



MISC 2006052175



MAY 10 2006 15:18 P 1

WHEN RECORDED RETURN TO:

Julie Dermody  
Cox Communications Omaha, Inc.  
11505 W. Dodge Rd.  
Omaha NE 68154

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
5/10/2006 15:18:02.01



MEMORANDUM OF AGREEMENT  
(NEBRASKA)

PLEASE TAKE NOTICE that Wiener Omaha, LLC ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated August 1, 2005, which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Exhibit A 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]  
Its: VP Regional Manager  
Print Name: Perry J. Kiri



STATE OF NEBRASKA  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 10th day of October, 2005 by Perry J. Kiri as VP Regional of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporation.

NOTARY PUBLIC  
My Commission Expires: 3/12/08

Wiener Omaha, LLC

By: [Signature]  
Its: Managing member  
Print Name: NANCY BECK



STATE OF NE  
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 9th day of September, 2005 by Nancy Beck as Managing member of Wiener Omaha, LLC, on behalf of said company.

NOTARY PUBLIC  
My Commission Expires: 3/12/06

MISC.  
FEE 5.50 FB 03-20690-  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP \_\_\_\_\_  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

Lot 64, in THE KNOLLS, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska, together with the West Half (W½) of vacated 104th Avenue adjacent thereto on the East, and together with that part of the East Half (E½) of vacated 104th Avenue adjacent thereto on the West;

Nebraska