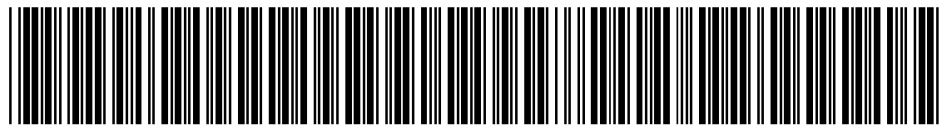




MISC 2015030567



APR 24 2015 14:53 P 6

Fee amount: 40.00
FB: 65-03824
COMP: LC

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
04/24/2015 14:53:33.00



2015030567

REAFFIRMATION AND SUPPLEMENT TO COMMON WALL MAINTENANCE AGREEMENT

This Reaffirmation and Supplement to Common Wall Maintenance Agreement is entered into on this 21 day of April 2015 by and among between Patricia M. Luchs, a widowed person, now known as Patricia M. Kabana and Thomas James Kabana, wife and husband and Patricia M. Luchs now known as Patricia M. Kabana, as Trustee of the Patricia M. Luchs Declaration of Trust dated September 5, 2008 (hereinafter collectively referred to as “**Party of the First Part**”) and Francis D. Caruso (hereinafter referred to as “**Party of the Second Part**”) and **Party of the First Part** and **Party of the Second Part** (hereinafter collectively referred to as “**Parties**”) and the **Parties** agree as follows:

WHEREAS, Virgil and Gail Likness and Francis D. Caruso entered into a Common Wall Maintenance Agreement on or about July 30, 1998 and affecting the real estate legally described as follow:

**Lots #1 and #2, in BLESSIE’S FIRST ADDITION REPLAT 1,
an Addition to the City of Omaha, as surveyed, platted and
recorded, in Douglas County, Nebraska.**

and commonly addressed as 5818 S. 147th Street, Omaha, Douglas County, Nebraska and 5820 S. 147th Street, Omaha, Douglas County, Nebraska; and

WHEREAS, the Common Wall Maintenance Agreement was filed in the Register of Deeds Office of Douglas County, Nebraska on or about August 20, 1998 and generally found at 1259 669 MISC and 11539 98 669-670; and

WHEREAS, Patricia M. Luchs, now known as Patricia M. Kabana, acquired the interest of Erik and Sheila Likness by Warranty Deed on or about June 1, 2007; and

WHEREAS, from and after July 30, 1998 and through the present, the **Parties**, individually and/or collectively, have faithfully and timely complied with the terms and provisions of said Common Wall Maintenance Agreement and desire to Reaffirm and Supplement said Common Wall Maintenance Agreement.

NOW, THEREFORE, the **Parties**, intending to be legally bound hereby and in consideration of the mutual covenants and promises herein contained, agree as follows:

1. That the **Parties** hereto recognize and acknowledge the Common Wall Maintenance Agreement dated July 30, 1998 and affirmatively state that the **Parties** hereto and all predecessor party(s) having an interest with respect to the subject matter of the Common Wall Maintenance Agreement have faithfully and timely complied with the terms and provisions of the said Common Wall Maintenance Agreement.

2. That the **Parties** hereto recognize and acknowledge the Common Wall Maintenance Agreement dated July 30, 1998 and affirmatively state that the **Parties** hereto and all predecessor party(s) having an interest with respect to the subject matter of the Common Wall Maintenance Agreement have consistently and unequivocally regarded, considered and acknowledged that said Common Wall Maintenance Agreement is and was intended to “Run with the Land” and as generally understood as a legal term and the **Parties** affirmatively state that it is their singular intent that said Common Wall Maintenance Agreement continue to “Run with the Land.”

3. That the **Parties** hereto recognize, acknowledge and reaffirm all terms and provisions of the Common Wall Maintenance Agreement dated July 30, 1998.

4. That the individual(s) and/or entities executing this Reaffirmation and Supplement to Common Wall Maintenance Agreement hereby warrants and represents that each has signed freely and voluntarily and the same is fully binding on the respective **Parties**.

Patricia M. Kabana

Patricia M. Luchs, now known as Patricia M. Kabana, as Trustee of the Patricia M. Luchs Declaration of Trust dated September 5, 2008

April 21 2015

Date

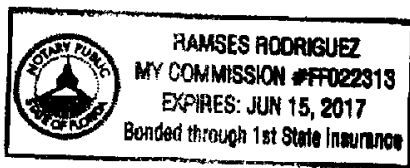
STATE OF FLORIDA)
)ss.
COUNTY OF BREVARD)

PATRICIA M. LUCHS, NOW KNOWN AS PATRICIA M. KABANA, AS TRUSTEE OF THE PATRICIA M. LUCHS DECLARATION OF TRUST DATED SEPTEMBER 5, 2008, being first duly sworn upon oath, deposes and states that she has read the foregoing; that she knows the contents thereof; and that the facts and allegations set forth therein are true.

Patricia M. Kabana

PATRICIA M. LUCHS, NOW KNOWN AS PATRICIA M. KABANA, AS TRUSTEE OF THE PATRICIA M. LUCHS DECLARATION OF TRUST DATED SEPTEMBER 5, 2008

SUBSCRIBED AND SWORN to before me this 21 day of April 21 2015 2015.



Ramses Rodriguez
Notary Public

IN WITNESS WHEREOF, the Parties, intending to be legally bound, hereby have executed this Reaffirmation and Supplement to Common Wall Maintenance Agreement on the date first above written.

PARTY OF THE FIRST PART:

Patricia M. Kabana
Patricia M. Luchs, a widowed person,
now known as Patricia M. Kabana

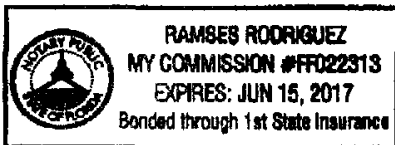
April 21, 2015
Date

STATE OF FLORIDA)
COUNTY OF BREVARD)ss.

PATRICIA M. LUCHS, A WIDOWED PERSON, NOW KNOWN AS PATRICIA M. KABANA, being first duly sworn upon oath, deposes and states that she has read the foregoing; that she knows the contents thereof; and that the facts and allegations set forth therein are true.

Patricia M. Kabana
PATRICIA M. LUCHS, A WIDOWED
PERSON, NOW KNOWN AS PATRICIA M.
KABANA

SUBSCRIBED AND SWORN to before me this 21 day of April 2015.
2015.



Ramon Rodriguez
Notary Public

PARTY OF THE SECOND PART:

Francis D. Caruso
Francis D. Caruso

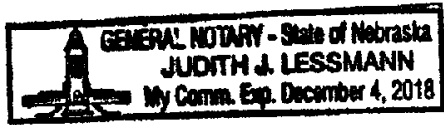
4-21-2015
Date

STATE OF Nebraska)
COUNTY OF Douglas) ss.

FRANCIS D. CARUSO, being first duly sworn upon oath, deposes and states that he has read the foregoing; that he knows the contents thereof; and that the facts and allegations set forth therein are true.

Francis D. Caruso
FRANCIS D. CARUSO

SUBSCRIBED AND SWORN to before me this 21st day of April
2015.



Judith J. Lessmann
Notary Public