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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 1/22/2013 12:08:03.92

 2013006693

Prepared by:

Kathryn Kovitz Arnold, Esq.
 Shefsky & Froelich Ltd.
 111 East Wacker Drive
 Suite 2800
 Chicago, Illinois 60601

**AFTER RECORDING
RETURN TO:**

Jan Packard
 Mutual of Omaha Insurance Company
 Law Operation 3rd Floor
 Mutual of Omaha Plaza
 Omaha, NE 68175

DECLARATION OF ASSIGNMENT AND TRANSFER
 OF STORAGE SPACE AND AMENDMENT TO THE
 DECLARATION OF CONDOMINIUM FOR
 MIDTOWN CROSSING BUILDING 200 CONDOMINIUM

This Declaration made this 26th day of December, 2012, by East Campus Realty, LLC, a Nebraska limited liability company, located at Mutual of Omaha Plaza, Omaha, Nebraska ("Transferor"), as Developer of Midtown Crossing Building 200 Condominium (the "Condominium"), and Terry G. Stewart and Judith A. Stewart, as JTWROS, as legal title owners of Condominium Unit 4712 located at 200 South 31st Avenue, Omaha, Nebraska ("Transferee").

WHEREAS, Transferor, as Developer, has the right to transfer the exclusive use and possession, as a Limited Common Element, of Storage Space No. 4216.9 ("S-4216.9"), and

WHEREAS, Transferee, as the owner of Condominium Unit 4712, which is legally described on Exhibit A attached hereto, desires to acquire the right to the exclusive use and

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possession, as a Limited Common Element, of S-4216.9, which Storage Space is located at the Condominium, and

WHEREAS, Transferor and Transferee desire that the right to the exclusive use and possession of S-4216.9 be transferred and assigned to Transferee as the owner of Condominium Unit 4712.


NOW, THEREFORE, pursuant to the terms of the Nebraska Condominium Act of the State of Nebraska and the Declaration of Midtown Crossing Building 200 Condominium ("Condominium Declaration"), recorded in the Office of the Register of Deeds of Douglas County, Nebraska on February 11, 2010, as Document No. 2010012980, as amended, the parties agree as follows:

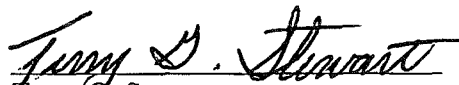
1. Transferor hereby assigns to Transferee, as owner of Condominium Unit 4712, the right to the exclusive use and possession of S-4216.9, as a Limited Common Element, which right shall be appurtenant to and serve exclusively said Condominium Unit 4712. No other Unit Owners have any right to the use or possession of S-4216.9.
2. The right to the use and possession of S-4216.9 being transferred and assigned hereunder is subject to: (a) the Condominium Property Act of the State of Nebraska; (b) the Condominium Declaration and any amendments thereto; (c) such rules and regulations as the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc. may from time to time prescribe; and (d) existing leases, liens and encumbrances encumbering the Condominium Unit to which S-4216.9 is assigned by this Declaration.
3. A copy of this Declaration of Assignment and Transfer of Storage Space and Amendment to Declaration of Condominium shall be lodged with the Board of Directors of the Midtown Crossing Building 200 Condominium Association, Inc.
4. To the best of the knowledge of the parties hereto, said transfer of S-4216.9 to Unit 4712, does not change the parties respective percentage ownership in the common elements.


TRANSFEROR

TRANSFEEE

EAST CAMPUS REALTY, LLC.

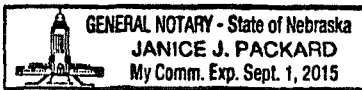
By: 
Printed Name: Joseph T. Schmidt
Title: Vice President - Operations


Terry G. Stewart


Judith A. Stewart

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 11th day of JANUARY, 2013 by Joseph T. Schmidt, Vice President – Operations, of East Campus Realty, LLC, a Nebraska limited liability company, Transferor.



Janice J. Packard
Notary Public, State of Nebraska

My Commission Expires: 9-1-15

EXHIBIT A

PARCEL 1: [Here insert legal description used in deed to Unit Owner]

Unit 4712, together with appurtenant Parking Space P1055, Midtown Crossing Building 200 Condominium, a condominium organized and existing under the laws of the State of Nebraska, Douglas County, Nebraska.

PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF STORAGE SPACE 4216.47, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT 2010012980, OFFICIAL RECORDS, DOUGLAS COUNTY, NEBRASKA.

CONSENT AND RELEASE OF SECURITY INTEREST

Mutual of Omaha Insurance Company, the Beneficiary under that certain Deed of Trust, Security Agreement, Assignment of Leases and Rents and Fixture Filing ("Deed of Trust") executed by East Campus Realty, LLC for the benefit of Mutual of Omaha Insurance Company, recorded in the Mortgage Records in the office of the Register of Deeds of Douglas County, Nebraska, on December 3, 2010, as Instrument No. 2010115066, does consent to the above assignment and transfer and does release its security interest, by or through the Deed of Trust, in the Storage Space set forth above, but only as to such Storage Space.

MUTUAL OF OMAHA INSURANCE COMPANY

By: *David A. Diamond*
Printed Name: David A. Diamond
Title: EVP, CFO and Treasurer
Date: January 14, 2013

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

³ The foregoing instrument was acknowledged before me on January 14, 2012, by David A. Diamond, EVP, CFO and Treasurer of Mutual of Omaha Insurance Company.

Monica L. Welna
Notary Public, State of Nebraska

My Commission Expires: 6/30/14

