



*MAZ*  
Please record and return to: Alan D. Slattery, Rembolt Ludtke LLP, 1128 Lincoln Mall, Ste. 300, Lincoln, NE 68508

**FOURTH AMENDMENT TO CONDOMINIUM DECLARATION  
OF KING'S CROSSING CONDOMINIUM**

This Fourth Amendment to Condominium Declaration of King's Crossing Condominium (the "Fourth Amendment") is made this 23<sup>rd</sup> day of October, 2015, by KC Unit 3, LLC, a Nebraska limited liability company, which is referred to herein as the "Declarant" or "KC Unit 3" and is successor in interest to King Dan, LLC, a Nebraska limited liability company, and by K.C. Lincoln Condominium Association, a Nebraska non-profit corporation (the "Association").

**RECITALS**

WHEREAS, a Condominium Declaration establishing King's Crossing Condominium (the "Condominium"), and amendments thereto, were adopted and recorded with the Register of Deeds of Lancaster County, Nebraska, as follows:

Condominium Declaration recorded on August 10, 2009, as Instrument No. 2009044540; as amended by the First Amendment to Condominium Declaration recorded on February 15, 2011, as Instrument No. 2011008039; and as further amended by the Second Amendment to Condominium Declaration recorded on March 31, 2011, as Instrument No. 2011014661, and as further amended by the Third Amendment to Condominium Declaration recorded October 15, 2014, as Instrument No. 2014039655

(the Condominium Declaration, as amended, is referred to herein as the "Declaration");

WHEREAS, the Declaration establishes the following condominium units: Units 1, 2A, 2B, 3, 4, 5, 6 and 8, King's Crossing Condominium, a condominium, Lincoln, Lancaster County, Nebraska (the "Units" and herein referred to by Unit number);

WHEREAS, KC Unit 3 is the successor by merger to King Dan, LLC, the original Declarant of the Condominium, pursuant to Articles of Merger of KC Unit 1, LLC, KC Unit 2, LLC, KC Unit 3, LLC, KC Unit 4 LLC, and King Dan, LLC which Articles of Merger were adopted and filed with the Nebraska Secretary of State on September 3, 2013, as Filing No. 1001237946; and

WHEREAS, the Association acts as the Association under the Declaration, performing all duties and holding all rights granted thereunder.

WHEREAS, Section 14 of the Declaration provides as follows:

Declarant reserves the following development rights, which may be exercised in accordance with the Act . . . [to] create units, common elements, or limited common elements within the Condominium.

WHEREASE, the Declarant has elected to exercise its authority under the Declaration to create an additional unit within the Condominium, to be known as Unit 7 of the Condominium.

The Declarant, together with the Association, has elected to update certain Exhibits of the Declaration to reflect the addition of Unit 7 to the Condominium.

NOW, THEREFORE, the Declaration shall be amended as set forth below:

1. **Definitions.** Except as expressly set forth herein to the contrary, capitalized terms used in this Fourth Amendment shall be ascribed the same meaning as given to such terms in the Declaration.

2. **Amendment.** The Declaration is amended in the following particulars:

a. Pursuant to the rights granted to Declarant under Section 14 of the Declaration, Unit 7 is hereby added to the Condominium as a Unit. The Unit Owner of Unit 7 shall initially be K.C. Unit 3, LLC, a Nebraska limited liability company. The Unit Owner of Unit 7 shall be granted all rights and interests of a Unit Owner in the Condominium.

b. **Addition of Unit 7.** In order to cause the formation and addition of Unit 7 to the Condominium, the following exhibit of the Declaration is replaced as follows:

Page 1 of 2 of Exhibit "A" to the Declaration is deleted in its entirety and replaced by the revised Page 1 of 2 of Exhibit "A" attached hereto and incorporated herein by reference.

c. **Legal Description.** The Legal Description of Unit 7 is attached to the Declaration as P. 7 of 9 of Exhibit C, which is hereby ratified and attached to this Fourth Amendment for ease of reference.

d. **Allocated Interests and Voting Rights.** Exhibit D as attached to the Third Amendment regarding Allocation of Voting Rights is ratified based on the addition of Unit 7 and attached hereto for ease of reference regarding the allocation of Interests and Voting Rights with respect to all Units.

e. **Plat and Plans.** Exhibit E to the Declaration demonstrates the location of Unit 7 and constitutes the Plat and Plans for this Fourth Amendment. Exhibit E is hereby modified to remove notes with reference to Units that may be created. As modified, Exhibit E is attached to this Fourth Amendment.


