

FILED SARPY CO. NE  
INSTRUMENT NUMBER  
2005-13308

2005 AP 26 PM 3:18

*Glenn J. Dowling*  
REGISTER OF DEEDS

COUNTER LM U.E. SM  
VERIFY DA D.E. SS  
PROOF VP  
FEES \$ 124.50  
CHECK# \_\_\_\_\_  
CHG STS CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

**WHEN RECORDED MAIL TO:**

Great Western Bank  
Harvey Oaks  
6015 N.W. Radial Hwy.  
P.O. Box 4070  
Omaha, NE 68104-0070

FOR RECORDER'S USE ONLY

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated APRIL 5, 2005, is made and executed between between GORDO-79, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, whose address is 12925 WEST DODGE ROAD, OMAHA, NE 68154 ("Trustor") and Great Western Bank, whose address is Harvey Oaks, 6015 N.W. Radial Hwy., P.O. Box 4070, Omaha, NE 68104-0070 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated November 12, 2004 (the "Deed of Trust") which has been recorded in SARPY County, State of Nebraska, as follows:

RECORDED IN THE REGISTER OF DEEDS OF SARPY COUNTY NEBRASKA ON THE 24TH DAY OF NOVEMBER, 2004 AT INSTRUMENT #2004-44757.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in SARPY County, State of Nebraska:

PARCEL 1: LOT 1, IN BROOK VALLEY II BUSINESS PARK, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.

PARCEL 2: LOT 26, IN BROOK VALLEY II BUSINESS PARK, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

The Real Property or its address is commonly known as 114TH - 117TH & GILES AND 110TH & HARRY ANDERSON AVE, LAVISTA, NE 68128. The Real Property tax identification number is 011336145 & 011564233

MODIFICATION. Lender and Trustor hereby modify the Deed of Trust as follows:

SAID DEED OF TRUST FURTHER ENCUMBERS THE FOLLOWING ADDITIONAL "REAL PROPERTY" : SEE ATTACHED EXHIBIT "A" .

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED APRIL 5, 2005.

TRUSTOR:

GORDO-79, L.L.C.  
*[Signature]*  
By: RAYMOND C. TRIMBLE, Manager of GORDO-79, L.L.C.

LENDER:

GREAT WESTERN BANK  
*[Signature]*  
X Gordon Hammisch, Vice President

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TA 49185  
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MODIFICATION OF DEED OF TRUST  
(Continued)

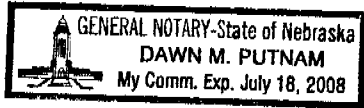
Loan No: 5155064

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska )  
 )  
COUNTY OF Douglas ) SS  
 )

On this 10<sup>th</sup> day of April, 20 05, before me, the undersigned Notary Public, personally appeared **RAYMOND C. TRIMBLE, Manager of GORDO-79, L.L.C.**, and known to me to be partner or designated agent of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

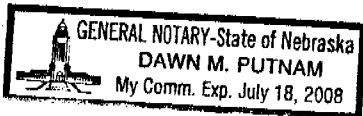


By Dawn M. Putnam  
Notary Public in and for the State of Nebraska  
Residing at Omaha, NE  
My commission expires July 18, 2008

LENDER ACKNOWLEDGMENT

STATE OF Nebraska )  
 )  
COUNTY OF Douglas ) SS  
 )

On this 1<sup>th</sup> day of April, 20 05, before me, the undersigned Notary Public, personally appeared Gordon Hamisch and known to me to be the Vice President, authorized agent for the Lender that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the said Lender, duly authorized by the Lender through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and that the seal affixed is the corporate seal of said Lender.



By Dawn M. Putnam  
Notary Public in and for the State of Nebraska  
Residing at Omaha, NE  
My commission expires July 18, 2008

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**EXHIBIT "A"**

**LEGAL DESCRIPTION**

PARCEL 1: Lots 2 – 7, in BROOK VALLEY II BUSINESS PARK, a Subdivision, as surveyed and platted and recorded, in Sarpy County, Nebraska.

PARCEL 2: The Southeast Quarter (SE¼) of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, EXCEPT the right-of-way of the Chicago, Burlington and Quincy Railroad, Union Pacific Railroad, and Missouri Pacific Railroad, and public streets and/or highways;

FURTHER EXCEPTING that part condemned by Sanitary and Improvement District No. 124 of Sarpy County, Nebraska, by Return of Appraisers in Book 33 at Page 523 described as follows:

Beginning at the intersection of the South line of Section 17 with the Northeast right-of-way line of the Union Pacific Railroad; proceeding thence Northwesterly, along the Northeast right-of-way line of the Union Pacific Railroad, a distance of 1,040.00 feet; thence on a deflection angle to the right of 90°, a distance of 600.00 feet; thence on a deflection angle to the right of 90°, a distance of 300.00 feet; thence on a deflection angle to the right of 90°, a distance of 560.00 feet; thence on a deflection angle to the left of 90°, running parallel to and 40.00 feet Northeast of the Northeast right-of-way line of the Union Pacific Railroad, a distance of 790 feet, more or less, to the South line of said Section 17; thence West, along the South line of said Section 17, a distance of 71 feet, more or less, to the Point of Beginning;

