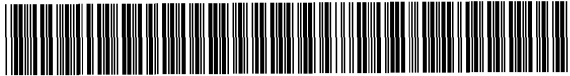




MISC 2017044747



JUN 09 2017 11:23 P 2

Fee amount: 16.00
FB: 77-11033
COMP: MS

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
06/09/2017 11:23:45.00



2017044747

WHEN RECORDED MAIL TO:

Core Bank
12100 West Center Road
Omaha, NE 68144

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated 5/10/17, is made and executed between Elk Hills Apartments II, LLC, whose address is 3801 S. 181st St., Omaha, NE 68130; A Nebraska Limited Liability Company ("Trustor") and Core Bank, whose address is 12100 West Center Road, Omaha, NE 68144 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated January 11, 2016 (the "Deed of Trust") which has been recorded in Douglas County, State of Nebraska, as follows:

Recorded January 12, 2016, in Douglas County Register of Deeds Office as Instrument No. 2016002641.

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

Lot 1, Elkhorn Valley, a subdivision in Douglas County, Nebraska

The Real Property or its address is commonly known as 2320, 23330 & 2340 North Main St., Elkhorn, NE 68022. The Real Property tax identification number is 1536 0950 10.

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

Principal Increase of \$700,000.0.

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 5/10/17.


TRUSTOR:

ELK HILLS APARTMENTS II, LLC

By: 
Donald L. Gardiner, Member of Elk Hills Apartments II, LLC

LENDER:

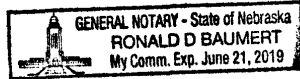
CORE BANK

X 
Authorized Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 10th day of May, 20 17, before me, the undersigned Notary Public, personally appeared Donald L. Gardiner, Member of Elk Hills Apartments II, 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: Ronald D. Baumert
Notary Public in and for the State of Nebraska
Residing at Fremont, NE
My commission expires 6/21/19

LENDER ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 10th day of May, 20 17, before me, the undersigned Notary Public, personally appeared Ronald Baumert, and known to me to be the Vice President, authorized agent for Core Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Core Bank, duly authorized by Core 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 Core Bank.



By [Signature]
Printed Name: Jessica M Rolfes
Notary Public in and for the State of NE
Residing at Omaha NE
My commission expires 2/4/21