4. Except as expressly set forth in this Fourth Amendment, the Declaration, as amended by the First, Second and Third Amendments, and as further amended in this Fourth Amendment, is hereby ratified, and shall continue in full force and effect.

IN WITNESS WHEREOF, the Declarant and Association have each executed this Fourth Amendment as of the day and year first above written.

**Declarant:** KC Unit 3, LLC, a Nebraska limited liability company, successor by merger to King Dan, LLC, a Nebraska limited liability company,

By:   
Sam Manzitto, Sr., Manager

**Association:** K.C. Lincoln Condominium Association, a Nebraska non-profit corporation

By:   
Doug Kreifels, President

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

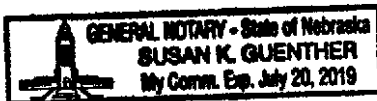
The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of October, 2015, by Sam Manzitto, Sr., Manager of KC Unit 3, LLC, a Nebraska limited liability company, on behalf of KC Unit 3, LLC as Declarant.



Susan K. Guenther  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

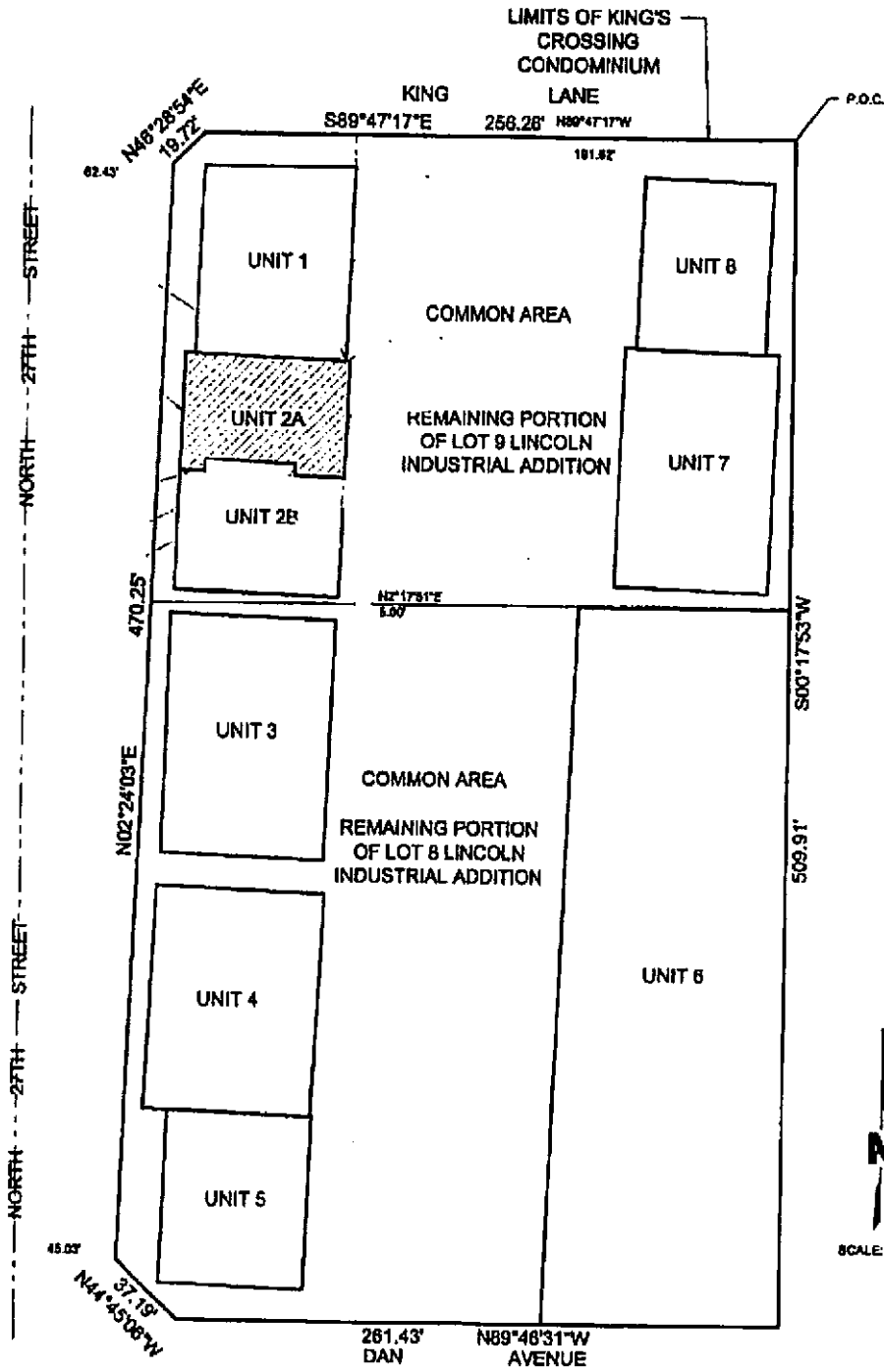
The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of October, 2015, by Doug Kreifels, President of K.C. Lincoln Condominium Association, a Nebraska non-profit corporation, on its behalf.



