


ASS 2007140767



DEC 26 2007 10:23 P 6

ASS 3800 FB See attached
6 BKP G/O COMP BW
16 DEL SCAN FV
6

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/26/2007 10:23:20.90

2007140767

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

Return To: *30

Check Number
chg

PREPARED BY:
Jeffrey J. Lee, Esq.
Cadwalader, Wickersham & Taft, LLP
227 West Trade Street, Suite 2400
Charlotte, North Carolina 28202

UPON RECORDATION RETURN TO:
Cadwalader, Wickersham & Taft, LLP
227 West Trade Street, Suite 2400
Charlotte, North Carolina 28202
ATTN: Jeffrey J. Lee, Esq.

THIS ASSIGNMENT OF MULTIFAMILY DEED OF TRUST AND SECURITY AGREEMENT and ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS (the "Assignment") is executed as of May 2, 2007, by DEUTSCHE BANK BERKSHIRE MORTGAGE, INC., a Delaware corporation (the "Assignor"), to GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation, (the "Assignee"), whose address is 60 Wall Street, 10th Floor, New York, New York 10005..

BACKGROUND

WHEREAS, on April 3, 2007 Assignor made a loan to 11402 EVANS OMAHA LLC, an Iowa limited liability company (the "Borrower"), in the original amount of Twelve Million Four Hundred Sixty Five Thousand and No/100 Dollars (\$12,465,000.00) (the "Loan"), which Loan is evidenced by that certain Multifamily Promissory Note, dated April 3, 2007, executed by Borrower and payable to the order of Assignor in the principal amount as aforesaid (the "Note");

WHEREAS, the obligations of the Borrower under the Loan and the Note are secured by, among other things, that certain Multifamily Deed of Trust and Security Agreement (the "Deed of Trust"), dated as of April 3, 2007, executed by Borrower and recorded as Document Number 2007039477, of the Real Property Records of Douglas County, State of Nebraska (the "Official Records"), and that certain Assignment of Leases and Rents (the "Assignment"), dated as of April 3, 2007, executed by Borrower and recorded as Document Number 2007039478, of the Official Records;

WHEREAS, on even date herewith, Assignor endorsed the Note to Assignee and;

WHEREAS, Assignor desires to assign its interest in the Deed of Trust and Assignment to Assignee.

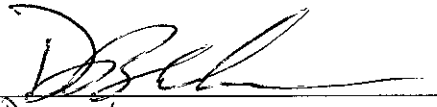
ASSIGNMENT

For \$10.00 and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns and transfers to Assignee, all of Assignor's right, title and interest in, to and under the Deed of Trust and the Assignment, to have and to hold unto Assignee, its successors and assigns, forever.

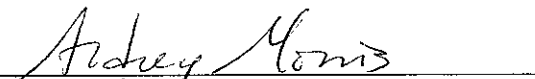
THIS ASSIGNMENT has been executed by Assignor as of the date specified at the beginning of this Agreement.

ASSIGNOR:

DEUTSCHE BANK BERKSHIRE MORTGAGE,
INC., a Delaware corporation

By: 

Name: Douglas C. Blake
Title: Officer

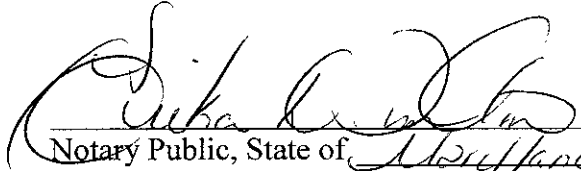
By: 

Name: Audrey Morris
Title: Officer

ACKNOWLEDGMENT

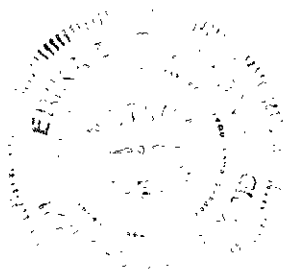
STATE OF Maryland
COUNTY OF Montgomery

The foregoing instrument was acknowledged before me on May 2nd,
2007, by Douglas C. Blake, the Officer, of DEUTSCHE BANK BERKSHIRE
MORTGAGE, INC., a Delaware corporation on behalf of the corporation.



Notary Public, State of Maryland

My Commission Expires: 8.19.09

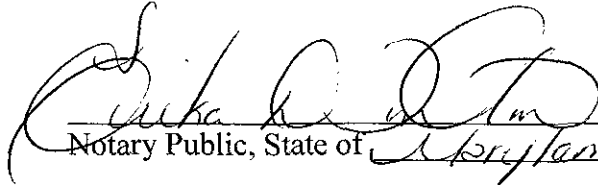


**NOTARIAL SEAL
REGISTER OF DEEDS**

ACKNOWLEDGMENT

STATE OF Maryland,
COUNTY OF Montgomery

The foregoing instrument was acknowledged before me on May 2nd, 2007, by Audrey Morris, the Officer, of DEUTSCHE BANK BERKSHIRE MORTGAGE, INC., a Delaware corporation on behalf of the corporation.


Notary Public, State of Maryland

My Commission Expires: 8.19.09

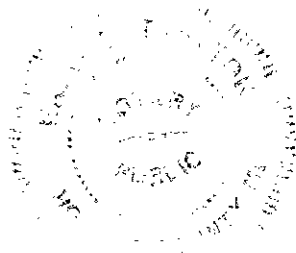


Exhibit "A"

Parcel I:

Lots 1, 2, 3, and 10, in Lake Forest Estates Replat, an Addition to the City of Omaha, as surveyed, platted, and recorded in Douglas County, Nebraska, in Book 1362, page 201, except that portion of said Lot 3, more particularly described as follows: 63-21480

Beginning at the Northwest corner of said Lot 3; thence East along the Northerly property line of Lot 3, a distance of 20 feet; thence Southeasterly, along a line parallel to the Westerly property line of Lot 3, a distance of 20 feet; thence Southwesterly, along a line parallel to the Northerly property line of Lot 3, a distance of 20 feet, more or less, to a point on the Westerly property line of Lot 3; thence Northwesterly, along the westerly property line of Lot 3, to the point of beginning;

And, except that part of Lot 3 more particularly described as follows:

Beginning at the Northeast corner of said Lot 3; thence South along the easterly property line of Lot 3 a distance of 20 feet; thence West, along a line parallel to the Northerly property line of Lot 3, a distance of 20 feet; thence Northerly, along a line parallel to the Easterly property line of Lot 3, a distance of 20 feet, more or less, to a point on the Northerly property line of Lot 3; thence Easterly, along the Northerly line of Lot 3; to the point of beginning

Parcel II:

Lot 1, Lake Forest Estates, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, in Book 1329, page 479. 63-21460

Parcel III:

Lots 15-25, Lake Forest Estates Replat, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, in Book 1362, page 201. 63-21480