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 BKP 7-14-11 C/O \_\_\_\_\_ COMP \_\_\_\_\_  
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Received - DIANE L. BATTIATO  
 Registrar of Deeds, Douglas County, NE  
 5/23/2008 13:46:56.56  
  
 2008051349

Prepared By and After Recording Return to:  
 Jay T. Shadwick, Esq.  
 Duggan, Shadwick, Doerr & Kurlbaum, P.C.  
 11040 Oakmont  
 Overland Park, Kansas 66210  
 (913) 498-3536

**ASSIGNMENT OF LEASES AND RENTS**

This Assignment is made as of the 22 day of May, 2008, by DIAL - HARRISON COMMERCIAL, L.L.C., a Nebraska limited liability company, 11506 Nicholas Street, Suite 200, Omaha, Nebraska 68154 ("Assignor") to NORTH AMERICAN SAVINGS BANK, F.S.B., 12498 S. 71 Highway, Grandview, Missouri 64030 ("Assignee").

WHEREAS, Assignor is currently the owner and is or may become lessor of the real property which is more particularly described in Exhibit A attached hereto ("Premises"), and made a part hereof; and

WHEREAS, Assignor is indebted to Assignee in the original principal sum of \$3,950,000.00 and has executed and delivered its Promissory Note ("Note") of even date herewith, to evidence such debt to Assignee, the Note being secured by, inter alia, a Deed of Trust, Assignment of Rents and Security Agreement of even date herewith ("Mortgage"), which encumbers the Premises; and,

WHEREAS, Assignee has required, as a condition to the making of the loan hereinbefore described, the following assignment of the Assignor's interest in the leases hereinafter described; and

WHEREAS, Assignor desires to satisfy Assignee's loan condition and to more fully secure to the Assignee the payment of the Note by making the following assignment of its interest in the leases hereinafter described.

WITNESSETH:

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) cash in hand paid, the receipt of which is hereby acknowledged by the Assignor, Assignor does hereby assign, transfer and set over unto the Assignee all of the Assignor's interest in and to any leases which now exist or which may hereafter come into existence in and upon the above described Premises, such assignment to be made upon the terms and conditions hereinafter set forth. Provided, however, it is expressly understood and agreed, anything to the contrary contained herein notwithstanding, that the Assignee shall not exercise any of the rights or powers herein conferred upon it until a default shall occur under the terms and provisions of this Assignment, the Note or Mortgage.

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71-549920

EXHIBIT A

A tract of land located in the Southeast Quarter (SE¼) of Section 7, Township 14 North, Range 11 East of the 6th P.M., in Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence South 87°13'30" West (assumed bearing), along the South line of said Section 7, a distance of 58.85 feet; thence North 02°46'30" West, a distance of 60.00 feet, to the point of intersection of the Westerly right-of-way line of 192nd Street and the Northerly right-of-way line of Harrison Street, said point also being the Point of Beginning; thence South 87°13'30" West, along said Northerly right-of-way line of Harrison Street, a distance of 300.00 feet; thence South 02°46'30" East, along said Northerly right-of-way line of Harrison Street, a distance of 10.00 feet; thence South 87°13'30" West, along said Northerly right-of-way line of Harrison Street, a distance of 931.82 feet; thence North 02°46'30" West, a distance of 487.59 feet; thence Northwesterly, on a curve to the left with a radius of 340.00 feet, a distance of 129.52 feet, said curve having a long chord which bears North 13°41'19" West, a distance of 128.74 feet; thence Northeasterly, on a curve to the right with a radius of 310.00 feet, a distance of 321.58 feet, said curve having a long chord which bears North 05°06'57" East, a distance of 307.35 feet, to the point of intersection of the Easterly right-of-way line of 195th Street and the Southerly right-of-way of said 195th Street; thence Northeasterly, along said Easterly right-of-way line of 195th Street, on a curve to the right with a radius of 310.00 feet, a distance of 40.13 feet, said curve having a long chord which bears North 38°32'33" East, a distance of 40.11 feet; thence North 42°15'05" East, along said Easterly right-of-way line of 195th Street, a distance of 82.99 feet; thence Easterly, along said Easterly right-of-way line of 195th Street, on a curve to the right with a radius of 35.00 feet, a distance of 31.35 feet, said curve having a long chord which bears North 67°54'37" East, a distance of 30.31 feet; thence Northeasterly, along said Easterly right-of-way line of 195th Street, on a curve to the left with a radius of 85.00 feet, a distance of 152.26 feet, said curve having a long chord which bears North 42°15'05" East, a distance of 132.71 feet, to the point of intersection of said Easterly right-of-way line of 195th Street and the Southerly right-of-way line of Adams Street; thence Northeasterly, along said Southerly right-of-way line of Adams Street, on a curve to the right with a radius of 35.00 feet, a distance of 31.35 feet, said curve having a long chord which bears North 16°35'33" East, a distance of 30.31 feet; thence North 42°15'05" East, along said Southerly right-of-way line of Adams Street, a distance of 72.18 feet; thence Easterly, along said Southerly right-of-way line of Adams Street, on a curve to the right with a radius of 315.00 feet, a distance of 369.55 feet, said curve having a long chord which bears North 75°51'36" East, a distance of 348.72 feet; thence Easterly, along said Southerly right-of-way line of Adams Street, on a curve to the left with a radius of 395.00 feet, a distance of 153.17 feet, said curve having a long chord which bears South 81°38'24" East, a distance of 152.21 feet; thence North 87°15'05" East, along said Southerly right-of-way line of Adams Street, a distance of 103.46 feet; thence South 89°04'20" East, along said Southerly right-of-way line of Adams Street, a distance of 70.18 feet; thence North 87°15'05" East, along said Southerly right-of-way line of Adams Street, a distance of 298.91 feet; thence South 47°12'35" East, along said Southerly right-of-way line of Adams Street, a distance of 21.01 feet, to the point of intersection of said Southerly right-of-way line of Adams Street and said Westerly right-of-way line of 192nd Street; thence South 01°40'15" East, along said Westerly right-of-way line of 192nd Street, a distance of 900.68 feet; thence South 88°19'45" West, along said Westerly right-of-way line of 192nd Street, a distance of 10.00 feet; thence South 01°40'15" East, along said Westerly right-of-way line of 192nd Street, a distance of 300.00 feet, to the Point of Beginning.