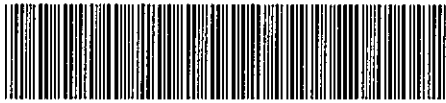


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By

RICHARD H. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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**FIRST AMENDMENT TO ALTECH BUSINESS PARK  
DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS**

Ted Grace Development, L.L.C., Declarant under the Altech Business Park Declaration of Covenants, Conditions, Easements and Restrictions (the "Declaration") with respect to the real property described in Exhibit A attached hereto, which Declaration was recorded on the 31<sup>st</sup> day of July, 1998, at Book 1257, Page 546 of the Miscellaneous Real Estate Records of Douglas County, Nebraska, pursuant to powers reserved to Declarant in Section 6.12 of the Declaration amends the Declaration as follows:

1. Section 2.3 is deleted and the following is substituted therefor:

"2.3 WestPort Plaza Easement. An easement is created over Real Estate described in Exhibit "B" attached hereto for purposes of vehicular and pedestrian ingress and egress to and from 147<sup>th</sup> and F Street and to or from the Real Estate and Lots 20, 21, and 23, Altech Business Park, as surveyed, platted and recorded in Douglas County, Nebraska, and Lots 1 and 2, Altech Business Park Replat 3, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska. The easement shall be known as "WestPort Plaza". The Easement shall be paved to a thickness of 7 inches with concrete limestone. The Easement shall be lighted and the portions thereof not covered by paving shall be landscaped and at Declarant's option, irrigated. Declarant shall approve of all curb cuts to the Easement, and the plans with respect to the same shall be a part of the building plans required under Section 4.4 to be submitted for prior approval by Declarant. No changes in such curb cuts and no additional curb cuts shall thereafter be made without the approval of Declarant. Maintenance of the Easement shall be the shared responsibility of the owners of the lots abutting the Easement under the procedures set forth in Section 5.11 below."

2. Section 5.11 of the Declaration is deleted and the following is substituted therefor:

"5.11 WestPort Plaza Easement. A special assessment shall be made solely against the owners of the lots abutting the WestPort Plaza Easement as described in Section 2.3 of this Declaration for the maintenance of the Easement. Maintenance shall include snow removal, surface maintenance, lighting, and landscaping, including plantings, irrigation and other landscape maintenance. Assessments shall be made against each lot abutting the Easement on the basis of the square footage of such lots, excluding any such square footage that is within the easement area."

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m

FEE 50.00 FB attached  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP g  
 DEL \_\_\_\_\_ SCAN ds FV \_\_\_\_\_

3. Except to the extent amended herein, the Declaration shall remain in full force and effect in accordance with its terms.

Dated: January 12<sup>th</sup>, 2000.

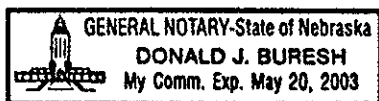
TED GRACE DEVELOPMENT, L.L.C., a Nebraska  
Limited Liability Company

By: Ted V. Grace Manager

Ted V. Grace, Its Manager

STATE OF NEBRASKA    )  
  )ss  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 12 day of January, 2000, by Ted V. Grace, Manager of Ted Grace Development, L.L.C., a Nebraska limited liability company, on behalf of the company.



[Signature]  
Notary Public

M1-00502

**EXHIBIT "A"**

Lots 1 through 17 inclusive; Lots 20, 21 and 23; Lots 26 through 29 inclusive; Lots 32 through 48 inclusive; and Outlots A, B and C. Altech Business Park a subdivision in Douglas County, Nebraska

