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FILED SARPY COUNTY NEBRASKA
 INSTRUMENT NUMBER

2012-22011

07/25/2012 9:20:07 AM

Clay J. Dowling

REGISTER OF DEEDS



RJK

After recording please return to
 John Fullenkamp
 Fullenkamp, Doyle & Jobeun
 11440 West Center Road, Suite C
 Omaha, NE 68144

MEMORANDUM OF CONTRIBUTION AGREEMENT

THIS MEMORANDUM OF CONTRIBUTION AGREEMENT (this "Memorandum") is made and entered into this 19 day of July 2012, by and between SANITARY AND IMPROVEMENT DISTRICT NO. 261 OF SARPY COUNTY, NEBRASKA ("District"), and BHD, LLC, a Nebraska limited liability company ("BHD").

WITNESSETH:

The parties hereto have entered into that certain Contribution Agreement for the Construction of Public Improvements dated as of June 21, 2012 (the "Agreement"), wherein BHD and District agreed that BHD's real property, described on Exhibit "A" attached hereto (the "Property"), specially benefited from improvements to 192nd Street and that, as a result, BHD has been and shall be obligated to contribute Two Hundred Thousand Three Hundred Four and 99/100ths Dollars (\$200,304.99) to the District for its proportionate share of the costs of such improvements, which amount shall be levied as special assessments and shall be payable in ten (10) equal installments on June 12th of each year, with the first of such payments becoming due June 12, 2012. The Sarpy County Treasurer is authorized to place said special assessments of record against the Property. If any installment is not paid by BHD per the terms of the Agreement and Nebraska law, the District shall have all rights and remedies provided by the Agreement and Nebraska law.

In the event of any inconsistency between the terms and conditions of the Agreement and of this Memorandum, the terms of the Agreement shall in all respects govern and control.

[REMAINDER OF PAGE INTENTIONALLY BLANK; EXECUTION PAGE FOLLOWS.]

2012-22011B

Exhibit "A"

Legal Description of Property

All of the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 18; and also together with Tax Lot 7, a Tax Lot located in said SE $\frac{1}{4}$ of Section 18; all located in Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, excepting any public roads and easements of record.