

BK 1420 PG 640-641

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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MISC 2002 01960

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT entered into this 24th day of January, 2002 between US Bank National Association ("USB"), 601 Second Avenue South, Minnesota 55402, and RPI Limited Partnership No. 14, a Nebraska limited partnership, 1600 University Avenue, Suite 212, St. Paul, MN 55104 ("RPI"), for the purpose of giving notice of a Parking Agreement (the "Agreement") between the parties affecting certain real estate located in the City of Omaha, Douglas County, Nebraska, and more particularly described as follows:

The east 44 feet of Lot 6, together with Lot 7, except the east 1 foot thereof, Block 140, original City of Omaha, as surveyed and lithographed, in Douglas County, Nebraska.

- DATE OF AGREEMENT AND TERM.** The Agreement was entered into effective February 1, 1998, and is for a term of 20 years commencing January 1, 1998, ending December 31, 2017.
- NATURE OF AGREEMENT.** Subject to the terms of the Agreement, USB agreed to make available to tenants of RPI up to sixty (60) parking stalls located on the subject property. Thirty (30) of such stalls are specifically designated. The balance of such parking stalls are made available to RPI pursuant to the terms of the Agreement. Subject to the terms of the Agreement, RPI has a right of first refusal to purchase parking spaces in the event USB places such spaces for sale as individual units. **FOR FURTHER PARTICULARS YOU ARE REFERRED TO THE AGREEMENT.**
- NO MODIFICATION.** This Memorandum is entered into solely for the purpose of memorializing the parties' existing Agreement. Nothing herein shall be deemed a modification, amendment or waiver of any of the terms of the Agreement.

EXECUTED as of the date first set forth above.

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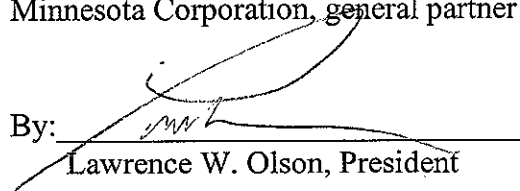
FEE	<u>1100</u>	FB	<u>03-80000</u>	US Bank National Association
BKP		C/O		
DEL		SCAN	<u>R</u>	FV

By:

Larry Cackin
Assistant Vice President

RPI Limited Partnership No. 14,
a Nebraska limited partnership

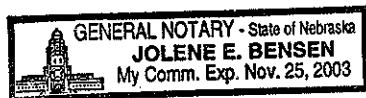
By: Metro Plains Properties Inc., a
Minnesota Corporation, general partner

By: 
Lawrence W. Olson, President

ACKNOWLEDGMENTS

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

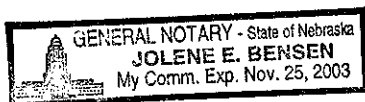
The foregoing instrument was acknowledged before me, a notary public in and for said county and state on the 21st day of January, 2002 by Lawrence W. Olson, President of Metro Plains Properties Inc., a Minnesota Corporation, general partner of RPI Limited Partnership No. 14, a Nebraska limited partnership, on behalf of said corporation and partnership.





Notary Public

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a notary public in and for said county and state on the 15th day of January, 2002, by Larry Cackin, Assistant Vice President, of US Bank National Association, on behalf of the corporation.




Notary Public

19630

RETURN: Douglas S Lash
2027 Dodge St. #1501
Omaha NE 68102