



BK 0944 PG 001



MISC 1990 20833

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INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

SECOND SUPPLEMENTAL PARKING DECLARATION

THIS SECOND SUPPLEMENTAL PARKING DECLARATION, is made this 14th day of September, 1990 by Opus Corporation, a Minnesota corporation ("Opus").

RECITALS

Opus and ConAgra, Inc., a Delaware corporation, executed a Parking Declaration ("Declaration") dated November 30, 1989, recorded November 30, 1989 in Book 906 at Page 481 of the Miscellaneous Records of Douglas County, Nebraska, which provides street level parking facilities on the property legally described on Exhibit A hereto for the benefit of the property legally described on Exhibit B hereto.

Under Section 12 of the Declaration, Opus may extend the benefits and burdens of the Declaration by recording supplemental declarations to the Declaration.

Opus executed a First Supplemental Parking Declaration, recorded June 19, 1990 in Book 928 at Page 9 of the Miscellaneous Records of Douglas County, Nebraska, which extended the benefits and burdens of the Declaration to the property legally described on Exhibit C hereto.

Opus desires to extend the benefits and burdens of the Declaration to the property legally described on Exhibit D hereto ("Corporate Headquarters Parcel").

NOW, THEREFORE, Opus hereby declares that the Corporate Headquarters Parcel shall be a Benefitted Parcel, as such term is defined in the Declaration, under the Declaration.

IN WITNESS WHEREOF, the undersigned has caused these presents to be made as of the day and year first above stated.

OPUS CORPORATION

By _____
Its PRESIDENT

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 21st day of September, 1990, by GENE HAUGLAND, the PRESIDENT of Opus Corporation, a Minnesota corporation, on behalf of the corporation.

Judy M. Schmitz
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

FAEGRE & BENSON (MAO)
2200 Norwest Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901



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EXHIBIT A

Lots 13 and 14, CENTRAL PARK EAST, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

That part of Lot 16, CENTRAL PARK EAST, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the southwest corner of said Lot 16, CENTRAL PARK EAST;

Thence North $88^{\circ}02'40''$ East (bearings referenced to the Nebraska State Plane System South Zone) for 365.75 feet along the line common to Lots 14 and 16, CENTRAL PARK EAST to the northeast corner of Lot 14, CENTRAL PARK EAST;

Thence North $02^{\circ}17'01''$ West for 97.97 feet along the extended east line of Lot 14, CENTRAL PARK EAST;

Thence South $87^{\circ}58'44''$ West for 365.18 feet parallel with and 60.00 feet south of the south line of Lot 17, CENTRAL PARK EAST to the east right-of-way line of CONAGRA BLVD.;

Thence South $01^{\circ}57'20''$ East for 97.55 feet to the Point of Beginning.

EXHIBIT B

✓
Lots 1 and 10, CENTRAL PARK EAST, an Addition to the City
of Omaha, as surveyed, platted and recorded in Douglas
County, Nebraska.

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EXHIBIT C

(Refrigerated Parcel)

Lot 17, CENTRAL PARK EAST, an Addition to the City of
Omaha, as surveyed, platted and recorded in Douglas County,
Nebraska.

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EXHIBIT D

(Corporate Headquarters Parcel)

✓
Lot 2, CENTRAL PARK EAST, an Addition to the City of Omaha,
as surveyed, platted and recorded in Douglas County,
Nebraska.

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CONSENT TO SECOND SUPPLEMENTAL PARKING DECLARATION

THIS CONSENT TO SECOND SUPPLEMENTAL PARKING DECLARATION ("Consent"), is made on this 14 day of September, 1990 by Omaha Real Estate Investment Partnership, a Minnesota general partnership ("Owner").

RECITALS

Opus Corporation, a Minnesota corporation ("Opus"), and ConAgra, Inc., a Delaware corporation, executed a Parking Declaration (the "Declaration") dated November 30, 1989, recorded November 30, 1989 in Book 906 at page 481 of Miscellaneous Records of Douglas County, Nebraska.

Opus executed and recorded a First Supplemental Parking Declaration extending the benefits and burdens of the Declaration to additional property more particularly described therein.

By the foregoing the Second Supplemental Parking Declaration (the "Second Supplemental Declaration"), Opus has extended the benefits and burdens of the Declaration to property ("Property") owned by Owner, as more particularly described in the Second Supplemental Declaration.

Owner desires to consent to the Second Supplemental Declaration.

NOW, THEREFORE, Owner hereby consents to the Second Supplemental Declaration and acknowledges and agrees that the Property shall be burdened and benefitted thereby.

OMAHA REAL ESTATE INVESTMENT PARTNERSHIP, a Minnesota General Partnership

By ARBEIT & CO., a Minnesota General Partnership, a General Partner

By Gerald Rauenhorst
Gerald Rauenhorst,
General Partner

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this 20th day of September, 1990, before a Notary Public in and for said County and State, personally appeared Gerald Rauenhorst to me known to be the general partner of Arbeit & Co., a Minnesota general partnership, a general partner of Omaha Real Estate Investment Partnership, a Minnesota general partnership, the identical person who subscribed the name of Omaha Real Estate Investment Partnership, a Minnesota general partnership, to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of such partnership.

Witness on my hand and official seal this 20th day of September, 1990.

Bonnie J. Luke
Notary Public

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Nov 7 3 27 PM '90
GEORGE J. SLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

MX 944 N _____ CJO _____ FEE 43.50
PG 11-18 N (Comp) 9/1 DEL vk MC 6.00
RE hwa COMP 10 F/R 23-06170