



MISC 2010026705



MAR 30 2010 12:17 P 3

*misc 3/1*

FEE 15.00 FBA 01-10000

BKP 041512 C/O \_\_\_\_\_ COMP \_\_\_\_\_

DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FY \_\_\_\_\_

*A*

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
3/30/2010 12:17:42.49



2010026705

**THIS PAGE INCLUDED FOR INDEXING**

**PAGE DOWN FOR BALANCE OF INSTRUMENT**

Return To: COX - Karli Harstebeck  
11505 W. Dodge Rd  
Omaha, NE 68154

Check Number

CR

**MEMORANDUM OF AGREEMENT  
(NEBRASKA)**

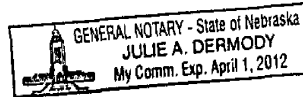
PLEASE TAKE NOTICE that **The Roth Family Limited Liability Company** ("Owner") and **CoxCom, Inc. d/b/a Cox Communications Omaha** ("Cox") have entered into a Service and Access Agreement (the "Agreement") dated September 1, 2009 which, in accordance with its terms, entitles Cox to provide cable television and other telecommunications services throughout the property described on Exhibit A attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox with rights of ingress and egress to the property necessary or useful to provide such service and maintain its equipment and other facilities and provides for ownership of the 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 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: V.P. of Sales  
Print Name: Jeff Butler



STATE OF NEBRASKA  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 13 day of November, 2009 by Jeff Butler as Vice President of Sales of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

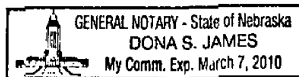
[Signature]  
NOTARY PUBLIC  
My Commission Expires: 4-1-12

**The Roth Family Limited Liability Company**

By: Richard A Roth  
Its: member  
Print Name: RICHARD A ROTH

STATE OF NEBRASKA  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 4th day of September 2009 by Richard A. Roth, member of **The Roth Family Limited Liability Company**, on behalf of said company.



[Signature]  
NOTARY PUBLIC  
My Commission Expires: 3/7/2010

ATLIB01:209487-3

Notarizing

Exhibit A

[Legal Description]

04-15-12

defined in Neb. Rev. Stat. § 76-201) in DOUGLAS County, Nebraska: A TRACT OF LAND IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 15, NORTH, RANGE 12 EAST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT 190.5 FEET EAST OF THE SOUTHWEST (SW) CORNER OF SECTION 4, TOWNSHIP 15, RANGE 12, THENCE EAST 187.5 FEET; THENCE NORTH 502.9 FEET; THENCE AT AN ANGLE NORTHWEST (NW) 184.7 FEET; THENCE SOUTH 100 FEET; THENCE WEST 34.5 FEET; THENCE SOUTH 514.15 FEET TO THE PLACE OF BEGINNING, IN DOUGLAS COUNTY NEBRASKA;