

Newmark Zimmer
Attn: Chris Robertson
P. O. Box 411299
Kansas City, MO 64141-1299
Telephone: 816-268-4232
Fax: 816.421.6666
E-Mail: crobertson@nzimmer.com

CONFIDENTIALITY AGREEMENT

THE PROPERTY: 901 South Kansas Avenue, Topeka, Kansas 66612

The undersigned has been advised that Newmark Zimmer ("NZ") has been retained on an exclusive basis by the owners of the above referenced property, with respect to the offering for sale of the property indicated above (the "Property"). The Owner has indicated that all inquiries and communications with respect to the contemplated sale of such Property be directed to NZ. All fees due NZ in connection with the sale of the Property shall be paid by Owner.

Principal/Advisor – If the undersigned hereby acknowledges that it is a principal or advisor acting on behalf of a principal, then such undersigned agrees that it will not look to Owner or NZ for any fees or commissions with the sale of the Property.

Broker/Agent – If the undersigned is acting as a Broker or Agent and has properly registered their principal, NZ agrees to compensate Broker or Agent an amount equal to one percent (1.00%) of the sales price should a successful closing occur. The definition of a successful closing includes transfer of property and NZ receiving a commission due under a separate listing agreement.

The undersigned (whether principal or broker) acknowledges that it has not dealt with any other broker other than NZ regarding the acquisition of the property, or if it has, the undersigned agrees to indemnify the Owner and NZ against any compensation, liability, and expenses arising from claims for other broker/agent or third parties that have not properly registered their clients or signed this Confidentiality Agreement.

Pursuant to the Real Estate Sale Contract for the sale of the Property, NZ has available for review certain information ("Confidential Information") concerning the Property. On behalf of the Owner, NZ may make such Confidential Information available to the undersigned upon execution of this Confidentiality Statement. The Confidential Information is intended solely for your own limited use in considering whether to pursue negotiations to acquire the Property. This is not an agreement to sell the Property nor an offer of sale. No agreement binding upon the Owner of the Property, or any of its associated or affiliated companies, shall be deemed to exist, at law or equity, until the Owner of the Property enters into a formal binding agreement of sale. Owner expressly reserves the right in its sole discretion to reject any or all proposals or expressions of interest in the Property and to terminate discussions with any party at any time with or without notice.

The Confidential Information contains brief, selected information pertaining to the properties, and has been prepared by NZ primarily from information supplied by the Owner or the Owner's agent. It does not purport to be all-inclusive or to contain all the information, which a prospective purchaser may desire. Neither NZ nor Owner make any representation or warranty, expressed or implied, as to the accuracy or completeness of the confidential information and no legal liability is assumed or to be implied with respect thereto.

By executing this Confidentiality Statement you agree that the Information provided is confidential, that you will hold and treat it in the strictest of confidence, and that you will not disclose or permit anyone else to disclose the Confidential Information to any person, firm or entity without prior authorization of NZ, except that the information may be disclosed, as needed to evaluate the potential purchase of the Property, to your partners, employees, consultants, legal counsel and lenders or pursuant to a court order. If you do not wish to pursue acquisition negotiations you hereby agree to return the Confidential Information to NZ. This Confidentiality Statement runs to the benefit of Owner and NZ.

ACCEPTED AND AGREED TO

THIS _____ DAY OF _____, _____

Principal
Signature: _____

Name
(Printed): _____

Title: _____

Company: _____

Address: _____

Phone Number: _____

E-Mail: _____

Broker
Signature: _____

Name
(Printed): _____

Title: _____

Company: _____

Address: _____

Phone Number: _____

E-Mail: _____