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Received – DIANE L. BATTIATO Register of Deeds, Douglas County, NE 01/13/2010 15:26:26.00



## **MEMORANDUM OF LEASE**

This MEMORANDUM OF LEASE (the "Memorandum") is executed this 12th day of January, 2010, by Waitt Omaha, LLC, a Nebraska limited liability company, with a mailing address of 1125 South 103<sup>rd</sup> Street, Suite 200, Omaha, NE 68124 ("Tenant").

Tenant hereby stipulates and agrees as follows:

- 1. <u>Lease: Premises</u>. By that certain Tower and Building Lease Agreement, dated July 16, 2002 (the "Lease"), between Journal Broadcast Group, Inc., a Wisconsin corporation, as successor-in-interest to Emmis Television Broadcasting, LP d/b/a KMTV ("Landlord"), and Assignor as successor-in-interest to RRE, LLC, a South Dakota limited liability company by operation of law, Landlord leased to Tenant space located at 2614 Harney Street, Omaha, NE, which property is legally described on Exhibit "A" attached hereto (the "Premises").
- 2. <u>Lease Term.</u> The initial term of the Lease is ten (10) years and is subject to two successive renewal periods at Tenant's option of five (5) years each as provided in the Lease. Provisions for rent and the other terms, covenants and conditions of such letting are set forth at length in the Lease, all of which are hereby incorporated in and made a part of this Memorandum of Lease.
- 3. <u>Recording.</u> This Memorandum of Lease is executed and is to be recorded in the Office of the Register of Deeds of Douglas County, Omaha, solely for the purpose of providing record notification of the existence of the Lease.
- 4. <u>No Amendment.</u> Nothing herein contained shall be construed to amend, modify, or in any other way affect the terms, conditions and provisions of the Lease as therein set forth, all of which is ratified and confirmed by Tenant. This Memorandum of Lease is subject to all of the terms, conditions and provisions of the Lease, and in the event of any inconsistency between the terms of this instrument and the Lease, the terms of the Lease shall prevail. Capitalized terms used in this Memorandum of Lease but not defined herein shall have the meaning ascribed to such terms in the Lease.

[Remainder of this page intentionally left blank; signature pages follow.]

IN WITNESS WHEREOF, the Tenant has caused this Memorandum to be executed as of the date first above written.

Waitt Omaha, LLC, a Nebraska limited liability company

By: \_\_\_ Name: Title:

( ) ( ) Schus

STATE OF Nelvaska

COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 10 day of January, 2010, by Schule, as 50 of Waitt Omaha, LLC, a Nebraska limited liability company.

[NOTARY SEAL]

GENERAL NOTARY - State of Nebraska
SHELDEEN KATELMAN
My Comm. Exp. Feb. 9, 2013

Notary Public

## EXHIBIT "A"

## **LEGAL DESCRIPTION OF THE PREMISES**

Lot 10, in Block 2, in Capitol Hill, an Addition to the City of Omaha, in Douglas County, Nebraska.