Filed in Douglas County Court
*** EFILED ***
Case Number: C01PR160001006
Transaction ID: 0004559452
Filing Date: 12/01/2016 11:56:52 AM CST

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF JOHN T. SPAUSTAT, Deceased.	)	No. PR 16-1006
Date of Death: June 24, 2016	)	**STIPULATION**
	)	Judge Craig Q. McDermott

COMES NOW Access Bank, a Nebraska banking corporation ("Bank"), and Karen A. Shramek, Personal Representative of the Estate of John T. Spaustat, Deceased ("Personal Representative"), and stipulate as follows:

1. The Bank timely filed its Statement of Claim on September 14, 2016, Transaction ID: 0004246472 ("Claim"); a true and correct copy of the Statement of Claim is attached hereto and by this reference incorporated herein.

2. The Bank and Personal Representative hereby agree and stipulate as follows:

(a) The Personal Representative hereby acknowledges, accepts and allows the Claim;

(b) The Personal Representative shall continue to make all scheduled payments on the loan identified in the Claim when due as set forth in the Promissory Note dated April 6, 2016 attached as a part of the Claim;

(c) The real estate legally described in the Deed of Trust dated April 6, 2016 attached as a part of the Claim has been listed for sale by the Personal Representative; any sale of part or all of such real estate shall be subject to the Bank's prior written approval unless the Bank shall be paid in full from any such sale; the net proceeds (gross proceeds minus real estate commissions, real estate taxes, title insurance premiums and other reasonable and customary closing costs) shall be paid to the Bank to be applied to the outstanding balance of the Claim until satisfied in full;

(d) In the event the net proceeds from the sale of the real estate shall be insufficient to satisfy the Bank's Claim in full, then the Claim shall be satisfied from the remaining assets of the Estate;

(e) The Personal Representative shall not distribute any assets or other property of the Estate prior to payment in full claim of the Claim, except that the Trustee

Nov. 29. 2016 7:33AM Fantasys No. 1321 P. 1/3

may transfer to the Trustee of the John T. Spaustat Revocable Trust any part or all of the real estate legally described in the Deed of Trust dated April 6, 2016 attached as a part of the Claim for the purpose of closing on any sale previously approved by the Bank of part or all of such real estate provided the net proceeds of any such sale shall be paid to the Bank to be applied to the outstanding balance of the Claim until satisfied in full; In addition, the Personal Representative shall be allowed to make distributions of assets or other property of the Estate for the purpose of paying reasonable and customary administrative expenses, including legal fees.

(f) If a default or event of default shall occur under the loan documents evidencing or securing the loan identified in the Claim, the Bank shall be entitled, at its option, to exercise all rights and remedies available under the loan documents or at law or in equity and nothing contained herein shall operate to impair the exercise of any such rights or remedies.

Dated: ~~October~~ November 30, 2016.

ACCESS BANK, a Nebraska banking corporation,

By: _____ Pres, CEO

Patrick J. Corrigan, President

Karen Shramek

Karen A. Shramek, Personal Representative of the Estate of John T. Spaustat, Deceased

Approved as to form and content:

By: _____

Michael F. Kivett, #16287
Walentine, O'Toole, McQuillan & Gordon, LLP
11240 Davenport Street
Omaha, NE 68154
(402) 330-6300
Attorney for Access Bank

Nov. 29. 2016 7:34AM Fantasys No. 1321 P. 2/3

Approved as to form and content:

By Kara J. Ronnau

Kara J. Ronnau # 24721
Cline, Williams, Wright, Johnson & Oldfather, L.L.P.
1900 U.S. Bank Building
233 South 13th Street
Lincoln, Nebraska 68508-2095
(402) 474-6900
Attorney for Karen A. Shramek,
Personal Representative of the Estate
of John T. Spaustat, Deceased

Nov. 29. 2016 7:34AM Fantasys No. 1321 P. 3/3

Certificate of Service

I hereby certify that on Thursday, December 01, 2016 I provided a true and correct copy of the Stipulation to the following:

Security National Bank service method: No Service

Shramek,Karen,A, represented by Kara Ronnau (Bar Number: 24721) service method: Electronic Service to kronnau@clinewilliams.com

Signature: /s/ Kivett,Michael,F (Bar Number: 16287)