



MISC 2014055596



JUL 21 2014 14:20 P 4

Fee amount: 28.00  
FB: 59-27502  
COMP: PN

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
07/21/2014 14:20:44.00



2014055596

Recording Requested By,  
And After Recording, Return To:

Robert M. Gonderinger, Esq.  
Croker, Huck, Kasher, DeWitt,  
Anderson & Gonderinger, LLC  
2120 South 72nd Street, #1200  
Omaha, NE 68124

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#### FOURTH MODIFICATION OF DEED OF TRUST

THIS FOURTH MODIFICATION (this "Modification") is entered into as of July 1, 2014, by and between KERMIT A. BRASHEAR, Trustee of the Brashear 711 Trust ("Trustor"), and WELLS FARGO FINANCIAL NATIONAL BANK, ("Trustee") and WELLS FARGO BANK, NATIONAL ASSOCIATION, ("Beneficiary").

#### RECITALS

This Fourth Modification is entered into upon the basis of the following facts and understandings of the parties:

A. This Fourth Modification pertains to that certain Deed of Trust dated as of October 16, 2007, executed by Trustor to Wells Fargo Financial National Bank, as Trustee, in favor of Beneficiary, and recorded on October 23, 2007, as Instrument No. 2007119746, in the Official Records of Douglas County, Nebraska, as modified by a Modification of Deed of Trust dated as of November 27, 2012, and recorded on December 11, 2012 as Instrument Number 2012126212 in the Official Records of Douglas County, Nebraska, a Second Modification of Deed of Trust dated as of April 15, 2013, and recorded on April 23, 2013 as Instrument Number 2013039753 in the Official Records of Douglas County, Nebraska and as modified by a Third Modification of Deed of Trust dated as of August 1, 2013, and recorded on August 27, 2013 as Instrument Number 2013087462 in the Official Records of Douglas County, Nebraska (as modified, the "Deed of Trust"), with respect to the real property described on Exhibit A attached hereto and incorporated herein by this reference.

B. The obligations secured by the Deed of Trust have been modified, and Trustor and Beneficiary have agreed to modify the Deed of Trust to accurately reflect the obligations secured thereby.

NOW, THEREFORE, the parties hereto agree as follows:

1. The Note, as amended, modified and restated, and secured under the Deed of Trust is being modified to, among other things, change the maturity date thereof to December 31, 2017. The Deed of Trust is hereby modified to reflect as obligations secured thereby to include the Note, as modified, extended and restated.

2. The Real Property and the whole thereof described in the Deed of Trust shall remain subject to the lien, charge or encumbrance of the Deed of Trust and nothing herein contained or done pursuant hereto shall affect or be construed to affect the liens, charges or encumbrances of the Deed of Trust, or the priority thereof over other liens, charges or encumbrances, or to release or affect the liability of any party or parties who may now or hereafter be liable under or on account of said promissory notes and/or the Deed of Trust.

3. All terms and conditions of the Deed of Trust not expressly modified herein remain in full force and effect, without waiver or amendment. This Fourth Modification and the Deed of Trust shall be read together, as one document.

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Modification to be executed as of the day and year first above written.


TRUSTOR:

KERMIT A. BRASHEAR, Trustee of the Brashear  
711 Trust

By:   
Kermit A. Brashear, Trustee


TRUSTEE:

WELLS FARGO FINANCIAL NATIONAL  
BANK

By:   
Jerald D. Lundgren, Vice-President

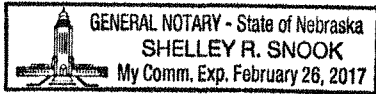
BENEFICIARY:

WELLS FARGO BANK,  
NATIONAL ASSOCIATION

By:   
Jerald D. Lundgren, Vice-President

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

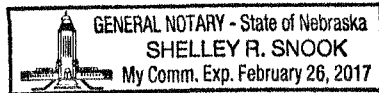
The foregoing instrument was acknowledged before me on July 21<sup>st</sup>, 2014, by Kermit A. Brashear, Trustee of the Brashear 711 Trust, as his voluntary act and deed and the voluntary act and deed of such trust.



Shelley R. Snook  
Notary Public

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

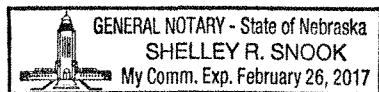
The foregoing instrument was acknowledged before me on July 21<sup>st</sup>, 2014, by Jerald D. Lundgren, Vice-President of Wells Fargo Financial National Bank, on behalf of the bank.



Shelley R. Snook  
Notary Public

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me on July 21<sup>st</sup>, 2014, by Jerald D. Lundgren, Vice-President of Wells Fargo Bank, National Association, a national banking association, on behalf of the association.



Shelley R. Snook  
Notary Public

EXHIBIT A  
TO  
THIRD MODIFICATION OF DEED OF TRUST AND  
ASSIGNMENT OF RENTS AND LEASES

Legal Description of Property:

Lot 2, in NORTH OLD MILL, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.