



MISC 2017012810



FEB 16 2017 14:40 P 3

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COMP: BW

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
02/16/2017 14:40:01.00



2017012810

WHEN RECORDED MAIL TO:
PINNACLE BANK
OMAHA DOWNTOWN BRANCH OFFICE
1016 DOUGLAS ST ON THE MALL
OMAHA, NE 68102

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated May 22, 2014, is made and executed between ALFORD PROPERTIES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, FOR A 62.5% TENANT IN COMMON INTEREST IN THE PARCELS, AND ALFORD OIL COMPANY, A NEBRASKA CORPORATION, FOR A 37.5% TENANT IN COMMON INTEREST IN THE PARCELS. WHOSE ADDRESSES ARE 908 GRAHAM DRIVE, PAPHILLION, NE 68046 ("Trustor") and PINNACLE BANK, whose address is OMAHA DOWNTOWN BRANCH OFFICE, 1016 DOUGLAS ST ON THE MALL, OMAHA, NE 68102 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated May 22, 2014 (the "Deed of Trust") which has been recorded in DOUGLAS County, State of Nebraska, as follows:

DEED OF TRUST DATED MAY 22, 2014 AND RECORDED ON MAY 23, 2014 AT THE REGISTER OF DEEDS, DOUGLAS COUNTY, NE INSTRUMENT #2014038445.

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

LOT FIVE (5), GRAYHAWK VILLAGE, AN ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA

The Real Property or its address is commonly known as 3506 NORTH 147TH STREET, OMAHA, NE 68116.

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

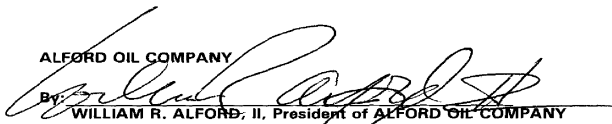
THE LEGAL DESCRIPTION TO BE MODIFIED TO: LOTS ONE (1), TWO (2), THREE (3) AND OUTLOT A, GRAYHAWK VILLAGE REPLAT 1, AN ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA.

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 endorser 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.

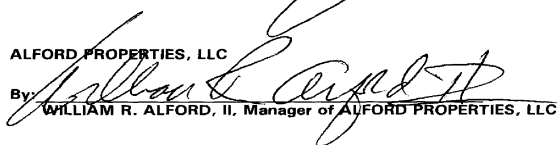
TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED MAY 22, 2014.

TRUSTOR:

ALFORD OIL COMPANY

By: 
WILLIAM R. ALFORD, II, President of ALFORD OIL COMPANY

ALFORD PROPERTIES, LLC

By: 
WILLIAM R. ALFORD, II, Manager of ALFORD PROPERTIES, LLC

**MODIFICATION OF DEED OF TRUST
(Continued)**

LENDER:

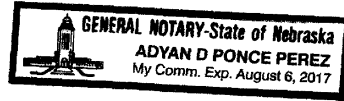
PINNACLE BANK

X *[Signature]*
Brétt W. Michael, Vice President

CORPORATE ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 27th day of January, 20 17, before me, the undersigned Notary Public, personally appeared **WILLIAM R. ALFORD, II, President of ALFORD OIL COMPANY**, and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, 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 corporation.

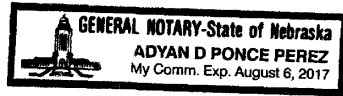


By *[Signature]*
Printed Name: Adyan D Ponce Perez
Notary Public in and for the State of Nebraska
Residing at Pinnacle Bank
My commission expires August 6th, 2017

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 27th day of January, 20 17, before me, the undersigned Notary Public, personally appeared **WILLIAM R. ALFORD, II, Manager of ALFORD PROPERTIES, LLC**, and known to me to be member 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.



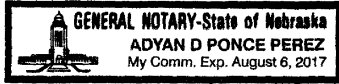
By *[Signature]*
Printed Name: Adyan D Ponce Perez
Notary Public in and for the State of Nebraska
Residing at Pinnacle Bank
My commission expires August 6th, 2017

**MODIFICATION OF DEED OF TRUST
(Continued)**

LENDER ACKNOWLEDGMENT

STATE OF Nebraska)
)
) SS
COUNTY OF Douglas)
)

On this 27th day of January, 2017, before me, the undersigned Notary Public, personally appeared **Brett W. Michael**, and known to me to be the **Vice President**, authorized agent for **PINNACLE BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **PINNACLE BANK**, duly authorized by **PINNACLE BANK** 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 in fact executed this said instrument on behalf of **PINNACLE BANK**.



By Adyan D Ponce Perez
Printed Name: Adyan D Ponce Perez
Notary Public in and for the State of Nebraska
Residing at Pinnacle Bank
My commission expires August 6, 2017