

**AFFIDAVIT OF DELIVERY ON DEMAND  
TO INSTITUTE JUDICIAL PROCEEDING**

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

I, Benjamin J. Pick, being first duly sworn, deposes and states the following:

1. I am the attorney for Mababil, LLC, the owner of the real property described below, and have firsthand knowledge of the facts set forth herein.

2. On May 22, 2019, I mailed via FedEx overnight mail and United States mail the attached Demand to Institute a Judicial Proceeding pursuant to Section 52-140 of the Nebraska Revised Statutes concerning the Construction Lien filed against the real estate legally described as follows:

Unit 13 in 420 Condominium Property Regime, a condominium organized under the laws of the State of Nebraska pursuant to the Master Deed and Declaration of 420 Condominium Property Regime filed August 27, 1991 in Book 1905 at Page 639 of the Deed Records of Douglas County, Nebraska; and, as amended and refiled August 16, 1996 in Book 1185 at Page 85 of the Miscellaneous Records of Douglas County, Nebraska.

3. The subject Construction Lien is dated May 7, 2019 and was recorded in the office of the Douglas County Register of Deeds on May 9, 2019, as Instrument Number 2019031136.

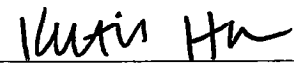
***[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;  
SIGNATURE TO FOLLOW]***

Return to:  
Benjamin J. Pick  
Pansing Hogan Ernst & Bachman, LLP  
10250 Regency Circle, Suite 300  
Omaha, Nebraska 68114

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Benjamin J. Pick

SUBSCRIBED AND SWORN to before me this 22 day of May, 2019.

  
\_\_\_\_\_  
Notary Public



THE LAW OFFICES OF



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Edward D. Hotz - Of Counsel

Harry B. Otis (1920-2003)

\*Also Admitted In Iowa

May 22, 2019

**VIA U.S. MAIL & FED-EX  
OVERNIGHT DELIVERY**

Tate and Son Construction, Inc.  
c/o Curt Tate  
17828 Reflection Drive  
Bennington, Nebraska 68007

**VIA U.S. MAIL & FED-EX  
OVERNIGHT DELIVERY**

Mr. Scott Lautenbaugh  
The Law Office of Scott Lautenbaugh  
1905 Harney Street, Suite 224  
Omaha, Nebraska 68102

RE: Construction Lien # 2019031136

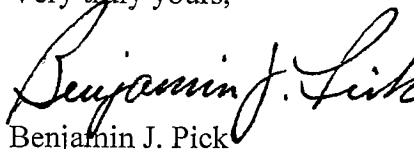
Gentlemen,

This law firm represents Mababil, LLC, a Nebraska limited liability company. Pursuant to Nebraska Revised Statute §52-140, Mababil, LLC hereby demands Tate and Son Construction, Inc. institute judicial proceedings within thirty (30) days with respect to the construction lien filed on its behalf against the real estate commonly known as 1108 and 1112 Howard Street, Omaha, Nebraska 68102, and legally described as follows:

Unit 13 in 420 Condominium Property Regime, a condominium organized under the laws of the State of Nebraska pursuant to the Master Deed and Declaration of 420 Condominium Property Regime filed August 27, 1991 in Book 1905 at Page 639 of the Deed Records of Douglas County, Nebraska; and, as amended and refiled August 16, 1996 in Book 1185 at Page 85 of the Miscellaneous Records of Douglas County, Nebraska.

The construction lien was recorded with the Douglas County Register of Deeds on May 9, 2019, Instrument No. 2019031136.

Very truly yours,

  
Benjamin J. Pick