

FIRST AMENDMENT TO COMMON
AREA MAINTENANCE AGREEMENT

THIS FIRST AMENDMENT TO COMMON AREA MAINTENANCE AGREEMENT is made as of the 5th day of October, 1981, by and between KROH BROTHERS DEVELOPMENT COMPANY, a Missouri corporation ("Kroh") and ALBERTSON'S, INC., a Delaware corporation ("Albertson's").

RECITALS:

A. The parties previously executed a Common Area Maintenance Agreement (the "CAMA") dated as of January 6, 1981 and recorded in the real estate records of Douglas County, Nebraska in Book 644 at Page 686 on January 9, 1981 covering the real property located in Douglas County, Nebraska and more particularly described on Schedule I attached hereto and made a part hereof.

B. Kroh is the owner of contiguous property which the parties desire to add to the CAMA which property is more particularly described on Schedule II attached hereto and made a part hereof ("Parcel 4").

AGREEMENTS:

NOW THEREFORE, in consideration of the premises and the mutual covenants and conditions herein contained, the parties do agree as follows:

1. The parties do hereby add Parcel 4 to the CAMA and declare that such parcel is subject to all of the charges, requirements, terms and conditions of the CAMA effective at such time as building improvements are constructed thereon. Upon completion of such improvements Parcel 4 shall pay its pro-rata share of all expenses, based upon Building Area, incurred by the Maintenance Director in maintaining the common area and the pro-rata share to be paid by Parcels 1, 2 and 3 shall be adjusted accordingly.

2. Exhibit "A" attached to the CAMA is hereby deleted and the Exhibit "A" attached hereto, which reflects the addition of Parcel 4, is substituted therefore.

3. Except as herein modified, all the terms and conditions of the CAMA remain in full force and effect and the parties to ratify and confirm the same.

IN WITNESS WHEREOF, the parties have executed this First Amendment the day and year first above written.

KROH BROTHERS DEVELOPMENT COMPANY,
a Missouri corporation

By: *John A. Keon, Jr.*
President

(CORPORATE SEAL)
Attest: *Angela D. Remsing*
Asst Secy

ALBERTSON'S, INC.,
a Delaware corporation

By: *Michael Paul*
Senior Vice President

(CORPORATE SEAL)
Attest: *Carol L. Wood*
Assistant Secretary

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

On this 5th day of October, 1981, before me appeared John A. Keon, Jr., to me personally known, who being by me duly sworn did say that he is the President of Kroh Brothers Development Company, a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said John A. Keon, Jr. acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dee Findell
Notary Public



My Commission expires:
DEE FINDELL
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires November 2, 1984

STATE OF Idaho)
COUNTY OF Ada) ss.

On this 20th day of October, 1981, before me appeared Michael J. Reuling, to me personally known, who being by me duly sworn did say that he is the Senior Vice President of Albertson's, Inc., a Delaware corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Senior Vice President acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Claudia C. Medlin
Notary Public

My commission expires:

10/30/84



#1 LEGAL DESCRIPTION:

That part of Lot 30, Empire Park, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of said Lot 30; thence N 89° 51' 46" W (Assumed bearing) on the South line of said Lot 30, 690.00 feet; thence N 00° 08' 14" E, 166.00 feet; thence S 89° 51' 46" E on a line 166.00 feet North of and parallel to the South line of said Lot 30, 292.00 feet; thence S 00° 08' 14" W, 38.00 feet; thence S 89° 51' 46" E on a line 128.00 feet North of and parallel to the South line of said Lot 30, 397.65 feet to a point on the East line of said Lot 30; thence S 00° 01' 15" E on the East line of said Lot 30, 128.00 feet to the point of beginning. (Containing 99,393 sq. ft. more or less.)

