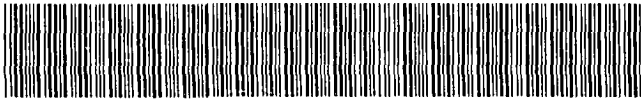


MISC 2010114716



DEC 03 2010 08:08 P 12

Misc 95.50  
12/71 A  
D-36-560 ✓ see below 86

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
12/3/2010 08:08:51.88



2010114716

Return to:  
First Nebraska Title & Escrow  
2420 S. 130<sup>th</sup> Street  
Omaha, NE. 68144

Agreement for Release of Protective Covnanants

Legal Description:

(49-38780)

Lot 1, Block 1, Tower Plaza  
Lots 7 thru 34, Block 2, Tower Plaza  
Lots 1 thru 10, Block 3, Tower Plaza  
Lots 1 thru 6, 8 thru 12, 15 thru 19, and 21 thru 24, Block 4, Tower Plaza

(49-38810)

Lot 1, Tower Plaza Replat

(49-38815)

Lots 1 and 2, Tower Plaza Replat 4

(49-38816)

Lot 1 Tower Replat 5

(49-38817)

Lots 1 and 2, Tower Plaza Replat 6

(49-38818)

Lots 1 and 2, Tower Plaza Replat 7

(49-38819)

Lot 1, Tower Plaza Relat 8

(49-38823)

Lots 1, 2 and 3, Tower Plaza Replat 10

41

v 041535

**AGREEMENT FOR RELEASE  
OF PROTECTIVE COVENANT**

THIS AGREEMENT FOR RELEASE OF PROTECTIVE COVENANT (this "Agreement") is effective as of the last date the Agreement is executed by the undersigned property owners.

**WITNESSETH:**

**WHEREAS**, the following property, **All of Blocks One (1), Two (2), Three (3) and Four (4), Tower Plaza, an addition in Douglas County, Nebraska** (the "Property"), has been restricted of record by the *Protective Covenants* filed on January 23, 1947 and recorded in Book 219 at Page 601 in the records of Douglas County, Nebraska, as amended by the *Modification and Release of Protective Covenants* filed on October 11, 1951 and recorded in Book 265 at Page 51 in the records of Douglas County, Nebraska (the "Protective Covenants") which restrict the Property from certain uses; and

**WHEREAS**, The undersigned are fee owners of the real estate located within the Property as described above their signatures (the "Owners"); and

**WHEREAS**, the Protective Covenants require the signature of a majority of the Owners to consent to any changes to the Protective Covenants; and

**WHEREAS**, a majority of the Owners desire to remove the restriction on race for ownership of the Property and the restriction that the Property only be used for residential purposes;

**NOW THEREFORE**, in consideration of the foregoing premises, and in consideration of other good and valuable consideration, the sum and sufficiency of which is hereby acknowledged, the Owners do hereby agree to remove certain restrictions from the Property:

1. Paragraph B of the Protective Covenants is hereby deleted in its entirety.
2. The Property is hereby released from the restriction only allowing the Property to be used for single-family residences.
3. Any other restrictions of record affecting the Property shall remain in full force and effect.

IN WITNESS HEREOF, the undersigned Owners have executed the foregoing instrument on the date set opposite the name of each of each of the Owners, and each of the Owners warrants that he is the owner of the property set out above his signature.

Lot 2, Block 0, Tower Plaza Replat 6, an addition to Douglas County, Nebraska

Name: 7802-2 L.L.C.

By: Patricia M. Kearnes

Its: Treasurer/CFO

Date: November 11, 2010

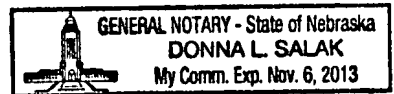
STATE OF Nebraska )

COUNTY OF Douglas )      ss.

This instrument was acknowledged before me on this 11 day of November, 2010,  
by Patricia M. Kearnes as Treasurer/CFO of 7802-2 LLC.

Donna L. Salak  
Notary Public

My commission expires:  
11-6-13



Lot 3, Block 4, Tower Plaza, an addition to Douglas County, Nebraska

Name: Quiktrip Corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

ss.

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

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

My commission expires:  
\_\_\_\_\_

Lots 1 & 2 & Lots 22 - 24, Block 4, Tower Plaza, an addition to Douglas County, Nebraska

Name: Vistas L.L.C.

