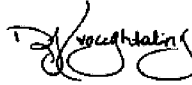


FILED SARPY CO. NE.
INSTRUMENT NUMBER

2019-00372

2019 Jan 07 09:51:10 AM



County Clerk/Register of Deeds
Deb Houghtaling



COUNTER JB
VERIFY JB
FEES \$ 106.00
CHG SFILE
SUBMITTED CROKER, HUCK, KASHER, DEWITT.

After recording, please return to:
Martin P. Pelster, Esq.
CROKER, HUCK, KASHER, DeWITT,
ANDERSON & GONDERINGER, L.L.C.
2120 South 72nd Street, Suite 1200
Omaha, NE 68124

**SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

THIS SIXTH AMENDMENT TO RESTRICTIVE COVENANTS is made on the date hereinafter set forth by HILLTOP INDUSTRIAL PARK, L.L.C., a Nebraska limited liability company (the "Declarant") and the other undersigned owners of Lots in Hilltop Industrial Park, which Declarant and other owners constitute the owners of a majority of the land (by square footage of the Lots) in Hilltop Industrial Park.

W I T N E S S E T H:

WHEREAS, the Declarant is the declarant under certain Restrictive Covenants applicable to Hilltop Industrial Park, a subdivision in Sarpy County, Nebraska (the "Original Declaration") which Original Declaration was filed in the office of the Register of Deeds of Sarpy County, Nebraska on March 11, 1998 as Instrument No. 1998-005465, and which Original Declaration was amended and restated by that certain First Amendment to Restrictive Covenants for Hilltop Industrial Park (the "First Amendment"), which First Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on October 25, 2002 as Instrument No. 2002-42518, and was further amended by that certain Second Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Second Amendment"), which Second Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on January 15, 2003 as Instrument No. 2003-02595, and was further amended by that certain Third Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Third Amendment"), which Third Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on March 20, 2006 as Instrument No. 2006-09334, and was further amended by that certain Fourth Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Fourth Amendment"), which Fourth Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on November 5, 2013 as Instrument No. 2013-34082; and was further amended by that certain Fifth Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Fifth

Amendment”), which Fifth Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on February 5, 2014 as Instrument No. 2014-02614 (the Original Declaration, as amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and the Fifth Amendment is hereinafter referred to as the “Declaration”)(capitalized terms used but not otherwise defined herein are as defined in the Declaration); and

WHEREAS, the Declaration governs the Properties, which are now known as: Lot 1 and the north 95 feet of Lot 2, Lot 6, Lot 7, Lot 18 and the north 212 feet of Lot 19, Lot 24 and the north 142 feet of Lot 25, and Lot 33, Hilltop Industrial Park; Lot 3, Hilltop Industrial Park Replat 1; Lot 1, Hilltop Industrial Park Replat 2; Lot 1, Hilltop Industrial Park Replat 3; Lot 1, Hilltop Industrial Park Replat 4; Lot 1, Hilltop Industrial Park Replat 5; Lots 1 and 2, Hilltop Industrial Park Replat 6; Lots 1 and 2, Hilltop Industrial Park Replat 7; Lot 1, Hilltop Industrial Park Replat 8; Lots 1 and 2, Hilltop Industrial Park Replat 9; Lot 1, Hilltop Industrial Park Replat 11; Lots 1 and 2, Hilltop Industrial Park Replat 12; Lots 1, 2, and 3, Hilltop Industrial Park Replat 13; and Lot 1, Hilltop Industrial Park Replat 14, all as platted and recorded in Sarpy County, Nebraska; and

WHEREAS, pursuant to the terms and conditions of Paragraph 16 of the Declaration, the Declaration may be amended by an instrument executed by the owners of a majority of the land (by square footage of Lots) subject to the Declaration, and pursuant to such provision, the Declarant and the other undersigned owners, who together constitute the owners of a majority of the land (by square footage of Lots) subject to the Declaration, desire to amend the Declaration as hereinafter set forth.

NOW THEREFORE, the Declaration is hereby amended as set forth below:

1. Section 7 of the Declaration is deleted in its entirety and replaced by the following new Section 7:

7. Parking Facilities and Delivery Vehicles.

a). All vehicular parking (customer, visitor and employee) shall be off-street. The number of vehicular parking spaces shall be sufficient at all times to conduct maximum business on each individual tract. Parking areas shall not be used for any purpose other than the parking of automotive vehicles belonging to customers, visitors and employees. In no case shall any storage, servicing or dismantling of automobiles or other vehicles, or loading or unloading operations be permitted in the required parking areas. All parking areas shall be hard surfaced with a suitable dustless material.

b). No owner, lessee or other occupant of any Lot shall park, or allow to be parked, unattended vehicles, trucks or trailers of any kind on 134th Street, 136th Street or Lynam Drive. Owners, lessees and other occupants of any Lot shall inform its delivery or service contractors of the terms of this restrictive covenant and shall instruct such contractors to refrain from parking unattended vehicles, trucks or trailers of any kind on the foregoing streets.