#2 LEGAL DESCRIPTION:

That part of Lot 30, Empire Park, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Commencing at the S.E. corner of said Lot 30; thence N 89° 51' 46" W (Assumed bearing) on the South line of said Lot 30, 690.00 feet to the point of beginning; thence continuing N 89° 51' 46" W on the South line of said Lot 30, 40.00 feet; thence N 00° 08' 14" E, 480.00 feet; thence N 34° 08' 10" E, 53.82 feet; thence S 89° 51' 46" E on a line 524.62 feet North of and parallel to the South line of said Lot 30, 114.58 feet; thence S 00° 08' 14" W, 54.29 feet; thence S 89° 51' 46" E on a line 470.33 feet North of and parallel to the South line of said Lot 30, 194.00 feet; thence N 00° 08' 14" E, 39.82 feet, thence S 89° 51' 46" E on a line 510.15 feet North of and parallel to the South line of said Lot 30, 240.02 feet; thence S 00° 08' 14" W, 32.15 feet; thence S 89° 51' 46" E on a line 478.00 feet North of and parallel to the South line of said Lot 30, 149.98 feet to a point on the East line of said Lot 30; thence S 00° 01' 15" E on the East line of said Lot 30, 350.00 feet; thence N 89° 51' 46" W on a line 128.00 feet North of and parallel to the South line of said Lot 30, 397.65 feet; thence N 00° 08' 14" E, 38.00 feet; thence N 89° 51' 46" W on a line 166.00 feet North of and parallel to the South line of said Lot 30, 292.00 feet; thence S 00° 08' 14" W, 166.00 feet to the point of beginning. (Containing 261,532 sq. ft. more or less.)

#3 LEGAL DESCRIPTION:

That part of Lot 30, Empire Park, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Commencing at the Southeast corner of said Lot 30; thence N 00° 01' 15" W (Assumed bearing) on the east line of said Lot 30, 478.00 feet to the point of beginning; thence N 89° 51' 46" W on a line 478.00

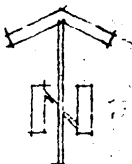
feet North of and parallel to the South line of said Lot 30, 149.98 feet; thence N $00^{\circ} 08' 14''$ E, 32.15 feet; thence N $89^{\circ} 51' 46''$ W on a line 510.15 feet North of and parallel to the South line of said Lot 30, 240.02 feet; thence S $00^{\circ} 08' 14''$ W, 39.82 feet; thence N $89^{\circ} 51' 46''$ W on a line 470.33 feet North of and parallel to the South line of said Lot 30, 194.00 feet; thence N $00^{\circ} 08' 14''$ E, 54.29 feet; thence N $89^{\circ} 51' 46''$ W on a line 524.62 feet North of and parallel to the South line of said Lot 30, 114.58 feet; thence N $34^{\circ} 08' 10''$ E, 265.96 feet to a point on a curve; thence Southeasterly on a 400.00 foot radius curve to the left (chord bearing S $81^{\circ} 43' 54''$ E chord distance 115.34 feet) an arc distance of 115.74 feet to a point of tangency; thence N $89^{\circ} 58' 45''$ E, 435.00 feet to a point on the East line of said Lot 30; thence S $00^{\circ} 01' 15''$ E on the East line of said Lot 30, 252.00 feet to the point of beginning. (Containing 150,449 sq. ft. more or less.)

SCHEDULE II

That part of Lot 30, Empire Park, as surveyed, platted, and recorded in Douglas County, Nebraska described as follows: Commencing at the S.E. corner of said Lot 30; thence N $89^{\circ} 51' 46''$ W (assumed bearing) on the South line of said Lot 30, 730 feet; thence N $00^{\circ} 08' 14''$ E. 480 feet to the Point of Beginning; thence continuing N $00^{\circ} 08' 14''$ E. 291.50 feet, thence N $34^{\circ} 58' 45''$ E, 60 feet; thence S $55^{\circ} 01' 15''$ E, 35.43 feet to a point of curve; thence Southeasterly on a 400.00 foot radius curve to the left (chord bearing S $64^{\circ} 13' 54''$ E, chord distance 128.05 feet) an arc distance of 128.61 feet; thence S $34^{\circ} 08' 10''$ W 319.78 feet to the Point of Beginning. Containing 30,112 sq. feet more or less.

