

201203613

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OTOE COUNTY, NE
FEE \$ 20.50

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REGISTER OF DEEDS

ENTERED ☒
VERIFIED ☒
SCANNED ☒

(Space above reserved for the Register of Deeds' recording information)

Title of Document: Declaration of Restrictions and Covenants

Date of Document: December 19, 2012

Grantor(s): VF Mall Realty Management Nebraska LLC, a Nebraska limited liability company

Grantee(s): CPG Finance I LLC, a Delaware limited liability company

Grantee's Address: c/o Premium Outlets | SIMON
Eisenhower Parkway
Roseland, NJ 07068

Legal Description: See attached Exhibit A

Ref: n/a

Please return to:
Naomi Shupp
Chicago Title Ins. Co.
10740 Nall Ave, Ste 201
Overland Park, KS 66211
(913) 253-8415
File no. 20120631

201203613

[Nebraska City, NE]

DECLARATION OF RESTRICTIONS AND COVENANTS

This Declaration of Restrictions and Covenants is made this 17 day of December, 2012, by the undersigned Declarant:

RECITALS

A. The Declarant has this date acquired fee title on the real property (the "Property") described on Exhibit "A" from CPG Finance I LLC, a Delaware limited liability company ("Seller").

B. Seller was only willing to sell the Property to Declarant on the condition that Declarant, its successors and assigns never use any of Seller's business names in connection with the operation of the Property.

RESTRICTIONS AND COVENANTS

The Declarant makes the following declaration of restrictions and covenants. These restrictions and covenants shall run with the land, and bind Declarant, and Declarant's heirs, successors, and assigns:

1. The Declarant shall not use any of the following names or names confusingly similar to any of the following names in connection with the operation of a shopping center on the Property: "Premium Outlet," "Prime Outlet", "Factory Stores of America".

2. Seller shall have the right to specifically enforce this Declaration against Declarant and any future owner of the Property, and any costs of such enforcement shall be paid by Declarant or such future owner, should Seller prevail.

3. These restrictions and covenants shall be unlimited in duration, without being re-recorded.

DECLARANT:

VF Mall Realty Management Nebraska LLC,
a Nebraska limited liability company

By: Name: Michael KohnsichTitle: Manager

STATE OF New York
COUNTY OF Queens

The foregoing instrument was acknowledged before me this 14 day of Dec 2012, by Mehran Kohansak as MANAGER of VF Mall Realty Management Nebraska LLC, a Nebraska limited liability company, on behalf of said limited liability company. He is personally known to me or produced N.Y. D. L as identification.

Witness my hand and official stamp or seal.

Changyuan Lin
Notary Public Chang Yuan Lin
My Commission Expires: 06/25/16



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EXHIBIT "A"

PROPERTY

A tract of land located in the West 1/2 of the Northwest 1/4 of Section 21, Township 8 North, Range 14, East of the 6th P.M., Otoe County, Nebraska, being more particularly described as follows: Considering the North line of the West 1/2 of the Northwest 1/4 of said Section 21 as bearing N 90° 00' 00" W and with all bearings contained herein relative thereto: Commencing at the Northeast Corner of the said West 1/2 of the Northwest 1/4 of said Section 21, thence Westerly along the said North line N 90° 00' 00" W 107.0 feet to the True Point of Beginning, thence leaving said line and continuing Southerly S 00° 14' 46" E 208.40 feet to a point; thence easterly N 89° 56' 39" E 106.94 feet to a point on the East line of the West 1/2 of the Northwest 1/4; thence southerly along said east line S 00° 09' 44" E 150.07 feet to a point; thence leaving said line and continuing westerly S 89° 52' 54" W 230.0 feet to a point; thence southerly S 00° 06' 41" E 664.77 feet to a point; thence westerly S 89° 54' 35" W 959.78 feet to a point on the East right-of-way line of U.S. Highway #75; thence northerly N 03° 59' 54" E 73.57 feet to a point; thence northwesterly N 05° 46' 08" W 441.83 feet to a point; thence northerly along said right-of-way line N 00° 05' 56" E 199.9 feet to a point; thence northeasterly N 05° 49' 41" E 163.36 feet to a point on the South right-of-way line of Nebraska State Highway #2; thence southeasterly along said line S 82° 11' 49" E 262.21 feet to a point; thence northeasterly N 81° 18' 11" E 564.12 feet to a point; thence northeasterly along said South line N 67° 25' 59" E 260.12 feet to a point; thence Easterly N 89° 44' 54" E 45.06 feet to the True Point of Beginning. Except that portion conveyed to the State of Nebraska in Book 201 Deeds, Page 411 and Book 202 Deeds, page 339; Except that portion conveyed to the City of Nebraska City in Book 169 Deeds, Page 339; and Except that portion conveyed to the Otoe County School District No. 31 in Book 172 Deeds, page 31. This tract is also referred to as part of Lot A, H & E Subdivision, Otoe County, Nebraska, together with that certain drainage easement created by instrument recorded in Misc. Book 59, page 20. Further together with that certain slope easement created by instrument recorded in Misc. Book 59, Page 24. Further together with access easement created by that certain instrument recorded in Misc. Book 49 page 73.