2. In all other respects, the Declaration heretofore executed, as previously amended, is hereby ratified and confirmed in its original form.

[Signature pages commence on next page]

**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

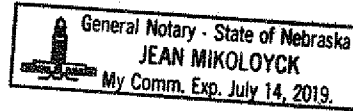
INLAND TRUCK PARTS COMPANY
a Minnesota Corporation

By: *Matthew Evans*
Its *General Manager*

STATE OF NEBRASKA)
) ss.
COUNTY OF Sarpy)

2019 The foregoing instrument was acknowledged before me this 7 day of Jan,
2018, by Matthew Evans, General Manager, of Inland Truck Parts
Company, a Minnesota corporation, on behalf of the corporation.

Jean Mikoloyck
Notary Public



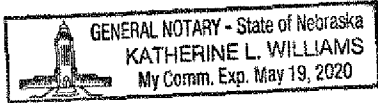
ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

MYTTY PROPERTIES, LLC
a Nebraska limited liability company

By: T. Mytty
Its Member

STATE OF NEBRASKA)
) ss.
COUNTY OF Sarpy)

The foregoing instrument was acknowledged before me this 31 day of October,
2018, by Trey Mytty, Member, of Mytty Properties,
LLC, a Nebraska limited liability company, on behalf of the company.



Katherine Williams
Notary Public

**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

MCHILL, LLC
a Nebraska limited liability company

By: Jennifer E. Storm
Its manager

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 31st day of October, 2018, by Jennifer Storm, Manager, of McHill, LLC, a Nebraska limited liability company, on behalf of the company.



Holly J. Jochims
Notary Public

ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

K & J INVESTMENTS, L.L.C.
a Nebraska limited liability company

By Jennifer E. Storm
Its manager

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)


The foregoing instrument was acknowledged before me this 31 day of October,
2018, by Jennifer Storm, Manager, of K & J Investments,
L.L.C., a Nebraska limited liability company, on behalf of the company.



Holly J. Jochims
Notary Public

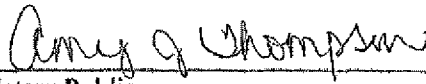
**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

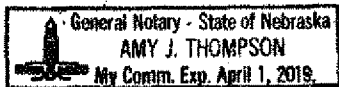
PREMIER HILLTOP, LLC
a Nebraska limited liability company

By: 
Its Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF Lancaster)

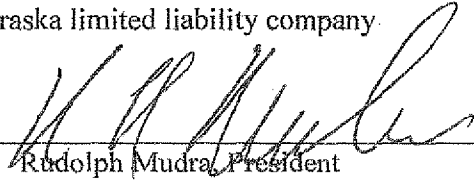
The foregoing instrument was acknowledged before me this 24 day of October, 2018, by Richard H. Young, Manager, of Premier Hilltop, LLC, a Nebraska limited liability company, on behalf of the company.


Notary Public



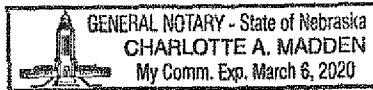
IN WITNESS WHEREOF, the Declarant and the other undersigned owners have executed this Sixth Amendment to Restrictive Covenants effective as of the date of the last of the signatures below.

HILLTOP INDUSTRIAL PARK, L.L.C.
a Nebraska limited liability company

By: 
Rudolph Mudra, President

STATE OF NEBRASKA)
) ss.
COUNTY OF Sarpy)

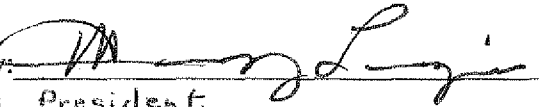
The foregoing instrument was acknowledged before me this 16th day of October, 2018, by Rudolph Mudra, President, of Hilltop Industrial Park, L.L.C., a Nebraska limited liability company, on behalf of the company.




