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ASSIGNMENT OF EASEMENT AGREEMENT

This Assignment of Easement Agreement ("Assignment") is made this 13th day of May, 2008, by Wilderness View Townhomes, L.L.C., a Nebraska limited liability company (the "Assignor") to the City of Lincoln, a municipal corporation (the "Assignee").

RECITALS

A. Assignor owns certain real estate located in Lincoln, Nebraska, legally described on Exhibit "A" attached hereto and incorporated by this reference.

B. Timberland Nebraska I, LLP, a Minnesota limited liability partnership ("Timberland"), owns real property located adjacent to the Wilderness View Property, legally described on Exhibit "B" attached hereto and incorporated by this reference.

C. Assignor is the holder of the Grantee's interest in a certain Amended and Restated Utility Easement Agreement between the Assignor and Timberland dated March 13, 2008 and recorded with the Lancaster County Register of Deeds on May 29, 2008 as Instrument #2008025437 (the "Easement Agreement").

D. The Easement Agreement is assignable by Assignor.

E. Assignor desires to assign the Easement Agreement to Assignee which shall use the easement to locate and construct the water line improvement.

NOW THEREFORE, in consideration of the promises described herein and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Buyer and Seller agree as follows:

1. Assignment. For value received, Assignor hereby assigns to Assignee all of its right, title, and interest in and to the Easement Agreement, subject to all of the terms and conditions thereof.

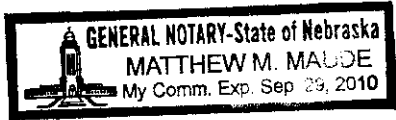
IN WITNESS WHEREOF, the Assignor has executed this Assignment the day and year first above written.

“ASSIGNOR”
WILDERNESS VIEW TOWNHOMES, L.L.C.,
a Nebraska limited liability company

By: Breck Collingsworth
Breck Collingsworth, Member

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 13TH day of May, 2008, by Breck Collingsworth, Member of Wilderness View Townhomes, L.L.C., a Nebraska limited liability company, on behalf of the company.



Matthew M. Maude
Notary Public

EXHIBIT "A"

WILDERNESS VIEW PROPERTY

A tract of land located In Lot 55, Irregular Tract in the Northeast Quarter of Section 14, township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and more fully described as follows:

Beginning at the Southwest corner of said Northeast Quarter, thence: N00°25'58"W (assumed) on the West line of said Northeast Quarter a distance of 851.71 feet to a point on the North line of said Lot 55; thence: N53°30'23"E on said line, a distance of 840.38 feet; thence: S35°37'50"E, a distance of 152.75 feet to the point of curvature of a curve to the right having a central angle of 17°31'10", a radius of 615.00 feet, an arc length of 188.05, a chord length of 187.32 feet and a chord bearing S26°52'15"E,; thence: on said curve, a distance of 188.05 feet to the point of tangency; thence: S18°06'39"E, a distance of 206.00 feet; thence: S07°16'57"W, a distance of 368.65 feet; thence: S21°04'34"E, a distance of 93.23 feet; thence: S87°57'00"E, a distance of 81.82 feet; thence: N40°49'55"E, a distance of 122.22 feet; thence: N88°25'54"E, a distance of 70.11 feet; thence: S79°19'13"E, a distance of 207.19 feet to a point on the southeasterly line of said Lot 55 and the point of curvature of a curve to the left, having a central angle of 02°09'35", a radius of 11634.20 feet, an arch length of 438.59 feet, a chord length of 438.56 feet and a chord bearing S41°14'29"W; thence: on said curve, a distance of 438.59 feet to the point of tangency; thence: S49°09'47"W, on said southeasterly line, a distance of 180.33 feet to a point on the south line of said Northeast Quarter; thence: N89°49'46"W, on said line, a distance of 923.59 feet to the point of beginning and containing a calculated area of 25.457 acres more or less.

Now known as: Lots One (1) through Eighteen (18), Block One (1); Lots One (1) through Eight (8), Block Two (2); Lots One (1) through Thirty-Two (32), Block Three (3); Lots One (1) through Eighteen (18), Block Four (4); Lots One (1) through Thirty-Four (34), Block Five (5); and Outlots A, B, C, D, E, F, G, H, I, J, and K, Wilderness View Townhomes, Lincoln, Lancaster County, Nebraska.

EXHIBIT "B"

TIMBERLAND PROPERTY

Remaining portion of Lot 55 of Irregular Tracts in the Northeast Quarter of Section 14, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

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