By: [Signature]

Its: General Partner

Date: 11/11/10

STATE OF Nebraska )

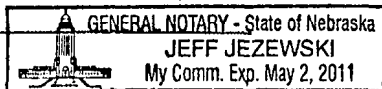
COUNTY OF Douglas )

ss.

This instrument was acknowledged before me on this 11 day of November, 2010, by Charles Vrana as General Partner of Vistas LLC.

[Signature]  
Notary Public

My commission expires:



Lot 8, Block 3, Tower Plaza, an addition to Douglas County, Nebraska

Name: Jay P. Lund Etal

By: [Signature]

Its: owner

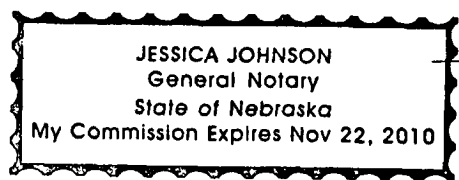
Date: 10/25/10

STATE OF NE )

COUNTY OF Douglas ) ss.

This instrument was acknowledged before me on this 25 day of October, 2010, by Jay P. Lund, as owner of \_\_\_\_\_.

My commission expires: 11-22-10



[Signature]  
Notary Public

Lot 19, Block 4, Tower Plaza, an addition to Douglas County, Nebraska

Name: Five F Realty, L.L.C.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ ) ss.

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires: \_\_\_\_\_

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

Lot 28, Block 2, Tower Plaza, an addition to Douglas County, Nebraska

Name: P.J. Morgan Etal

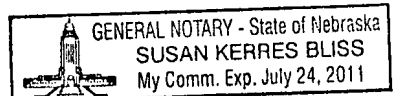
By: [Signature]

Its: Manager / Partner

Date: 11/8/10

STATE OF Nebraska )  
COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 8 day of Nov, 2010, by PJ MORGAN, as MANAGER / PARTNER of PJ MORGAN ETAL.



[Signature]  
Notary Public

My commission expires: July 24, 2011

Lots 12, 14, 16, 17 & 20 - 25, Block 2, Tower Plaza, an addition to Douglas County, Nebraska

Name: 85th Street Associates

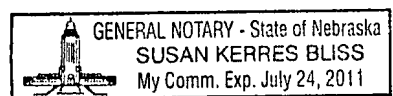
By: [Signature]

Its: MANAGER

Date: 11/8/10

STATE OF Nebraska )  
COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 8 day of November, 2010, by PJ MORGAN, as MANAGER of 85th Street Assoc.



[Signature]  
Notary Public

My commission expires: July 24, 2011

Lots 1 & 2, Block 0, Tower Plaza Replat 4, an addition to Douglas County, Nebraska

Name: Cass-Chicago Properties

By: [Signature]

Its: Managing Partner

Date: 11/11/10

STATE OF Nebraska )

COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 11 day of November, 2010, by John Mitchell, as Managing Partner of Cass-Chicago Properties.



[Signature]  
Notary Public

My commission expires: July 24, 2011

Lots 29 - 34, Block 2, Tower Plaza, an addition to Douglas County, Nebraska

Name: Cass-Chicago Properties

By: [Signature]

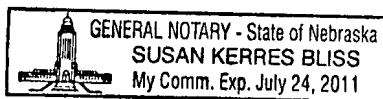
Its: Managing Partner

Date: 11/11/10

STATE OF Nebraska )

COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 11 day of November, 2010, by John Mitchell, as Managing Partner of Cass-Chicago Properties.



[Signature]  
Notary Public

My commission expires: July 24, 2011

Lot 1, Block 0, Tower Plaza Replat 6, an addition to Douglas County, Nebraska

Name: P.J. Morgan

By: [Signature]

Its: \_\_\_\_\_

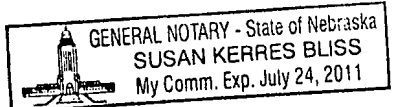
Date: 11/8/10

STATE OF Nebraska )

COUNTY OF Douglas )

SS.

This instrument was acknowledged before me on this 8 day of NOVEMBER, 2010, by PJ MORGAN, as \_\_\_\_\_ of \_\_\_\_\_.