POOR INSTRUMENT FILED

BOOK 681 PAGE 569


 DRAWN WITHOUT BENEFIT OF SURVEY

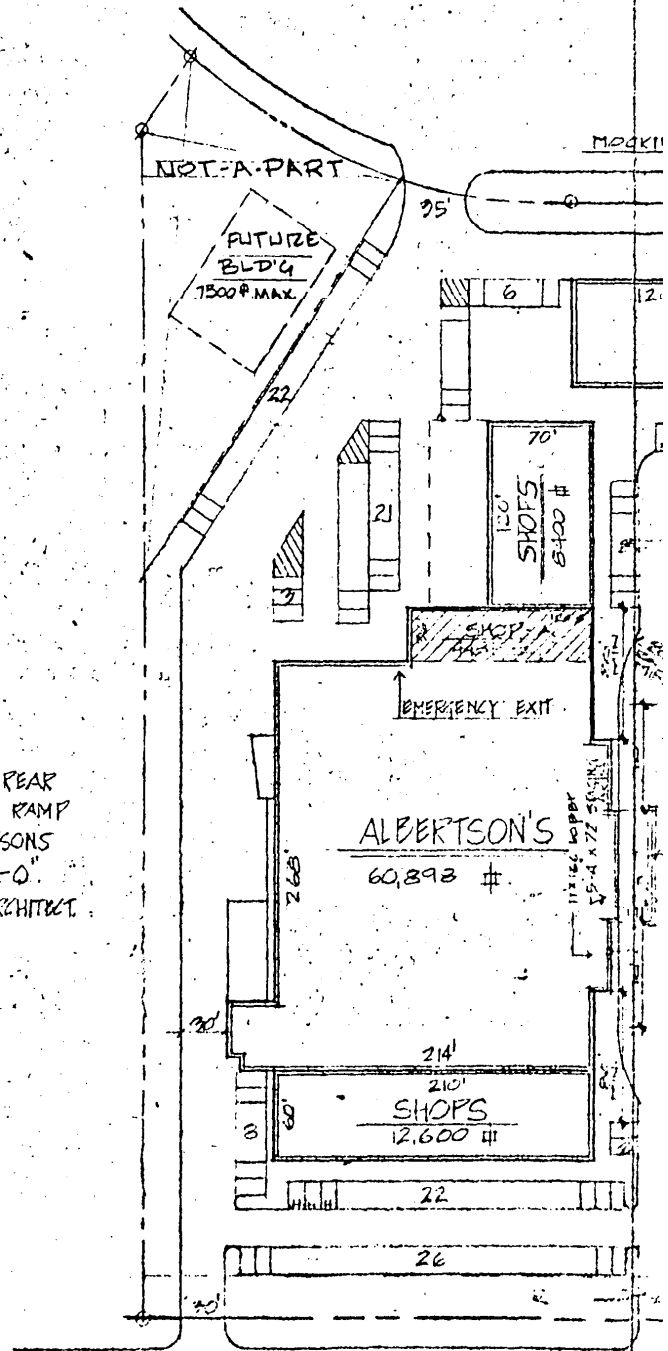
IMPORTANT — DISTANCE BETWEEN REAR CURB & REAR
 OF ALBERTSON'S MAY VARY BASED ON LOADING RAMP
 REQUIREMENTS & GRADES. CONSEQUENTLY, ALBERTSON'S
 BUILDING MAY MOVE EAST A MAXIMUM OF 10'-0"
 TO BE VERIFIED WITH ALBERTSON'S PROJECT ARCHITECT.

EXHIBIT-A PAGE 1 # 2201

N.W. 10th STREET
 2nd ST. STREET
 OMAHA, NEBRASKA

TOTAL BUILDING AREA = 115,133 #
 ALBERTSON'S AREA = 60,898 #
 TOTAL AREA = 584
 (CALCULATED FROM REAR ELEVATION)

REV. 12, 1980 S.I.H.
 REV. NOV 13, 1980 D.R.W.
 REV. DEC 1, 1980 D.R.W.
 REV. DEC 10, 1980 D.R.W.
 REV. DEC 23, 1980 D.R.W.
 REV. JAN 22, 1981 D.R.W.
 MAY 20, 1981
 ALL AREAS OF FUTURE
 BUILDING SITE - D.R.W. *WU/BA*
 REV. JUN 14, 1981
 ADD LEASED PREMISES - D.R.W.
 REV. OCT 14, 1981
 ADD FUTURE BUILDING S.I.H. *WU/BA*

