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File No. 12327

WHEN RECORDED, PLEASE RETURN TO:
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RECEIVED
MAR 9 3 56 PM '93
GEORGE J. BUCKENRA
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

CONSENT

WHEREAS, the undersigned, MAPLE JOINT VENTURE, a Nebraska joint venture (the "Undersigned"), is the owner of the following described property:

Lot 12, Hillsborough Replat I, a Subdivision, as surveyed, platted and recorded, Douglas County, Nebraska; and

WHEREAS, under date of November 20, 1992, the Undersigned executed an instrument entitled "ECR Declaration" covering the following described property:

Lots 6, 7, 8, 9, 10 and 12 of Hillsborough Replat I, a Subdivision in Douglas County, Nebraska, as surveyed, platted and recorded,

which was recorded December 31, 1992, in Miscellaneous Record Book 1051 at Page 602 in the Office of Register of Deeds of Douglas County, Nebraska; and

WHEREAS, Scott M. King and Kay King, as tenants in common, have acquired, or intend to acquire, the following described property:

Lot 6, Hillsborough Replat I, a Subdivision in Douglas County, Nebraska, as surveyed, platted and recorded,

upon which they intend to construct, or cause to be constructed, a Wendy's Old Fashioned Hamburgers Restaurant substantially in accordance with Plan No. CG3490, dated April 27, 1992; and

WHEREAS, Scott M. King and Kay King have requested that the Undersigned acknowledge and affirm that the 2,500 square foot gross leasable area limitation in Paragraph 4 of the ECR Declaration applies only to Provision (vii) (b) of Paragraph 4 and not to Provision (vii) (a) thereof and that the only limitation of the ECR Declaration intended to apply to the gross leasable area of any building constructed on Lot 6, including the proposed Wendy's Old Fashioned Hamburgers Restaurant, is found in Paragraph 5.3.

NOW, THEREFORE, in consideration of the premises above set forth, the Undersigned does hereby consent and agree that the only limitation pertaining to gross leasable area of any building to be constructed on Lot 6, Hillsborough Replat I, a Subdivision in Douglas County, Nebraska, as surveyed, platted and recorded, is the 5,000 square foot limitation found in Paragraph 5.3 of the ECR Declaration.

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TYPED BY: [Signature] 576-577
FEE 1350 [Signature] 516 MC
REC ME-10531