Susan K. Guenther  
Notary Public

# KING'S CROSSING CONDOMINIUM

EXHIBIT **A**  
1 of 2

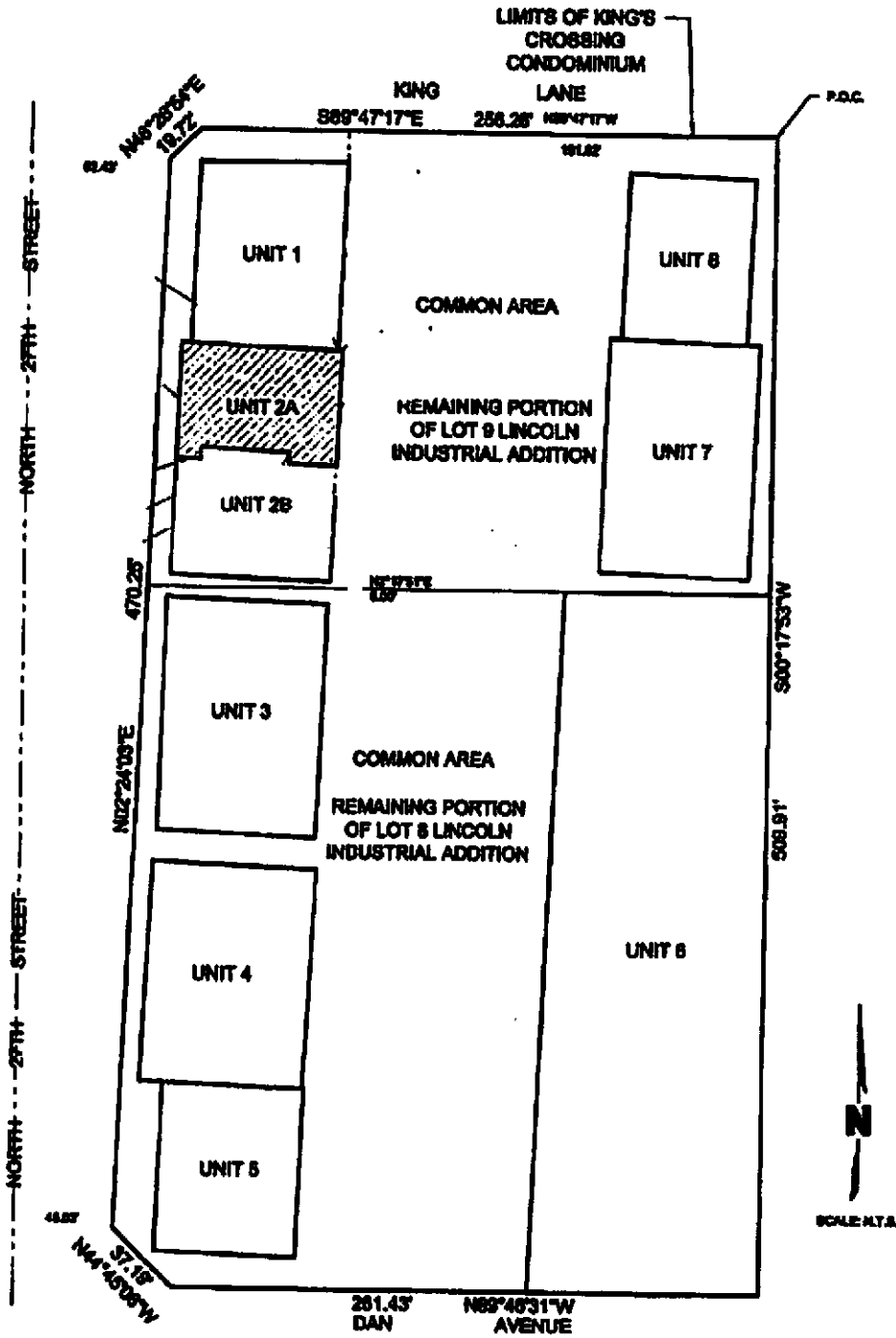


I, [Name], [Address], [City], [State], [Zip], [Phone], [Email], [Date], [Signature]

rev. 10/23/2015

# KING'S CROSSING CONDOMINIUM

EXHIBIT **B**



PREPARED BY: [Illegible] ENGINEERS & ARCHITECTS, INC. 1500 [Illegible] ST. N.W. SUITE 2000, ALBUQUERQUE, NEW MEXICO 87102  
 DATE: [Illegible]

**LEGAL DESCRIPTION  
UNIT 7**

**A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF THE REMAINING PORTION OF LOT 9, LINCOLN INDUSTRIAL ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF THE REMAINING PORTION OF SAID LOT 9, THENCE SOUTHERLY ALONG THE EAST LINE OF SAID REMAINING PORTION OF LOT 9 ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 17 MINUTES 53 SECONDS WEST, A DISTANCE OF 91.87 FEET TO A POINT; THENCE NORTH 89 DEGREES 42 MINUTES 07 SECONDS WEST, A DISTANCE OF 6.10 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 23 MINUTES 42 SECONDS WEST, A DISTANCE OF 101.80 FEET TO A POINT; THENCE NORTH 87 DEGREES 36 MINUTES 18 SECONDS WEST, A DISTANCE OF 65.58 FEET TO A POINT; THENCE NORTH 02 DEGREES 23 MINUTES 42 SECONDS EAST, A DISTANCE OF 101.81 FEET TO A POINT; THENCE SOUTH 87 DEGREES 35 MINUTES 57 SECONDS EAST, A DISTANCE OF 65.58 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 6,883.70 SQUARE FEET OR 0.15 ACRES, MORE OR LESS.**

