quarter (SW1/4) of Section 4, Township 14 North, Range 13 East of the 6th P.M., in the City of Omaha, in Douglas County, Nebraska, described as follows:

Beginning at the point of intersection of the Northerly right-of-way line of Edward Babe Gomez Avenue and the Easterly right-of-way line of 33rd Street; thence North  $07^{\circ}00'14''$  East (assumed bearing), along the Easterly right-of-way line of said 33rd Street, a distance of 205.23 feet; thence South  $88^{\circ}52'32''$  East, along the Easterly right-of-way line of 33rd Street, as dedicated and recorded in Book 823, Page 100 of the Douglas County Register of Deeds, a distance of 46.52 feet; thence South  $01^{\circ}07'28''$  West, a distance of 20.00 feet; thence South  $88^{\circ}52'32''$  East, a distance of 145.11 feet; thence North  $01^{\circ}07'28''$  East, a distance of 293.55 feet; thence South  $09^{\circ}02'07''$  East, along the proposed South right of way line of "L" Street, a distance of 229.95 feet; thence South  $84^{\circ}26'48''$  East, along said right-of-way line, a distance of 70.26 feet; thence South  $01^{\circ}07'28''$  West, a distance of 198.76 feet; thence South  $88^{\circ}52'32''$  East, a distance of 171.00 feet; thence North  $01^{\circ}07'28''$  East, a distance of 192.86 feet; thence South  $89^{\circ}02'07''$  East, along the proposed South right-of-way line of "L" Street, a distance of 50.00 feet; thence South  $01^{\circ}07'28''$  West, a distance of 339.00 feet; thence North  $88^{\circ}52'32''$  West, a distance of 264.81 feet; thence South  $01^{\circ}07'28''$  West, a distance of 225.72 feet; thence North  $78^{\circ}25'46''$  West, along the proposed Northerly right-of-way line of Edward Babe Gomez Avenue, a distance of 457.29 feet; thence North  $51^{\circ}24'31''$  West, along said right-of-way line, a distance of 24.10 feet, to the Point of Beginning.

NOTE: The above premises is to be known as Lot 3, in STOCKYARDS PLAZA II, an Addition to the City of Omaha, to be surveyed, platted and recorded, in Douglas County, Nebraska.