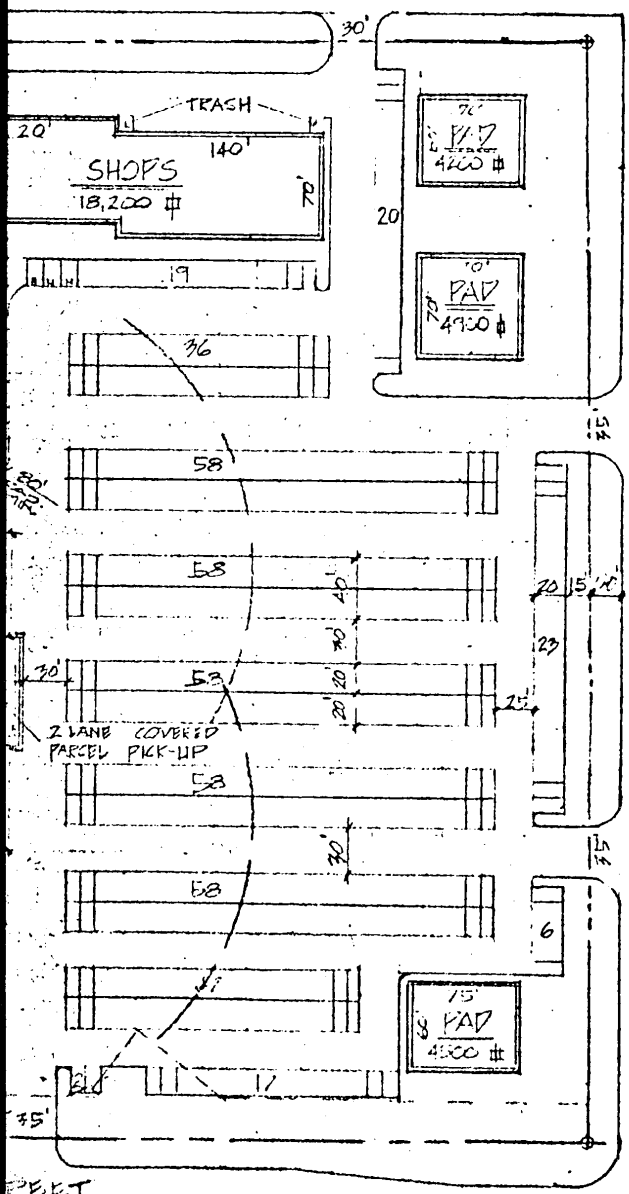


0'S

POOR INSTRUMENT FILED

BOOK 661 PAGE 570

KINGBIRD DR.



