

MEMORANDUM OF LEASE TERMINATION

THIS MEMORANDUM made and entered into this 29th day of April, 1993, by and between L.J. Newman and L. James Newman as Trustee under The Last Will and Testament of Judith K. Newman, Deceased, (collectively "Lessor") and Nomis Trust Partnership Limited Partnership, an Indiana limited partnership, formerly known as Nomis Trust Partnership, an Indiana limited partnership ("Lessee").

WITNESSETH:

WHEREAS, L.J. Newman and Judith Newman, Lessors, and Omaha Development, Inc., Lessee, entered into that certain Lease dated September 1, 1968, as amended (the "Lease") for certain real estate located in Douglas County, Nebraska, described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, Lessor and Lessee set forth their agreement in that certain Short Form of Lease which was filed May 26, 1969 in Book 476 at page 615. Lessee's interest in said Lease was assigned to Douglas Development Company by Assignment, filed May 26, 1969, in Book 476 at Page 619.

WHEREAS, an Amendment to Assignment of Lease was filed January 23, 1970 in Book 485 at Page 581.

WHEREAS, Lessee's interest was subsequently assigned to U.S.I.F. 34th Street Corp. by assignment dated February 9, 1971, filed February 12, 1971, in Book 497 at Page 17. The Lease was further amended by Amendment to Lease and Short Form Lease dated August 19, 1971, filed April 25, 1972, in Book 509 at Page 397. Lessee's interest was subsequently assigned to U.S.I.F. Wynnewood Corporation by instrument dated July 16, 1975, filed July 21, 1975 in Book 553 at page 305. Lessor's interest in said Lease was assigned to L. James Newman and Judith K. Newman, husband and wife, as tenants in common, by instrument dated November 8, 1983, filed July 26, 1984, in Book 704 at Page 169. Lessee's interest was subsequently assigned to Nomis Trust Partnership by instrument dated May 26, 1976, filed October 8, 1976, in Book 571 at Page 161.

WHEREAS, Lessee has caused a certain Option to Purchase the Real Estate described under said Lease to be exercised and has appointed Leroy L. Canfield to take title to the Real Estate described in Exhibit "A" attached hereto.

THEREFORE, in consideration of the foregoing and in further consideration of Lessor having conveyed the Real Estate described in Exhibit "A" to Leroy L. Canfield by Warranty Deed dated April 29, 1993, Lessor and Lessee hereby agree and declare the Lease to be null and void and to be of no further force and effect; and further agree to release, discharge and forever forgive each other from any and all liability, claims, charges or causes of action now or hereafter arising from or out of the Lease.

This Memorandum may be executed in counterparts, each of which when taken together shall constitute one original.

IN WITNESS WHEREOF, Lessor and Lessee have signed and executed this Memorandum as of the date year herein written.

"LESSOR"

L.J. Newman
L.J. Newman
L. James Newman as TRUSTEE
L. James Newman, as Trustee

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

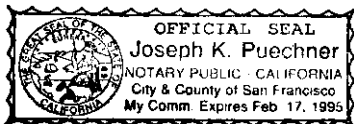
No. 5193

State of CALIFORNIA
County of SAN FRANCISCO

On APRIL 29, 1993 before me, JOSEPH K. PUECHNER NOTARY PUBLIC
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared L. J. NEWMAN
L. JAMES NEWMAN as TRUSTEE OF THE JUDITH K. NEWMAN TRUST
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



L.S.

WITNESS my hand and official seal.

Joseph K. Puechner
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)
- TITLE(S) _____
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT MEMORANDUM OF LEASE TERMINATION
NUMBER OF PAGES THREE DATE OF DOCUMENT APRIL 29, 1993
SIGNER(S) OTHER THAN NAMED ABOVE NO OTHER SIGNERS

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

This Memorandum may be executed in counterparts, each of which when taken together shall constitute one original.

IN WITNESS WHEREOF, Lessor and Lessee have signed and executed this Memorandum as of the date year herein written.

"LESSOR"

L.J. Newman

L. James Newman, as Trustee

"LESSEE"

NOMIS TRUST PARTNERSHIP LIMITED PARTNERSHIP, an Indiana limited partnership, formerly known as Nomis Trust Partnership, an Indiana limited partnership

By:  HERBERT SIMON

Title: GENERAL PARTNER

STATE OF _____)
)SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, appeared L.J. Newman, to me personally known, and acknowledged the execution of the foregoing instrument.

Witness my hand and notarial seal this ____ day of April, 1993.

Notary Public

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, appeared L. James Newman, as Trustee of the Judith K. Newman Trust, to me personally known, and acknowledged the execution of the foregoing instrument.

Witness my hand and notarial seal this _____ day of April, 1993.

Notary Public

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared HERBERT SIMON, to me personally known as the GENERAL PARTNER of Nomis Trust Partnership Limited Partnership, an Indiana limited partnership, formerly known as Nomis Trust Partnership, an Indiana limited partnership, who executed the foregoing instrument for and on behalf of said Partnership.

WITNESS my hand and notarial seal this 30th day of April, 1993.

Deborah J. Chrisman

Notary Public

DEBORAH J. CHRISMAN, Notary Public
County of Residence: Marion
My Commission Expires Aug. 22, 1994

EXHIBIT "A"

56-24060

A tract of land being all of Lots 1 through 6, inclusive, Lots 28 through 35, inclusive, a portion of Lots 36 through 38, inclusive, all in MARSHALL AND PAHL ADDITION, an Addition to the City of Omaha, together with part of vacated 86th Street and together with a portion of the North Half of the Northeast Quarter of Section 34, Township 15 North, Range 12 East of the 6th, P.M., in Douglas County, Nebraska, more particularly described as follows:

0160000

Beginning at the Northwest corner of said Lot 1, said point also being on the South line of West Center Road; thence along the North line of Lots 1, 35 and 36, and along said South line of West Center Road, North 90°00'00" East (assumed bearing), 580.06 feet; thence South 00°00'00" East, 16.00 feet; thence North 90°00'00" East, 85.00 feet; thence North 00°00'00" West, 16.00 feet to said North line of Lot 36 and said South line of West Center Road; thence along said North line of Lot 36 and along said South line of West Center Road, North 90°00'00" East, 281.74 feet; thence South 00°17'37" West, 317.00 feet; thence North 90°00'00" East, 343.00 feet to the East line of said Lot 38, said point also being on the West line of 84th Street; thence along said West line, South 00°17'37" West, 294.39 feet to the Southeast corner of said Lot 38; thence along the South line of said Marshall and Pahl Addition and its Westerly extension, North 89°56'25" West, 1270.68 feet to the point of intersection with the Southerly extension of the Westerly line of said Marshall and Pahl Addition; thence along said Westerly line and its Southerly extension, North 00°22'35" East, 610.08 feet to the Point of Beginning.

10375 BK 1069 R 34-15-129
TYPE misc PG 594-598 COMP M SCAN JM
FEE 34.00 OF misc LEGAL PG 598 MC FV

RECEIVED
MAY 3 1 47 PM '93
GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE