



MISC 2011092123



OCT 28 2011 11:26 P 6

Fee amount: 34.50  
FB: 58-43379  
COMP: SB

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
10/28/2011 11:26:25.00



2011092123

Return To: Missouri River Title, 11317 Davenport Street, Omaha, NE 68154

# REGISTER OF DEEDS' RECORDING COVER SHEET

TENTH AMENDMENT TO MASTER DEED

LEGAL DESCRIPTION:

Lot 4, Westroads Replat 4, An Addition to the City of Omaha, Douglas County, Nebraska, now known as Apartment 1-W-1, 1-E-1, 2-W-1, 2-W-2, 2-E-1, 2-E-2, 3-W-1, 3-E-1 AND 3-W-2 of the

Westfield Office Building II Condominium Property Regime, a condominium property regime organized under the laws of the State of Nebraska, pursuant to Master Deed and Declaration recorded November 2, 2005 at Instrument No. 2005138541, as amended by First Amendment to Master Deed and Declaration, recorded November 21, 2005 at Instrument No. 2005147515, as amended by Second Amendment to Master Deed and Declaration, recorded March 17, 2006 at Instrument No. 2006030364, as amended by Third Amendment to Master Deed and Declaration, recorded October 13, 2006 at Instrument No. 2006118089 and re-recorded October 19, 2006 at Instrument No. 2006120616, as amended by Fourth Amendment to Master Deed and Declaration, recorded October 13, 2006, at Instrument No. 2006118090 and re-recorded October 19, 2006 at Instrument No. 2006120617, as amended by Fifth Amendment to Master Deed and Declaration, recorded April 18, 2007, at Instrument No. 2007042973, as amended by Sixth Amendment to Master Deed and Declaration, recorded April 18, 2007 at Instrument No. 2007042974, as amended by Seventh Amendment to Master Deed and Declaration, recorded May 11, 2007 at Instrument No. 2007053040, as amended by Eighth Amendment to Master Deed and Declaration, recorded March 21, 2011 at Instrument No. 2011025416, as amended by Ninth Amendment to Master Deed and Declaration, recorded October 7, 2011, at Instrument Number 2011085180. all in the Office of the Register of Deeds, Douglas County, Nebraska, together with an interest in the common area of the Condominium Regime as set forth in the Master Deed and Declaration, filed November 2, 2005 in 2005138541, as amended.

MRT #5 - 20110739

**TENTH AMENDMENT TO MASTER DEED AND DECLARATION**  
**WESTFIELD OFFICE BUILDING II CONDOMINIUM PROPERTY REGIME**

TENTH

THIS ~~NINTH~~ AMENDMENT TO MASTER DEED AND DECLARATION WESTFIELD OFFICE BUILDING II CONDOMINIUM PROPERTY REGIME (the "Amendment") made this 6<sup>th</sup> day of October, 2011, by Westfield Office Building II, LLC, a Nebraska Limited Liability Company ("Developer").

**RECITALS**

- A. Developer has previously executed that certain Master Deed and Declaration Westfield Office Building II Condominium Property Regime, recorded November 2, 2005, in Instrument 2005138541, in the records of the Register of Deeds of Douglas County, Nebraska (the "Declaration").
- B. The Declaration affects that certain real property located in Douglas County, Nebraska and more particularly described as follows:
  - Lot 4, Westroads Replat 4, an addition to the City of Omaha, Douglas County, Nebraska now known as Apartment 1-W-1, 1-E-1, 2-W-1, 2-W-2, 2-E-1, 2-E-2, 3-W-1, 3-W-2, \* Westfield II Condominium Property Regime.
- \* AND 3-E-1
- C. Developer has previously executed that certain First Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated November 18, 2005 in Instrument 2005147515.
- D. Developer and all unit owners have previously executed that certain Second Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated March 10, 2006 in Instrument 2006030364.
- E. Developer has previously executed that certain Third Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated April 27, 2006 in Instrument 2006120616.
- F. Developer has previously executed that certain Fourth Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated June 16, 2006 in Instrument 2006120617.
- G. Developer has previously executed that certain Fifth Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated October 4<sup>th</sup>, 2006 in Instrument 2007042973.
- H. Developer has previously executed that certain Sixth Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated October 24<sup>th</sup>, 2006 in Instrument 2007042974.