LEASED PREMISES

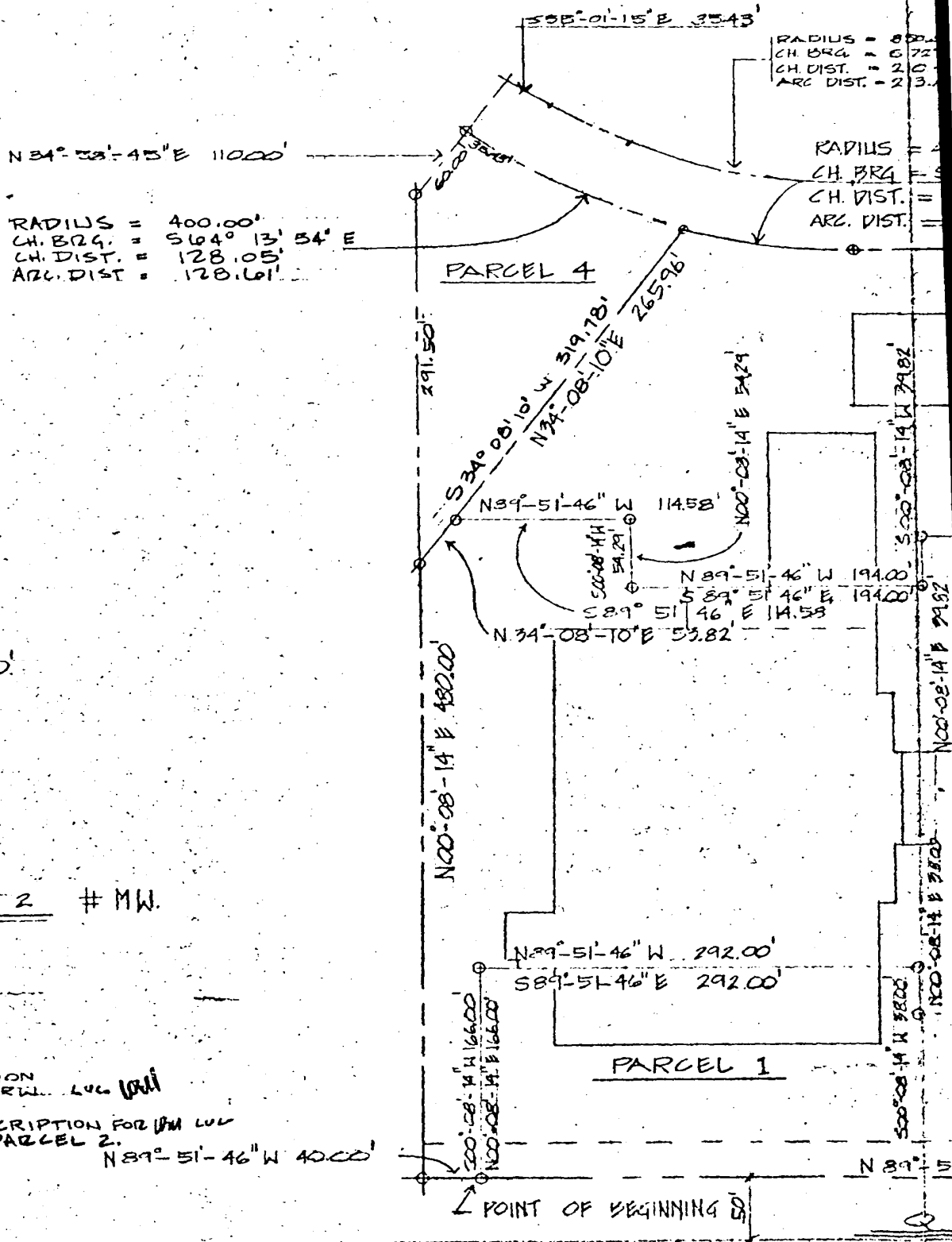
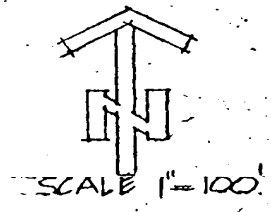
108th STREET

1st ST

APPROVED	
M. CAHILL	<i>Michael Cahill</i>
CAPLEY	<i>Michael Cahill</i>
HOWARD	<i>Michael Cahill</i>
RODNEY	<i>Michael Cahill</i>
WILLIAM	<i>Michael Cahill</i>
WILLIAM	<i>Michael Cahill</i>

POOR INSTRUMENT FILED

BOOK 661 - PAGE 571



RADIUS = 400.00'
CH. BRG. = S 64° 13' 54" E
CH. DIST. = 128.05'
ARC. DIST. = 128.61'

RADIUS = 800'
CH. BRG. = 0° 22'
CH. DIST. = 210'
ARC. DIST. = 213'

RADIUS =
CH. BRG. =
CH. DIST. =
ARC. DIST. =

EXHIBIT-A PAGE 2 # MW.