[Signature]  
Notary Public

My commission expires: \_\_\_\_\_

Lot 2, Block 0, Tower Plaza Replat 6, an addition to Douglas County, Nebraska

Name: 7802-ALLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

SS.

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.

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

My commission expires: \_\_\_\_\_



Lot 1, Block 0, Tower Plaza Replat 7, an addition to Douglas County, Nebraska

Name: Omaha Tire Company

By: Brad Burkland, Pres.

Its: PRESIDENT

Date: 10/26/10

STATE OF Nebraska )

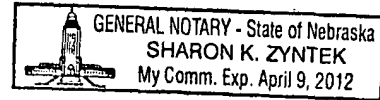
COUNTY OF Douglas )

SS.

This instrument was acknowledged before me on this 26 day of October, 2010, by Brad Burkland, as President of Omaha Tire Company.

Sharon K Zyntek  
Notary Public

My commission expires:  
4-9-12



Lot 2, Block 0, Tower Plaza Replat 7, an addition to Douglas County, Nebraska

Name: Omaha Tire Company

By: Brad Burkland, Pres.

Its: President

Date: 10/26/10

STATE OF Nebraska )

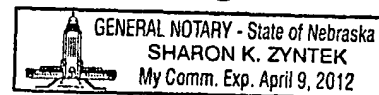
COUNTY OF Douglas )

SS.

This instrument was acknowledged before me on this 26 day of October, 2010, by Brad Burkland, as President of Omaha Tire Company.

Sharon K Zyntek  
Notary Public

My commission expires:  
4-9-12



Lot 1, Block ~~4~~<sup>of 8</sup>, Tower Plaza, <sup>replat 8</sup> an addition to Douglas County, Nebraska

Name: NKS Investments, LLC

By: [Signature]

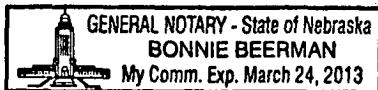
Its: member

Date: 10-18-10

STATE OF NE )

COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 18 day of Oct, 2010, by Steve Johnson as Member of NKS INVESTMENTS LLC



[Signature]  
Notary Public

My commission expires: March 24 2013

Lot 10, Block 2, 1 1/2 vac DRAINAGE WAY + All Lot 10 Block 2 65x135, Tower Plaza, an addition to Douglas County, Nebraska

Name: Burleigh Family Trust

By: [Signature]  
Joan A. Kent

Its: Trustee

Date: \_\_\_\_\_

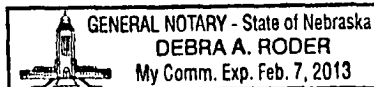
STATE OF NEBRASKA )

COUNTY OF Douglas ) SS.

This instrument was acknowledged before me on this 12 day of NOV, 2010, by Joan A Kent as Trustee of Burleigh Family Trust

[Signature]  
Notary Public

My commission expires: 2-7-13



Lot 2, Block 3, Tower Plaza, an addition to Douglas County, Nebraska

Name: MGI, Inc.

By: Sarita Maniktala  
Sarita Maniktala

Its: Owner

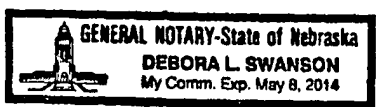
Date: 11-11-10

STATE OF Nebraska )  
COUNTY OF Lancaster )      ss.

This instrument was acknowledged before me on this 11 day of November, 2010,  
by Sarita Maniktala, as Owner of MGI, Inc.

Debora L Swanson  
Notary Public

My commission expires:  
May 8, 2014



That part of Lot 2 lying West and North of a line drawn parallel to and 35 feet Easterly of the Westerly line of Lot 2, and all that part of Lot 3 lying East and South of a line drawn parallel to and 30 feet Westerly of the Easterly line of Lot 3, Block 4, Tower Plaza, an addition in Douglas County, Nebraska.

QUIKTRIP CORPORATION

By: [Signature]  
Larry Dickerson  
Director of Real Estate  
Date: 11-4-10

STATE OF Kansas )  
COUNTY OF Johnson ) SS.

This instrument was acknowledged before me on this 4 day of November, 2010, by Larry Dickerson, as Director of Real Estate of QuikTrip Corporation.

[Signature]  
Notary Public

My commission expires: 11/9/14

TAMMIE L. JARVIS  
NOTARY PUBLIC  
STATE OF KANSAS  
My Appt. Exp. 11/9/14