

COUNTER <u>DKH</u>
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FEES \$ <u>64.00</u>
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SUBMITTED <u>NEBRASKA TITLE COMPANY-LIN</u>

FILED SARPY CO. NE.
INSTRUMENT NUMBER

2015-06703

2015 Mar 30 04:07:33 PM

Sheryl J. Rowland

REGISTER OF DEEDS



AMENDMENT TO LEASE

This Amendment to Lease ("Amendment") is entered into between Steven W. Seline, George H. Krauss, Bradley A. Tribulato and Joseph Mandolfo, as Co-Trustees of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994 ("Lessor") and Southroads Shopping Center Limited Liability Company, a Nebraska limited liability company ("Lessee").

WHEREAS, Lessor's predecessors in interest and Lessee's predecessors in interest entered into a certain Lease dated June 29, 1965 ("Original Lease") and a certain Amendment to Ground Lease dated April 1, 1984, and Lessor's predecessor in interest and Lessee entered into a certain Assumption Agreement and Assignment of Ground Lease dated March 25, 1994 (collectively the "Lease"); and


WHEREAS, pursuant to the Lease, Lessor leases to Lessee, and Lessee leases from Lessor, the real estate described on Schedule I attached hereto; and

WHEREAS, Lessor and Lessee desire to amend the Lease in certain respects.

NOW THEREFORE, for good and valuable consideration, Lessor and Lessee agree as follows:

1. Amendments. Lessor and Lessee hereby amend the Lease as follows:
 - (a) The Exhibit "A" attached to the Lease is deleted and the Exhibit "A" attached to this Amendment is substituted.
 - (b) The option price of \$100,000.00 set forth in paragraph 14 of the Original Lease is increased to \$135,000.00.
2. Ratification. Except as amended by this Amendment, all of the original terms and provisions of the Lease shall continue in full force and effect, and the Lease, as amended by this Amendment, is hereby ratified and confirmed.

DATED: March 30, 2015.



Steven W. Seline, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

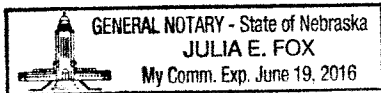
On this 23rd day of March, 2015, before me, a notary public in and for said county and state, personally came Steven W. Seline, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said trust.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.

[SEAL]



Notary Public



George H. Krauss
George H. Krauss, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994

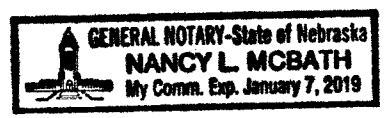
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this th 18 day of March, 2015, before me, a notary public in and for said county and state, personally came George H. Krauss, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said trust.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.

[SEAL]

Nancy L. MCBath
Notary Public
my comm. Expires Jan. 7, 2019



Bradley A. Tribulato

Bradley A. Tribulato, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994

STATE OF nevada)
COUNTY OF clark) ss.

On this 20 day of march, 2015, before me, a notary public in and for said county and state, personally came Bradley A. Tribulato, as Co-Trustee of the Baer Family Irrevocable Life Insurance Trust I dated May 5, 1994, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said trust.

WITNESS my hand and notarial seal at US Bank, in said county and state, the day and year last above written.

[SEAL]

Kristi Hyde

Notary Public



Southroads Shopping Center Limited Liability Company, a Nebraska limited liability company

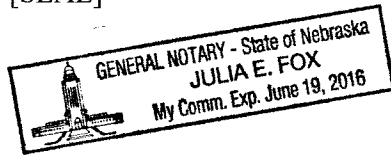
By *Ted Baer*
Name: *Ted Baer*
Title: *Managing Member*

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this *25th* day of *March*, 2015, before me, a notary public in and for said county and state, personally came *Ted Baer*, *Managing Member* of Southroads Shopping Center Limited Liability Company, a Nebraska limited liability company, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed and the voluntary act and deed of said company.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.

[SEAL]




Julia E Fox
Notary Public

CONSENT

Core Bank, f/k/a Omaha State Bank, hereby consents to the foregoing Amendment.

Core Bank, f/k/a Omaha State Bank

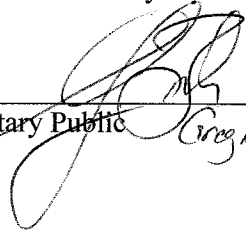
By 
Name: John C Serwell
Title: President / CEO

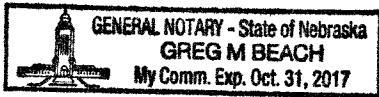
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 25 day of March, 2015, before me, a notary public in and for said county and state, personally came John Serwell, President / CEO of Core Bank, f/k/a Omaha State Bank, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed and the voluntary act and deed of said bank.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.

