

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2004-46398

2004 DEC -9 A 10:51 AM

*Lloyd J. Dowding*  
REGISTER OF DEEDS

COUNTER Sm C.E. Sm  
VERIFY P D.E. Sm  
PROOF PLM  
FEES \$ 10.50  
CHECK# 3275  
CHG \_\_\_\_\_ CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS  
1210 GOLDEN GATE DRIVE, STE 1109  
PAPILLION, NE 68046-2895  
402-593-5773

46398

2004-46398A <sup>surpy</sup>

12-9-04  
RVP  
RECORDED NOTE: NO SCHEDULE ATTACHED

Exhibit "D"

WHEN RECORDED RETURN TO: RVP	Julie Dermody Cox Communications Omaha, Inc. 11505 W. Dodge Rd. Omaha NE 68154
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MEMORANDUM OF AGREEMENT (NEBRASKA)

PLEASE TAKE NOTICE that Heritage Condominium Association, Inc. ("Owner") and CoxCom, Inc. d/b/a Cox Communications Omaha, Inc., a Nebraska corporation ("Cox Communications") have entered into a Telecommunications Agreement ("Agreement") dated January 1, 2005, which, in accordance with its terms, entitles Cox Communications to provide cable television services throughout the property described on Schedule C attached hereto and incorporated herein by this reference. Among other things, the Agreement provides Cox Communications with rights of ingress and egress to the property necessary or useful to provide such service and maintain its facilities on the property used in providing such services. The Agreement binds any successors and assigns of the Owner in accordance with its terms. A copy of relevant provisions of the Agreement will be provided to any properly interested person upon written request.

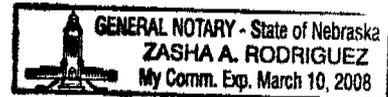
Cox Communications requests that it receive notice of any pending trustee or foreclosure sale or receivership, bankruptcy or other proceeding affecting the property, sent to the address above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date and year first above written.

Cox Communications Omaha  
A Nebraska corporation  
By: Joe Seda for P. Kirk  
Its: P. Kirk VP, Gen  
Print Name: Joe Seda VP, Network Operations

STATE OF NEBRASKA  
COUNTY OF DOUGLAS  
The foregoing instrument was acknowledged before me this 1 day of Dec, 2004 by Joe Seda as Vice Pres of Cox Communications Omaha, Inc. a Nebraska corporation, on behalf of said corporations.

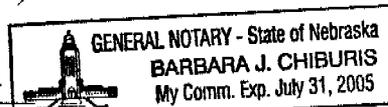
Zasha A. Rodriguez  
NOTARY PUBLIC  
My Commission Expires: March 10, 2008



Heritage Condominium Association, Inc.  
By: Phillip Keyser  
Its: PRESIDENT  
Print Name: PHILLIP KEYSER

STATE OF NEBRASKA  
COUNTY OF SARPY  
The foregoing instrument was acknowledged before me this 24 day of Nov, 2004 by Phillip Keyser as PRESIDENT of HERITAGE CONDOMINIUMS ASSOCIATION, Inc a DIRECTOR on behalf of said company.

Barbara J. Chiburis  
NOTARY PUBLIC  
My Commission Expires: July 31, 2005



Legal Description: Lot 6, Schaefer's 1<sup>st</sup> Addition, an Addition to the city of LaVista, as surveyed, platted and recorded, in Sarpy County, Nebraska