COUNTER C// C.E. C//
VERIFY D.D.EC//
PROOF CHECK# 430/7
CHG CASH REFUND CREDIT SHORT NCR

FILED SARPY COUNTY NEBRASKA
: INSTRUMENT NUMBER

2012-22011

07/25/2012 9:20:07 AM

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REGISTER OF DEEDS



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 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 192<sup>nd</sup> 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 12<sup>th</sup> 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.]

IN WITNESS WHEREOF, this Memorandum has been duly executed the day and year first above written.

BHD, LLC, a Nebraska limited liability company

· 1	
	By: Barbane Clas Slaw
	Title: manager  Date: July 19, 2012
STATE OF NEBRASKA )	July 14) 00/2
COUNTY OF Duala S ) ss.	
	· ·
On this $\frac{19}{4}$ day of $\frac{1}{4}$ , 201	2, before me a Notary Public, duly commissioned and Stripart Udes Shaw, personally known by
me to be the Manager	of BHD, LLC, and the identical person whose name
is affixed to the foregoing Memorandum, an act and deed and the voluntary act and deed	d acknowledged the execution thereof to be his voluntary
WITNESS my hand and Notarial Se	al the day and year last above written.
GENERAL NOTARY - State of Nebraska SHARRON JACOBSON My Comm. Exp. October 14, 2015	Notary Public Jacubson
a .	Sanitary and Improvement District No. 261 of
	Sarpy County, Nebraska
	By: Challen Mun. Title: Chalrena
ATTEST:	Date: 7-19-12
Jana Faller	
Clerk	
STATE OF NEBRASKA )	
COUNTY OF Douglas )ss.	·
On this 19 day of July, 201 qualified in and for said County, appeared J	2, before me a Notary Public, duly commissioned and ana M. Faller, Clerk, and Chad La Montagne, Chairman
of Sanitary and Improvement District No.	261 of Sarpy County, Nebraska, the identical persons
whose names are affixed to the foregoing M be their voluntary act and deed and the volur	lemorandum, and acknowledged the execution thereof to ntary act and deed of said District.
WITNESS my hand and Notarial Se	al the day and year last above written.
GENERAL NOTARY - State of Nebraska	Thanen Jacobson

GENERAL NOTARY - State of Nebraska SHARRON JACOBSON My Comm. Exp. October 14, 2015

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## Exhibit "A"

## Legal Description of Property

All of the West ½ of the SE ¼ of Section 18; and also together with Tax Lot 7, a Tax Lot located in said SE ¼ of Section 18; all located in Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, excepting any public roads and easements of record.