[SEAL]


Notary Public Greg Beach



SCHEDULE I

The land referred to herein is described as follows:

A tract of land lying wholly within the Southwest Quarter (SW¼) of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska, containing the following parcels of land: All of Lots 2C1A, 2C1B, 2C2, 3, 4A2, 4A2B, 4C, 6A, 6A2, 5C, 6A1A1, 6A1A2, 6A1A3, 6B, 7A1, 7B, 8A, 8A1, 8A2, 8A3, 8C, and 8D, of Clinton's Subdivision in said Section Fourteen (14), all of tax lots F2B1B1, F2B1B2, and G4 in said Section Fourteen (14), all of Lots Seven (7) and Ten (10), part of Lots Eleven (11) and Twelve (12) of Lawndale Subdivision in said Section Fourteen (14), all of Lots One (1) and Two (2) and part of Lots Three (3), Six (6) and Seven (7) of Jull's Subdivision in said Section Fourteen (14), also portions of vacated Prairie Avenue. Said tract of land is more particularly described as follows:

Beginning at the point of intersection of the Northerly right of way line of Child's Road and the Southwesterly right of way line of Prairie Avenue; thence South 00 degrees 00 minutes 00 seconds West (Assumed) along the Northerly right of way line of Child's Road a distance of 1,099.18 feet to a point on the Easterly right of way line of State Highway No. 73 and 75; thence North 16 degrees 18 minutes 00 seconds West along the Easterly right of way of State Highway No. 73 and 75 a distance of 488.69 feet to a point; thence in a Northwesterly direction along the right of way line of State Highway Nos. 73 and 75 and said right of way line being on a curve to the left, and said curve having a radius of 2,914.9 feet, a distance of 462.92 feet to a point on the Southerly right of way line of Brewster Road; thence North 73 degrees 25 minutes 50 seconds East along the Southerly right of way line of Brewster Road a distance of 654.09 feet to a point; thence North 69 degrees 00 minutes 48 seconds East continuing along the Southerly right of way line of Brewster Road a distance of 354.84 feet to a point on the Westerly right of way line of vacated Prairie Avenue; thence North 76 degrees 10 minutes 04 seconds East a distance of 20.62 feet to a point on the centerline of vacated Prairie Avenue; thence South 00 degrees 15 minutes 54 seconds West along the centerline of vacated Prairie Avenue a distance of 134.97 feet to a point; thence South 89 degrees 44 minutes 06 seconds East a distance of 20.00 feet to a point on the Easterly right of way line of vacated Prairie Avenue; thence South 88 degrees 38 minutes 21 seconds East a distance of 185.13 feet to a point; thence North 87 degrees 18 minutes 39 seconds East a distance of 75.56 feet to a point; thence North 87 degrees 18 minutes 39 seconds East a distance of 82.60 feet to a point; thence South 00 degrees 15 minutes 39 seconds West a distance of 71.70 feet to a point; thence North 89 degrees 42 minutes 21 seconds West a distance of 37.66 feet to the Northeast corner of Lot 7 of Lawndale Subdivision; thence South 00 degrees 16 minutes 07 seconds West along the Easterly line of Lots 7 and 10 and the Easterly line of Lots 7 and 10 extended South a distance of 610.98 feet to a point on the Southerly line of Lot 12 of Lawndale Subdivision; thence North 89 degrees 45 minutes 09 seconds West a distance of 29.54 feet to the Southwest corner of Lot 12 of Lawndale Subdivision; thence South 55 degrees 04 minutes 07 seconds West a distance of 15.00 feet to a point on the centerline of vacated Prairie Avenue; thence South 34 degrees 55 minutes 53 seconds East along the centerline of vacated Prairie Avenue a distance of 349.00 feet to a point; thence South 10 degrees 19 minutes 33 seconds East a distance of 36.03 feet to the point of beginning.

EXHIBIT "A"

The land referred to herein is described as follows:

A tract of land lying wholly within the Southwest Quarter (SW¹/₄) of Section Fourteen (14), Township Fourteen (14) North, Range Thirteen (13) East of the 6th P.M., Sarpy County, Nebraska, containing the following parcels of land: All of Lots 2C1A, 2C1B, 2C2, 3, 4A2, 4A2B, 4C, 5A, 5A2, 5C, 6A1A1, 6A1A2, 6A1A3, 6B, 7A1, 7B, 8A, 8A1, 8A2, 8A3, 8C, and 8D, of Clinton's Subdivision in said Section Fourteen (14), all of tax lots F2B1B1, F2B1B2, and G4 in said Section Fourteen (14), all of Lots Seven (7) and Ten (10), part of Lots Eleven (11) and Twelve (12) of Lawndale Subdivision in said Section Fourteen (14), all of Lots One (1) and Two (2) and part of Lots Three (3), Six (6) and Seven (7) of Jull's Subdivision in said Section Fourteen (14), also portions of vacated Prairie Avenue. Said tract of land is more particularly described as follows:

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Except and excluding that certain real estate depicted on the drawing attached hereto and designated as Lot 3.