Notary Public

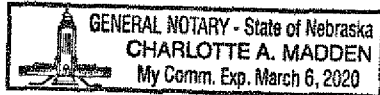
**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**


13205 LYNAM DRIVE, LLC
a Nebraska limited liability company

By: 
Its president

STATE OF NEBRASKA)
) ss.
COUNTY OF Sarpy)

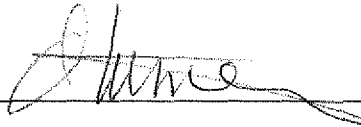
The foregoing instrument was acknowledged before me this 11th day of October, 2018, by Herbert J. Lavigne, President, of 13205 Lynam Drive, LLC, a Nebraska limited liability company, on behalf of the company.




Notary Public

ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

DOUGLAS S. TURNER, TRUSTEE OF THE
DOUGLAS S. TURNER REVOCABLE TRUST
DATED MAY 25, 2000

By: 
Its _____
Douglas S. Turner, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 19th day of October, 2018, by Douglas S. Turner, Trustee of the Douglas S. Turner Revocable Trust dated May 25, 2000.

SAMANTHA ROBINSON General Notary - State of Nebraska My Commission Expires Dec 21, 2021


Notary Public

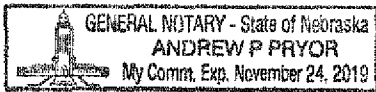
**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

LAWSON REAL ESTATE HOLDINGS, L.L.C.
a Nebraska limited liability company

By: *[Signature]*
Its *Member*

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

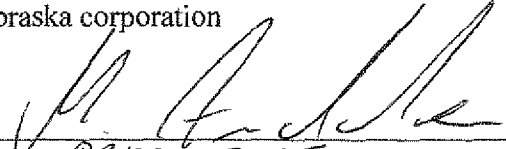
The foregoing instrument was acknowledged before me this 12 day of October,
2018, by Pam Spaccanella, Member, of Lawson Real Estate
Holdings, L.L.C., a Nebraska limited liability company, on behalf of the company.



[Signature]
Notary Public

ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

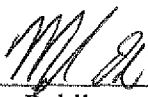
GRAEPEL NORTH AMERICA, INC.
a Nebraska corporation

By: 
Its PRESIDENT

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 26th day of October, 2018, by Mark Zumdohme, President, of Graepel North America, Inc., a Nebraska corporation, on behalf of the corporation.




Notary Public

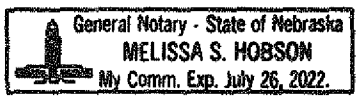
ADDITIONAL SIGNATURE PAGE TO
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RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

FORD'S MERCANTILE WAREHOUSES CO.
a Nebraska corporation

By: *Robert D. Ford*
Its *President*

STATE OF NEBRASKA)
) ss.
COUNTY OF *Sarpy*)

The foregoing instrument was acknowledged before me this *16th* day of *October*
2018, by *Robert D. Ford*, of Ford's Mercantile
Warehouses Co., a Nebraska corporation, on behalf of the corporation.



Melissa S. Hobson
Notary Public

ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

DOWNING DEVELOPMENT, LTD.
an Iowa corporation

By: [Handwritten Signature]
Its President

Iowa
~~STATE OF NEBRASKA~~)
COUNTY OF Dallas) ss.

The foregoing instrument was acknowledged before me this 18th day of December, 2018, by Steven J. Downing, of Downing Development, Ltd., an Iowa corporation, on behalf of the company.

[Handwritten Signature]
Notary Public



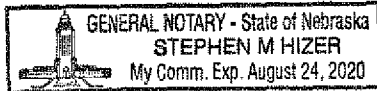
ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

HALEDA, LLC
a Nebraska limited liability company

By: Jeanne Morrison
Its SECRETARY

STATE OF NEBRASKA)
) ss.
COUNTY OF Sarpy)

The foregoing instrument was acknowledged before me this 15th day of October,
2018, by Jeanne Morrison, Treasurer, of Haleda, LLC, a
Nebraska limited liability company, on behalf of the company.



Stephen M Hizer
Notary Public

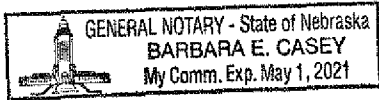
**ADDITIONAL SIGNATURE PAGE TO
SIXTH AMENDMENT TO
RESTRICTIVE COVENANTS FOR HILLTOP INDUSTRIAL PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

MADI PROPERTIES X, LLC
a Nebraska limited liability company

By: MD
Its Member

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 22 day of October, 2018, by Matthew D. Jensen Member, of MADI Properties X, LLC, a Nebraska limited liability company, on behalf of the company.



Barbara E. Casey
Notary Public