**EXHIBIT D**

**Fourth Amendment to Condominium Declaration  
of  
King's Crossing Condominium**

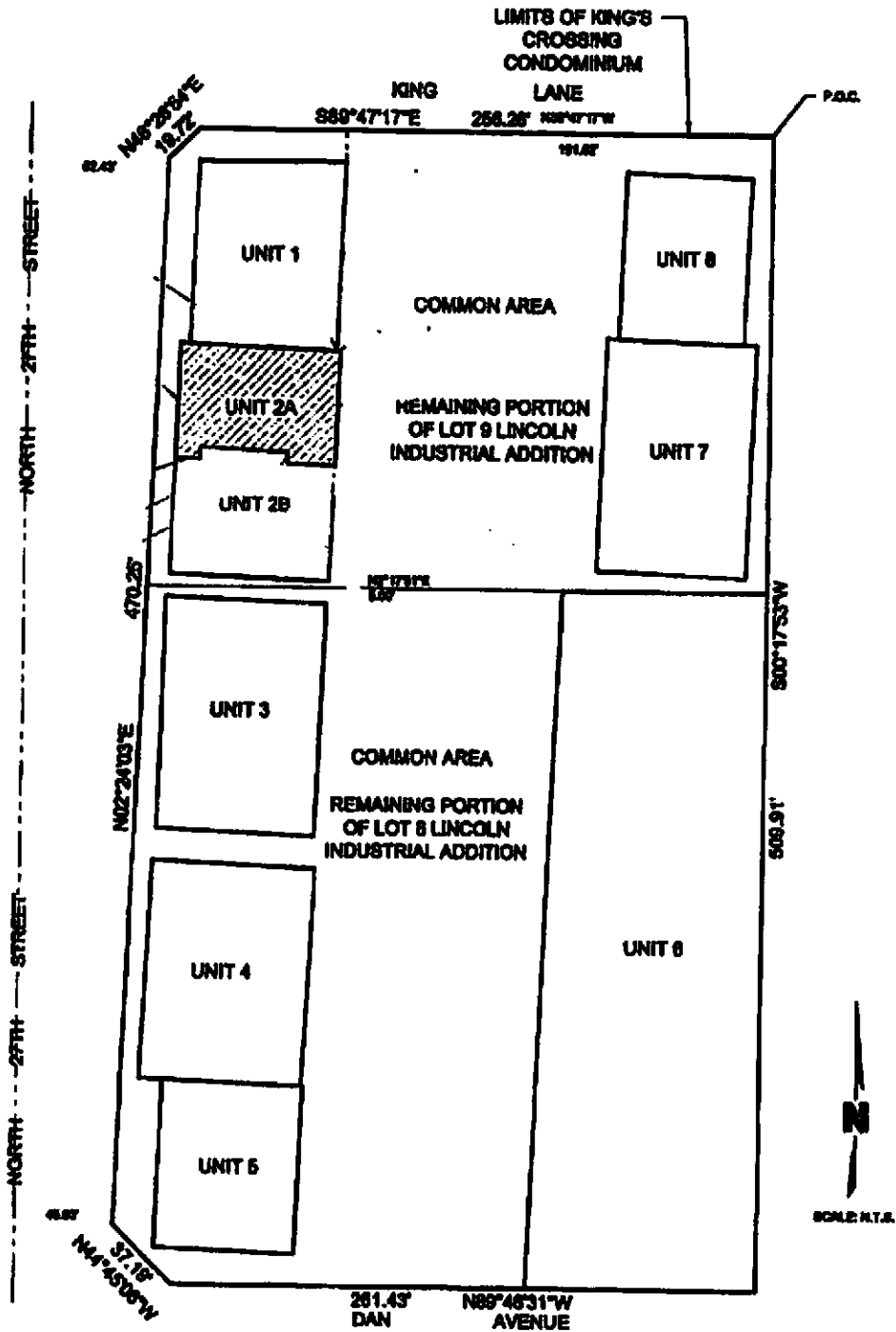
**Allocated Interests and Allocation of Voting Rights  
Currently Effective as of October 23, 2015**

<i>Unit</i>	<i>Votes</i>
Unit 1	100
Unit 2A	50
Unit 2B	50
Unit 3	100
Unit 4	100
Unit 5	100
Unit 6	100
Unit 7	100
Unit 8	100

70  
K. C. R. Co.

# KING'S CROSSING CONDOMINIUM

EXHIBIT **E**



SCALE: N.T.S.

SEE ATTACHED PLANS FOR UNIT DIMENSIONS AND COMMON AREA DIMENSIONS. THIS PLAN IS A SUMMARY OF THE UNIT DIMENSIONS AND COMMON AREA DIMENSIONS. THE DIMENSIONS ARE BASED ON THE PLANS ATTACHED TO THIS PLAN. THE DIMENSIONS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES. THE DIMENSIONS ARE FOR INFORMATION ONLY.