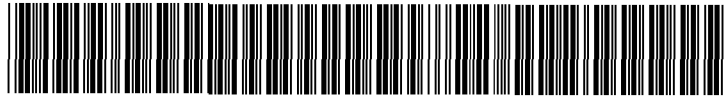




MISC 2014094188



DEC 04 2014 08:34 P 4

Fee amount: 28.00
FB: 68-40344
COMP: MB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/04/2014 08:34:10.00



2014094188

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AMENDMENT TO DEVELOPER ACQUISITION RIGHTS AGREEMENT

This Amendment to Developer Acquisition Rights Agreement (the "Agreement") is entered into as of the 13 day of NOVEMBER, 2014, by and between REALTY TRUST GROUP, INC., a Delaware corporation, as Trustee pursuant to that certain Realty Trust Agreement Dated May 12, 2000 ("Owner"), and 168th AND DODGE, L.P., a Nebraska limited partnership, ("Developer").

WHEREAS, Owner is the owner of the real property legally described as follows ("Property"):

Lot 1, Village Pointe Replat Two, a subdivision in Douglas County, Nebraska, according to the recorded plat thereof.

WHEREAS, Developer and Owner are parties to a Developer Acquisition Rights Agreement ("DARA") dated May 10, 2004 and recorded May 14, 2004 as Instrument No. 2004062136 with Douglas County, Nebraska, and the DARA encumbers the Property; and

WHEREAS, Developer and Owner desire to amend the DARA as set forth in this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Except as amended herein, the DARA shall remain in full force and effect.
2. Notwithstanding anything to the contrary contained in Section 1.3. of the DARA, Developer agrees not to exercise its option to re-purchase the Tract under Section 1 prior to December 31, 2015.

[REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside }

On 11/13/14 before me, R. Valenzuela, Notary Public
Date Here Insert Name and Title of the Officer

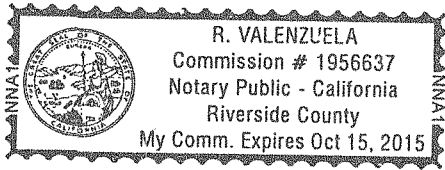
personally appeared Robert Wergel
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____
 Document Date: _____ Number of Pages: _____
 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
 Signer Is Representing: _____



Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
 Signer Is Representing: _____



