



MISC 2016058246



JUL 21 2016 16:08 P 4

Fee amount: 28.00
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Register of Deeds, Douglas County, NE
07/21/2016 16:08:41.00



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THE ABOVE SPACE IS RESERVED FOR THE REGISTER OF DEEDS RECORDING INFORMATION

**THIS PAGE INCLUDED
FOR INDEXING**

GPIN/Other#: _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Cox Communications
401 N 117th Street
Omaha, NE 68154
Attn: _____

THIS IS A CONVEYANCE OF A LICENSE
AND CONSIDERATION IS LESS THAN \$100.00

(space above for recorder's use only)

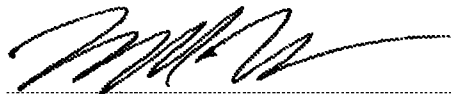
MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (this "Memorandum") is made this 6th Day of June, 2016, by and between **415 Leavenworth Street, LLC** ("Grantor") and **Cox Communications Omaha, L.L.C., d/b/a Cox Communications** ("Cox"). Grantor is the owner of certain real property located in Douglas County, Nebraska, which is more particularly described in Exhibit A, attached hereto and incorporated herein (the "Property").

PLEASE TAKE NOTICE that Grantor and Cox have entered into that certain Service and Access Agreement, dated June 6, 2016, as such may be amended, extended, renewed or replaced (collectively, the "Agreement") pursuant to which Grantor has granted to Cox the nonexclusive right to (a) install construct, install, operate, maintain, repair, replace, and remove telecommunications and other facilities consisting of, without limitation, conduits, strands, wires, coaxial cables, hardware, wireless access points, backhaul modems, antennas, pedestals, junction boxes, and other equipment (collectively, the "Facilities") as Cox may from time-to-time require, and (b) offer, provide, and market (on a non-exclusive basis) video, entertainment, high-speed data, voice and other services (collectively, the "Services") to the Property and other properties and persons that can be served by the Facilities. Cox owns and/or Grantor has granted to Cox the exclusive right to use all or a portion of the Facilities. Any Facilities owned by Cox shall not be deemed a fixture of the Property. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

Grantor shall provide notice to Cox of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the Property, sent to the address above.

415 Leavenworth Street, LLC:

By: 

Name: Todd Heistand

Title: Managing Member

GRANTOR ACKNOWLEDGMENT

STATE OF Nebraska


COUNTY OF Douglas

On 6/13/16 (date) before me, Shawn Shanahan (Notary), personally appeared Todd Heistand (name of signer), who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of NE that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[NOTARY SEAL]



Notary Public
Name: Shawn Shanahan
My Commission Expires: July 30, 2018

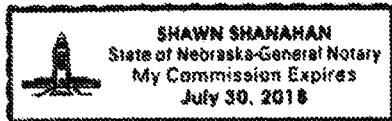


Exhibit A

That part of Lot 2, POWER STATION, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the northwest corner of said Lot 2;

Thence North $87^{\circ}42'20''$ East (bearings referenced to the Final Plat of POWER STATION) for 178.42 feet on the north line of said Lot 2;

Thence North $87^{\circ}38'14''$ East for 198.67 feet to the east line of said Lot 2;

Thence on said east line for the following five (5) courses.

1. Thence South $25^{\circ}50'32''$ East for 43.80 feet;
2. Thence along a curve to the right (having a radius of 2805.93 feet and a long chord bearing South $18^{\circ}46'50''$ East for 145.82 feet) for an arc length of 145.84 feet;
3. Thence South $11^{\circ}36'46''$ East for 80.02 feet;
4. Thence South $09^{\circ}55'58''$ East for 272.90 feet;
5. Thence South $18^{\circ}36'17''$ East for 245.51 feet;

Thence South $87^{\circ}52'32''$ West for 439.16 feet to the west line of said Lot 2;

Thence on said west line for the following thirteen (13) courses.

1. Thence North $02^{\circ}59'47''$ West for 136.57 feet;
2. Thence North $47^{\circ}37'32''$ West for 59.96 feet;
3. Thence North $42^{\circ}22'28''$ East for 32.00 feet;
4. Thence North $47^{\circ}37'32''$ West for 43.00 feet;
5. Thence North $02^{\circ}30'46''$ West for 46.78 feet;
6. Thence North $41^{\circ}02'49''$ West for 29.71 feet;
7. Thence South $87^{\circ}45'06''$ West for 64.90 feet;
8. Thence South $42^{\circ}15'11''$ West for 54.71 feet;
9. Thence South $87^{\circ}45'06''$ West for 57.18 feet;
10. Thence North $47^{\circ}44'49''$ West for 56.71 feet;
11. Thence North $02^{\circ}26'56''$ West for 112.37 feet;
12. Thence North $87^{\circ}51'50''$ East for 159.69 feet;
13. Thence North $02^{\circ}40'35''$ West for 349.04 feet to the Point of Beginning.

Contains 350,134 square feet or 8.038 acres.