FURTHER EXCEPTING that tract of land in the Southeast Quarter of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, lying North of the C.B. & Q. Railroad right-of-way, described as follows:

Commencing at the East Quarter Corner of said Section 17; thence South 00°14'20" East, for a distance of 394.94 feet, to the Point of Beginning; thence continuing South 00°14'20" East, for a distance of 49.68 feet, to a point on the Northerly right-of-way line of the C.B. & Q. Railroad; thence North 61°52'00" West, for a distance of 158.19 feet, along the Northerly right-of-way line of said C.B. & Q. Railroad, to a point of curve; thence along the Northerly curved right-of-way line of the C.B. & Q. Railroad, on a curve to the left, an arc length of 581.50 feet, to a point; thence North 60°22'00" West, for a distance of 300.01 feet, to a point on the North line of said Southeast Quarter; thence North 90°00'00" East, along said North line of said Southeast Quarter, for a distance of 303.37 feet, to a point; thence South 60°22'00" East, for a distance of 151.07 feet, to a point of curve; thence along a curve to the right, an arc length of 251.33 feet, to a point of tangency; thence South 56°41'50" East, for a distance of 344.14 feet, to the Point of Beginning;

FURTHER EXCEPTING those tracts of land in the Southeast Quarter of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, described as follows:

Beginning at the East Quarter Corner of said Section 17; thence South 00°14'20" East, for a distance of 394.94 feet, to a point on the East line of said Southeast Quarter; thence North 56°41'50" West, for a distance of 344.14 feet, to a point of curve; thence along a curve to the left, an arc length of 251.23 feet, to a point of tangency; thence North 60°22'00" West, for a distance of 151.07 feet, to a point on the North line of said Southeast Quarter; thence North 90°00'00" East, along said North line of said Southeast Quarter, for a distance of 631.60 feet, to the Point of Beginning;

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And,

Beginning at the Center of Section 17, Township 14 North, Range 12 East; thence North 90°00'00" East, for a distance of 1,717.55 feet, to a point; thence South 60°22'00" East, for a distance of 300.01 feet, to a point on the North right-of-way line of the C.B. & Q. Railroad; thence along the Northerly curved right-of-way line of said C.B. & Q. Railroad, on a curve to the left, an arc length of 419.27 feet, to a point of compound curvature; thence continuing on a curve to the left, an arc length of 1,601.63 feet, to a point; thence North 00°07'15" West, for a distance of 254.11 feet, to the Point of Beginning;

FURTHER EXCEPTING that part of the Southeast Quarter of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, lying South of the right-of-way of the Union Pacific Railroad;

FURTHER EXCEPTING a tract of land located in part of Tax Lot 1A1A in the Southeast Quarter of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, described as follows:

Beginning at the Southeast corner of said Quarter Section; thence South 87°30'46" West, a distance of 334.51 feet, along the South line of said Quarter Section; thence North 56°21'35" West, a distance of 513.30 feet; thence North 33°38'25" East, a distance of 10.00 feet; thence South 65°11'31" East, a distance of 241.42 feet; thence North 87°30'46" East, a distance of 200.00 feet; thence South 02°29'14" East, a distance of 75.00 feet; thence North 87°30'46" East, a distance of 150.00 feet; thence North 42°30'46" East, a distance of 106.7 feet; thence North 01°41'37" East, a distance of 300.51 feet; thence North 14°00'37" East, a distance of 104.40 feet; thence North 87°18'40" East, a distance of 50.00 feet, to a point on the East line of said Quarter Section; thence South 02°41'20" East, a distance of 600.00 feet, along the East line of said Quarter Section, to the Point of Beginning;

FURTHER EXCEPTING that part of the Southeast Quarter of the Southeast Quarter of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence South 87°30'46" West (assumed bearing), 335.70 feet, on the South line of said Southeast Quarter, to the Southeast corner of Tax Lot 1B; thence North 56°24'58" West, 513.41 feet on the Northeasterly line of said Tax Lot 1B, to the Point of Beginning, said point being on the North line of Giles Road; thence continuing North 56°24'58" West, 281.04 feet, on the Northeasterly line of said Tax Lot 1B; thence North 33°35'02" East, 560.04 feet, on the Southeasterly line of said Tax Lot 1B, to the most Easterly corner thereof; thence South 56°24'58" East, 147.76 feet, on the Southeasterly extension of the Northeasterly line of said Tax Lot 1B; thence South 02°29'14" East, 633.43 feet, to the North line of Giles Road; thence North 65°26'05" West, 242.68 feet, on the North line of Giles Road; thence South 33°35'02" West, 10.00 feet, on the North line of Giles Road, to the Point of Beginning;

FURTHER EXCEPTING Lots 34 through 46, inclusive, and Outlot A, in Brook Valley Business Park, a Subdivision, as surveyed, platted and recorded, in Sarpy County, Nebraska, and all dedicated streets contained in the plat and dedication thereof;

NOTE: The remaining portion of said Southeast Quarter is also known as Tax Lot 1A1A1A in the Southeast Quarter (SE¼) of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska;

ALL TOGETHER with that portion of the Southwest Quarter (SW¼) of Section 17, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, lying South of the C.B. & Q. Railroad right-of-way and East of the Union Pacific Railroad right-of-way, also known as part of Tax Lot 2B2.