- I. Developer has previously executed that certain Seventh Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, Dated May 9<sup>th</sup>, 2007 in Instrument 2007053040.
- J. Developer has previously executed that certain Eighth Amendment to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, dated March 21, 2011 in Instrument 2011025416.
- K. Developer has previously executed that certain Ninth <sup>Amendment</sup> ~~Amendment~~ to the Master Deed and Declaration Westfield Office Building II Condominium Property Regime, dated October 7<sup>th</sup>, 2011 in Instrument 2011085180.
- L. Developer desires to amend the Declaration as provided herein.

WHEREFORE, Developer hereby amends the Declaration as follows:

- 1. The Tenth Restatement of Schedule "B", Shareholder's of W F 2 Condominium Association is attached hereto and by this reference is hereby made a part hereof. This ~~Ninth~~ Restatement shall replace the original Schedule B and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Restatements of Schedule B.

*\*Tenth*

IN WITNESS WHEREOF, Developer has executed this Amendment as of the day and year first above written.

WESTFIELD OFFICE BUILDING II, LLC,  
A Nebraska Limited Liability Company

By: \_\_\_\_\_

*James J. Riskowski*  
James J. Riskowski, Manager

*See attached.*

STATE OF NEBRASKA )

) ss.

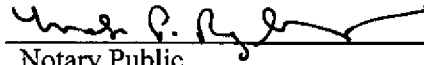
CITY OF DOUGLAS )

On the date first above written, before me, the undersigned Notary Public, in and for said County, personally came James J. Riskowski, to me personally known to be the Manager of Westfield Office Building II, LLC, and the identical person whose name is affixed to the foregoing Eighth Amendment to the Master Deed and Declaration.

STATE OF NEBRASKA        )  
  ) ss  
COUNTY OF DOUGLAS'     )

The above and foregoing TENTH AMENDMENT TO MASTER DEED was sworn to and acknowledged before me on this the 6<sup>th</sup> day of October, 2011, by JAMES J. RISKOWSKI, MANAGER OF WESTFIELD OFFICE BUILDING II, LLC, A Nebraska Limited Liability Company, as his free and voluntary act and deed for and on behalf of said Limited Liability Company.



  
\_\_\_\_\_  
Notary Public

Westfield Office Building No. 2  
 9900 Nicholas Street  
 Omaha, Nebraska 68114

**Exhibit " B "**

**Tenth (10th) Restated Schedule of Shareholders  
 of  
 Westfield ( W F 2 ) Condominium Association**

<u>Member</u>	<u>Unit Number</u>	<u>Limited Common Elements</u>		<u>Gross Floor Area</u> ( sq. ft. )	<u>Percentage Ownership Interest</u> (1)
		<u>Number of Parking Stalls</u>	<u>Utility Area Space</u> ( sq. ft. )		
				(1)	
BMaKK Corporation	1-E-1	2		3982	10.34%
Bridges Investment Council, Inc.	1-W-1	1	50	3614	8.93%
Heartland Eye Consultants, LLC	2-E-1	1		1886	4.93%
Heartland Eye Consultants, LLC	2-E-2	3		5970	15.50%
Margek Real Estate, LLC	2-W-1	0		3547	7.98%
Clarence E. Mock III ( tbd )	2-W-2	1		3593	8.77%
OAG Investments, LLC	3-E-1	4		7795	20.30%
TLMD, LLC	3-W-1	5		4346	13.25%
Signa Properties I, LLC	3-W-2	4		3211	10.00%
<b>Totals:</b>		21	50	37944	100%
			( sq. ft. )	( sq. ft. )	

Notes: (1) Includes Prorata Share of Common Elements  
 (2) includes the Designated Area on the First Floor ( see Exhibit "A" page 2 )

**Parking Stall Ownership  
 Location & Designation**

<u>Member</u>	<u>Parking Stall Number Designation / Location</u>
Bridges Investment Council, Inc.	2
BMaKK Corporation	10,19
Heartland Eye Consultants, LLC	3
Heartland Eye Consultants, LLC	7,20,21
Margek Real Estate, LLC	None
Clarence Mock ( tbd )	9
OAG Investments, LLC	13,14,17,18
TLMD, LLC	1,4,11,12,15
Signa Properties I, LLC	5,6,8,16
Westfield II, LLC	
<b>Total:</b>	<u>21</u>

**As Revised:**

**Dated:**

10/28/2011

**Westfield Office Building # 2**  
 9900 Nicholas Street  
 Omaha, Nebraska

**Parking Ownership & Occupancy Location:**

**Westfield Office Building # 2**

**Master Deed - Amendments # 1 - # 9**

**Ownership:** Parking / Parking Garage

Bridges Investment Counsel, Inc.  
 BMaKK Corp / Dr. Bennett Achigbu  
 Heartland Eye Consultants, LLC  
 OAG Investments, Inc.  
 Margek  
 Clarence Mock  
 Sigma Properties I, LLC.

