

Sarpy Co.

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2009-34655

2009 OCT 27 P 2:10

Steve J. Dowling
REGISTER OF DEEDS

COUNTER ah CE ah
VERIFY ah DE ah
PROOF ah
FEES \$ 6.00
CHECK # 3283
CHG. _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NMR _____

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

MEMORANDUM OF AGREEMENT
(NEBRASKA)

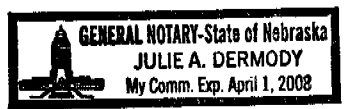
PLEASE TAKE NOTICE that Wiener Omaha I, LLC ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated August 1, 2005, which, in accordance with its terms, entitles Cox Communications to 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: Paula K. [Signature]



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 2nd day of Oct, 2005 by Paula K. [Signature] as VP/Regional Manager of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporation.

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

Wiener Omaha I, LLC

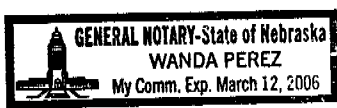
By: [Signature]
Its: VP
Print Name: Nancy Beck

FEE _____ FB _____
DKP _____ C/O _____ COMP _____
DEL _____ SCAN _____ FV _____

STATE OF NE
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 9th day of Sept, 2005 by Nancy Beck a VP managing member of Wiener Omaha I, LLC, on behalf of said company.

[Signature]
NOTARY PUBLIC
My Commission Expires: 3/12/06



Willow Creek:

Lot 2 Willow Creek Replat III

~~2003~~

OK B Lot 2 Willow Creek Replat III 34655

Recorder Note: No Exhibit attached
10-27-09 6:41