

FILED SARPY COUNTY NEBRASKA  
INSTRUMENT NUMBER



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**Deb Houghtaling**  
COUNTY CLERK/REGISTER OF DEEDS

Submitter: SCOTT BROWN

Recording fees paid:

\$22.00

Pages: 3

By: jby



NOT

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**THIS PAGE ADDED FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON NEXT PAGE.**



**Deb Houghtaling**

SARPY COUNTY CLERK/REGISTER OF DEEDS

RENEE LANSMAN, DEPUTY

1210 GOLDEN GATE DRIVE #1230

PAPILLION, NE 68046-2842

402-593-5773

SOUTHPORT LODGING, LLC  
1925 N. 120<sup>TH</sup> STREET  
OMAHA, NE 68154

**NOTICE OF LODGING FACILITY EXCLUSIVE RIGHTS**

To Whom It May Concern:

Southport Lodging, LLC (“Owner”) is the owner of the legally described real estate as follows:

**Lot 1, Southport East Replat Two, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.**

Under a Declaration and Grant of Easements, Covenants and Restrictions for Lots 1 and 2, Southport East Replat Two, and For Lot 3 Southport East Replat Two Replatted as Lots 1 through 10, Southport East Replat Six, filed in Instrument Number 2007-13018 on May 4, 2007, in the Sarpy County Register of Deeds, Owner has the exclusive right set forth as follows:

“2.8 Hotel Use Restrictions. As long as Lot 1 is used and maintained as a hotel, motel or other transient lodging facility or any type providing for lodging of guests for a period of less than thirty (30) days at a time (collectively, a “Lodging Facility”), no Lodging Facility shall be constructed or operated on any portion of Lots 2 or 3 (or any subdivision thereof), unless prior written consent is obtained from the then-owner of Lot 1.”


Under Section 3.06(a) of Owner’s Operating Agreement, “In no event shall the Managers act without approval of a majority of the Managers.” Owner has four (4) Managers and three (3) Managers are necessary to have an action on behalf of the Owner to release the restrictions contained in Section 2.8 above.

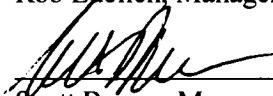
Two (2) Managers signed below hereby ratify and confirm the following: (i) it is the intent of the Owner to **NOT** have competition of a Lodging Facility located on Lots 2 or 3 (or any subdivision thereof); and (ii) consent will **NOT** be given for any Lodging Facility as defined in Section 2.8 above to be constructed on Lots 2 or 3 (or any subdivision thereof) for so long as this statement is on file with the Sarpy County Register of Deeds.

Any prospective purchasers of any real estate legally described below are hereby notified that such hotel exclusive granted to Southport Lodging, LLC, is in full force and effect and no Lodging Facility will be permitted on any of the legally described real estate below.

**Lot 2, Southport East Replat Two, AND Lots 1 through 4, inclusive, Southport East Replat Nine, AND Lots 3 through 10, inclusive, Southport East Replat Six, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska**

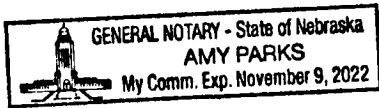
Southport Lodging, LLC, a Nebraska limited liability company

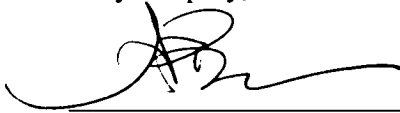
By:   
Rob Luellen, Manager

By:   
Scott Brown, Manager

STATE OF NEBRASKA                    )  
  ) ss.  
COUNTY OF SARPY                    )

The foregoing instrument was acknowledged before me by Scott Brown and Rob Luellen, Managers of Southport Lodging, LLC, a Nebraska limited liability company, on the 6th day of October, 2022.



  
Notary Public