

FILED SAMPY CO. NE.

INSTRUMENT NUMBER

2006 - 04675

2006 FEB 14 P 12:02

Blair J. Bowring
REGISTER OF DEEDS

COUNTER P C.E. ah
VERIFY AM D.E. ah
PROOF ah
FEES \$ 11.50
CHECK# 2879
CHG _____ CASH _____
REFUND _____ CREDIT _____
STAMP _____ NMR _____

Exhibit "D"

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 Donald Thompson ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated October 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 property 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: Percy Kirkby Ann Bochner
Its: VP Region Mgr.
Print Name: Percy Kirk



STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 30 day of December 2005 by Ann Bochner for Percy Kirk of Cox Communications Omaha, Inc., a Nebraska corporation, on behalf of said corporation.

NOTARY PUBLIC
My Commission Expires: 4-1-08

By: Donald Thompson
Its: _____
Print Name: Donald Thompson

STATE OF NEBRASKA
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 4 day of Nov, 2005 by Donald Thompson of Thompson + Thompson LLC, on behalf of said company.

NOTARY PUBLIC
My Commission Expires: 6-1-2006



Handwritten initials

Exhibit "A"

~~98-33238A~~
2006-04675A

[Legal Description]

All of Lots 59 and 60 and part of Lot 61, Marian Park, an addition to the City of Bellevue, located in the Southeast Quarter of Section 26 and the Southwest Quarter of Section 25, all in Township 14 North, Range 13, East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Northeast corner of said Lot 59; thence S 00°00'00" E (assumed bearing) along the West right-of-way line of Lincoln Road, a distance of 568.00 feet to the point of intersection of said West right-of-way line of Lincoln Road and the North right-of-way of Harvell Road; thence N 88°51'00" W, along said North right-of-way of Harvell Road, a distance of 402.60 feet to a point on the West line of said Lot 61; thence N 00°00'00" E, along said West line of Lots 61, 60 and 59, a distance of 568.00 feet to the Northwest corner of said Lot 59; thence S 88°51'00" E, along the North line of said Lot 59, a distance of 402.60 feet to the point of beginning.