N.W. 108th STREET
& Q STREET
OMAHA, NEBRASKA

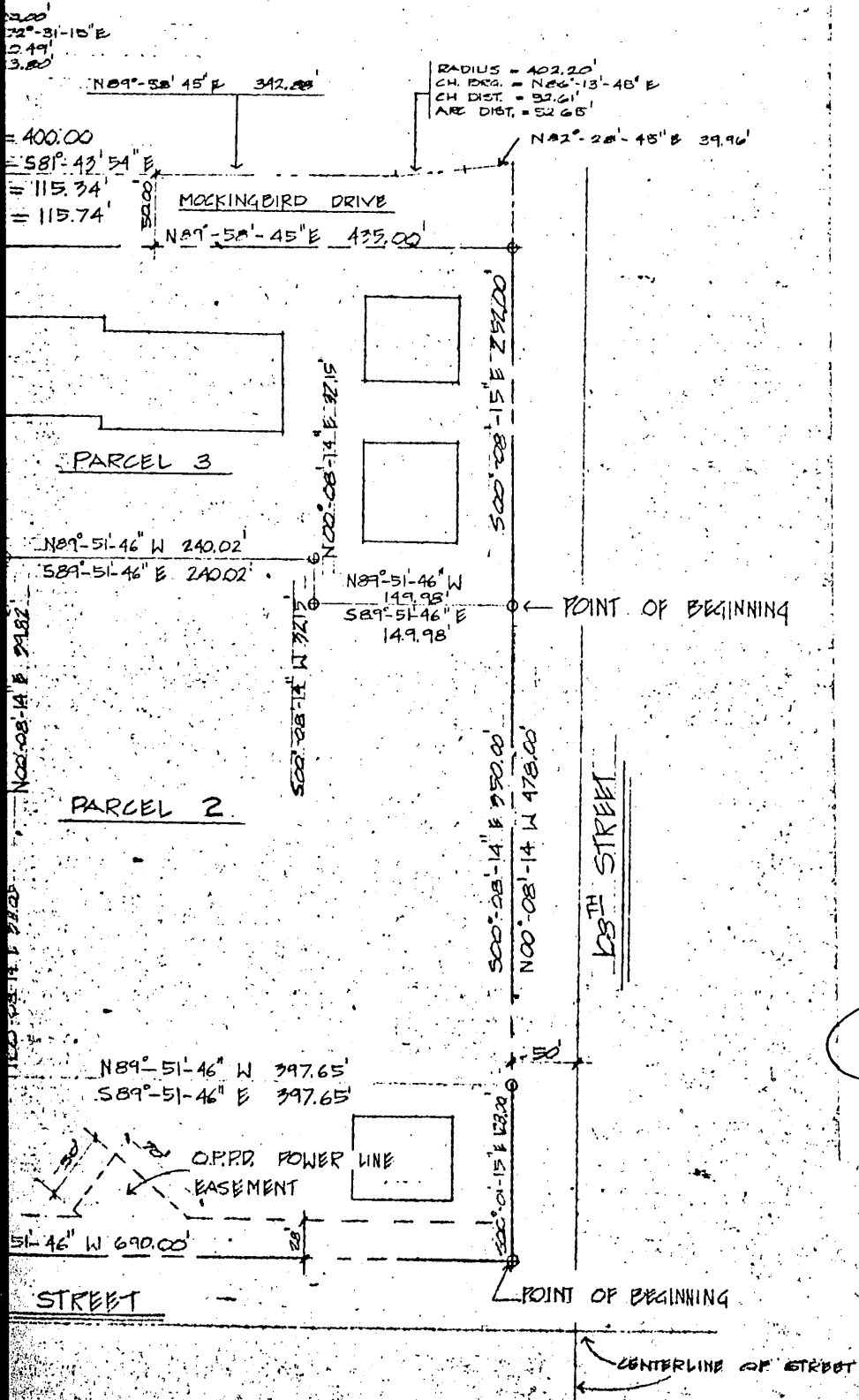
DEC. 29, 1980 DR.W.
REV. MAY 26, 1981
REV. OCT 14, 1981
ADJUST LEGAL DESCRIPTION FOR PARCEL 4
PARCEL 4. NOTE PARCEL 2.

N 89° 51' 46" W 40.00'

POINT OF BEGINNING

POOR INSTRUMENT FILED

BOOK 681 PAGE 572



35 Inew
 RECEIVED
 1981 OCT 27 PM 12:09
 CHARLES COUNTY
 REGISTER OF DEEDS
 DONALD AS COUNTY CLERK

Book 681
 Page 563
 of 11002
 12
 No. 81-262