**Master Deed - Amendments # 10**

TDMD, LLC

Original Bldg.	21
0	21
0	
0	
0	
0	
0	
21	

**Ownership**

Final based upon: Master Deed Addendum # 10

**Tenant / Occupancy**

**Master Deed Addendums Nos. # 1 thru # 10**

TDMD, LLC

Bridges Investment Counsel, Inc.

Heartland Eye Consultants, LLC

TDMD, LLC

Sigma Properties I, LLC - James J. Riskowski

Sigma Properties I, LLC - James J. Riskowski

Heartland Eye Consultants, LLC

Sigma Prop. I, LLC - Senator Mike Johanns

Clarence Mock

BMaKK Corp. / Dr. Bennett Achigbu

TDMD, LLC

TDMD, LLC

OAG Investments, LLC - Curmes Financial

OAG Investments, LLC - Mary Curmes / Curmes Financial

TDMD, LLC

Sigma Properties I, LLC - BMaKK Corp. / McGill Ins.

OAG Investments, LLC - Curmes Financial

OAG Investments, LLC - Terry Curmes / Curmes Financial

BMaKK Corp. / Dr. Bennett Achigbu

Dr. Vicky Vandervort - Heartland Eye Consultants, LLC

Dr. Robert Vandervort - Heartland Eye Consultants, LLC

Sold	Add	MD - # 1-9	Final / MD - # 10
1	1	1	1
1	1	2	2
3	1	4	4
4		4	4
0		0	0
1		1	1
11	-7	9	4
21	5	21	5

**Tenant / Occupancy**

Final based upon: Master Deed Addendum # 10

**Master Deed Addendums Nos. # 1 thru # 10**

TDMD, LLC

Bridges Investment Counsel, Inc.

Heartland Eye Consultants, LLC

TDMD, LLC

Sigma Properties I, LLC - James J. Riskowski

Sigma Properties I, LLC - James J. Riskowski

Heartland Eye Consultants, LLC

Sigma Prop. I, LLC - Senator Mike Johanns

Clarence Mock

BMaKK Corp. / Dr. Bennett Achigbu

TDMD, LLC

TDMD, LLC

OAG Investments, LLC - Curmes Financial

OAG Investments, LLC - Mary Curmes / Curmes Financial

TDMD, LLC

Sigma Properties I, LLC - BMaKK Corp. / McGill Ins.

OAG Investments, LLC - Curmes Financial

OAG Investments, LLC - Terry Curmes / Curmes Financial

BMaKK Corp. / Dr. Bennett Achigbu

Dr. Vicky Vandervort - Heartland Eye Consultants, LLC

Dr. Robert Vandervort - Heartland Eye Consultants, LLC

Stall #	Owner	Tenant / Occupancy	Master Deed Addendums Nos. # 1 thru # 9
1	Sigma Properties I, LLC	Vacant	
2	Bridges Investment Counsel, Inc.	Bridges Investment Counsel, Inc.	
3	Heartland Eye Consultants, LLC	Heartland Eye Consultants, LLC	
4	Sigma Properties I, LLC	James J. Riskowski	
5	Sigma Properties I, LLC	James J. Riskowski	
6	Sigma Properties I, LLC	James J. Riskowski	
7	Heartland Eye Consultants, LLC	Heartland Eye Consultants, LLC	
8	Sigma Properties I, LLC	Senator Mike Johanns Office	
9	Clarence Mock	BMaKK Corp. / Dr. Bennett Achigbu	
10	BMaKK Corporation	BMaKK Corp. / Dr. Bennett Achigbu	
11	Sigma Properties I, LLC	BMaKK Corp. / Dr. Bennett Achigbu	
12	Sigma Properties I, LLC	BMaKK Corp. / Dr. Bennett Achigbu	
13	OAG, Investments, LLC.	Curmes Financial	
14	OAG, Investments, LLC.	Mary Curmes / Curmes Financial	
15	Sigma Properties I, LLC	James J. Riskowski	
16	Sigma Properties I, LLC	BMaKK Corp. / McGill Insurance	
17	OAG, Investments, LLC	Curmes Financial	
18	OAG, Investments, LLC	Terry Curmes / Curmes Financial	
19	BMaKK Corporation	BMaKK Corp. / Dr. Bennett Achigbu	
20	Heartland Eye Consultants, LLC	Dr. Vicky Vandervort	
21	Heartland Eye Consultants, LLC	Dr. Robert Vandervort	

2-E-2  
 2-E-2  
 2-E-2