



18 2006 12:41 P

EXTENSION AND LOAN MODIFICATION AGREEMENT

STATE OF ARKANSAS

COUNTY OF CRAWFORD

) SS:

)

Note #2472706

Received - DIANE L. BATTIATO Register of Deeds, Douglas County, No 4/18/2006 12:41:20:20

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, THE FIRST NATIONAL BANK OF FORT SMITH, Fort Smith, Arkansas, made a loan to WALLY PROPERTIES, LLC in the amount of ONE MILLION NINE HUNDRED SIXTY EIGHT AND 00/100 (\$1,968,000.00) evidenced by Promissory Note Number 2472706 and mortgage covering:

SEE ATTACHED EXHIBIT "A"

recorded on December 16, 2003, Doc #2003241053 in the office of the County Clerk in Omaha, Douglas County, state of Nebraska; and

WHEREAS, the parties hereto, for mutual consideration, wish to modify the payment terms of said indebtedness.

THEREFORE, it is agreed that the unpaid balance of said indebtedness is \$1,968,000.00 in Principal; and the undersigned hereby promise to pay said indebtedness with interest at the rate of FIRST NATIONAL BANK BASE RATE adjusted monthly as follows:

PAYMENT:

This note is due on demand, or if no demand is made, principal and interest payable in 11 installments in the amount of EIGHTEEN THOUSAND FIVE HUNDRED TWENTY FOUR AND 31/100 (\$18,524.31) and one final payment of all principal and interest and any accrued late charges on March 11, 2007. The first payment is due on April 11, 2006, and all subsequent payments are due on the same day of each Month thereafter.

LATE CHARGE: I agree to pay a late charge equal to 10.000% of the full amount of the scheduled payment made more than ten (10) days after it is due, up to a maximum of \$100.00.

In all other respects the said note and mortgage shall remain in full force and effect and the undersigned promises to pay said indebtedness as herein stated and to perform all of the obligations of said mortgage contract as herein revised.

By:

ATTESTED, SEALED and DELIVERED, this 11th day of March, 2006.

yetirin; First National Bank of Fort Smith - Vickie Ouck P.O. BOX 7 Fort Smith, AR 72902

WALLY PROPERTIES, LLC

D Alford, Operating Manager

ACCEPTED THIS 11th DAY OF March, 2006.

		FIRST NATIONAL B	ANK OF FORT SM	ITH
		By:	danse -	
ATTEST:		Vice Presiden	t	· · · · · · · · · · · · · · · · · · ·
Assistant Secretary	N.			
ACKNOWLEDGMENT				
STATE OF ARKANSAS)			
COUNTY OF CRAWFORD) ss:) · · · · · · · · ·	er og er t ræs de		
On this 11th day of Manager of Wally Provided in the control of Wa	roperties, LLC and , kuthorized to execute the	e foregoing instrument and	on whose name IS so I acknowledged that	ubscribed to the HE had so signed,
IN WITNESS WHERE	OF, I hereunto set my	hand and official seal this	11th day of March.	2006.
My Commission Expires:	- <u>01-/0</u> ACK	NOWLEDGMENT	RUne	Notary Public
STATE OF ARKANSAS COUNTY OF CRAWFORD)) ss:)			PUBL 11-01
ON THIS 11th day of and acting, within and for the a hard sistent Secretary of The and Assistant Secretary of The and were duly authorized in the of said Bank, and further stated instrument for the consideration	bove County and State to me personal Bank of the personal Bank of the personal Bank of the personal and acknowledged that	onally well known, who st Fort Smith, Fort Smith, A s to execute the foregoing at they had so signed, exec	ated that they were tarkansas, a national instrument for and instrument and delivered so	the Vice President banking association, n the name and behalf said foregoing
IN TESTIMONY WHI	EREOF, I have hereunt	o set my hand and official	seal this 11th day o	of March, 2006. Notary Public
My commission expires: 1 ~ ()1-10		A Comment	P. OAR
This instrument prepared by	y FIRST NATIONAL BAN	K OF FORT SMITH, P. O. BOX	K 7, FORT SMITH, ARI	KANSAS 72902
		;	CA:	PUBLIC /

EXHIBIT "A"

LOTS 2 AND 3, STARWOOD SOUTH REPLAT, AS SURVEYED, PLATFED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA. TOGETHER WITH AN ACCESS EASEMENT LYING IN LOT 1, STARWOOD SOUTH REPLAT AS SURVEYED, PLATTED, AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2; THENCE S 2 59'52" W A DISTANCE OF 41.99 FEET; THENCE S 87 00'08" B A DISTANCE OF 638.85 FEET; THENCE N 2 59'51" B A DISTANCE OF 281.45 FEET; THENCE N 51 38'42" B TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF REDICK CIRCLE A DISTANCE OF 42.99 FEET; THENCE N 57 14'40" W ALONG SAID RIGHT OF WAY A DISTANCE OF 25.60 FEET; THENCE CONTINUING ON SAID RIGHT OF WAY ON CURVE WITH A RADIUS OF 140.23 FEET AND ARC DISTANCE OF 74.10 FEET AND A CHORD BEARING N 72 22'27" W A DISTANCE OF 73.24 FEET; THENCE S 42 00'53" B A DISTANCE OF 26.62 FEET; THENCE S 2 59'52" W A DISTANCE OF 266.75 FEET; THENCE S 47 59'52" W A DISTANCE OF 19.09 FEET; THENCE N 87 00'08" W A DISTANCE OF 583.35 FEET ALONG THE SOUTHERLY LINE OF LOTS 2, 3, AND 4 TO THE POINT OF BEGINNING.

EASEMENT CONTAINS: 39,910.46 SQUARE FEET OR 0.92 ACRES MORE OR LESS