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GEOR
REGISTRAR
DOUGLAS CO. NE

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ACKNOWLEDGEMENT AND AGREEMENT

FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned hereby acknowledges and agrees that the covenant not to protest the valuations set forth in the Settlement Agreement between RPI Limited Partnership #14, FirstTier Bank, Douglas County, and the City of Omaha, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (which Settlement Agreement was approved by the United States Bankruptcy Court for the District of Nebraska in Case No. BK94-81567 (Chapter 11) on December 4, 1995, and the terms of which were incorporated in the confirmed Plan in said bankruptcy proceeding), is a covenant running with the following described real estate, to wit:

All of Lot 1, in Block 140, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska; and, that part of Lots 2 and 3, in Block 140, in the ORIGINAL CITY OF OMAHA, as surveyed and lithographed, in Douglas County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of said Lot 2; thence Westerly, on the South line of said Lots 2 and 3, 112.00 feet; thence Northerly, on a line 112.00 feet West of and parallel to the East line of said Lot 2, 63.00 feet; thence Easterly, on a line 63.00 feet North and parallel

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Does not affect per Rizer