M1-00503

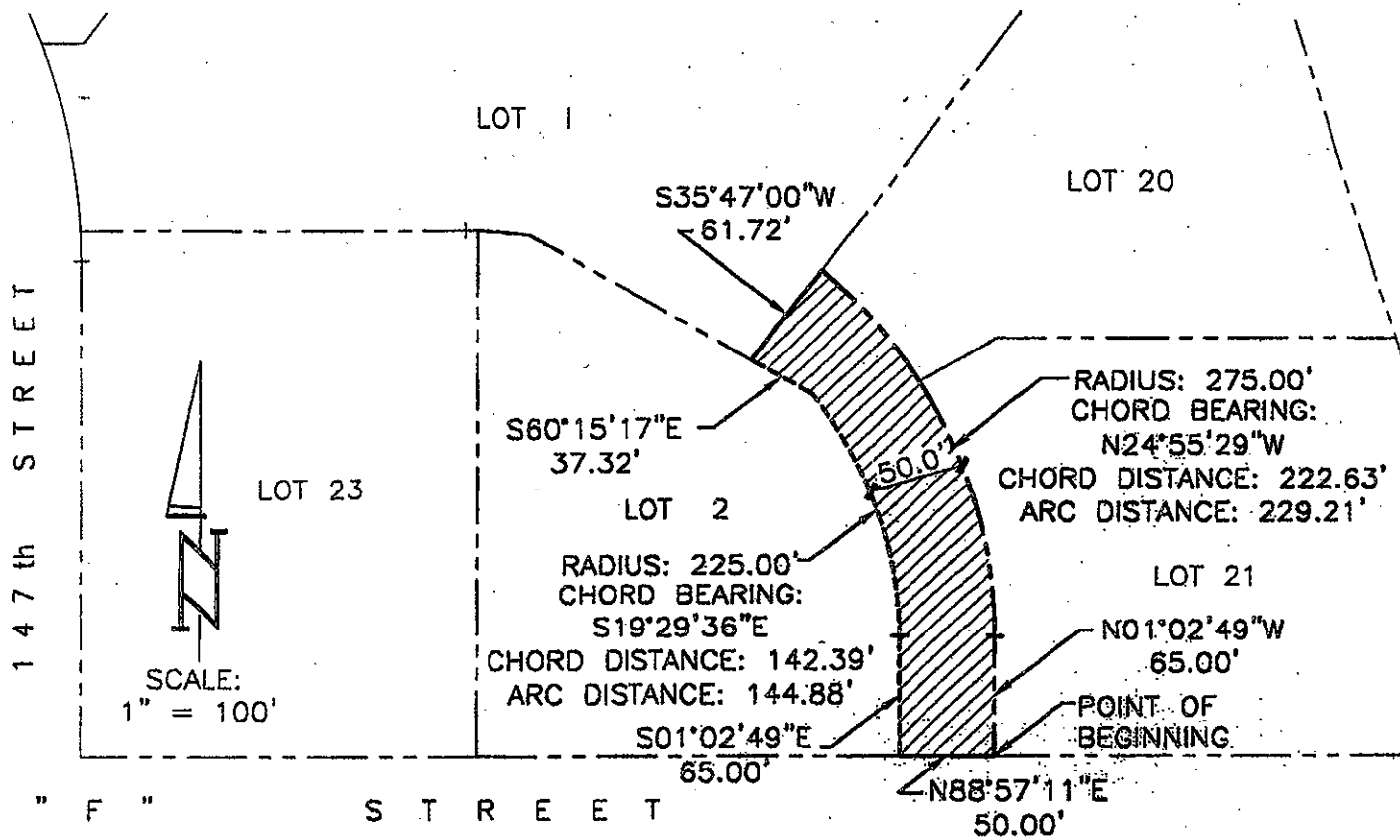
Lots 1 and 2, Altech Business Park Replat 1, being a replat of Lots 24 and 25, Altech Business Park, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

M1-00504

Lots 1 and 2, Altech Business Park Replat 2, being a replat of Lot 31, Altech Business Park, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

M1-00505

Lots 1 and 2, Altech Business Park Replat 3, being a replat of Lots 18, 19, 22 and Outlot D of Altech Business Park, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.



## LEGAL DESCRIPTION

THAT PART OF LOT 2, ALTECH BUSINESS PARK REPLAT 3, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID LOT 2;

THENCE N01°02'49"W (ASSUMED BEARING) 65.00 FEET ON THE EASTERLY LINE OF SAID LOT 2;

THENCE NORTHWESTERLY ON THE EASTERLY LINE OF SAID LOT 2 ON A 275.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N24°55'29"W CHORD DISTANCE 222.63 FEET, AN ARC DISTANCE OF 229.21 FEET TO THE NORTHERLY LINE THEREOF;

THENCE S35°47'00"W 61.72 FEET ON THE NORTHERLY LINE OF SAID LOT 2;

THENCE S60°15'17"E 37.32 FEET ON THE SOUTHEASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT 2;

THENCE SOUTHERLY ON A NON-TANGENT 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S19°29'36"E CHORD DISTANCE 142.39 FEET, AN ARC DISTANCE OF 144.88 FEET ON A LINE 50.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT 2;

THENCE S01°02'49"E 65.00 FEET ON A LINE 50.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT 2 TO THE SOUTHERLY LINE THEREOF;

THENCE N88°57'11"E 50.00 FEET ON THE SOUTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

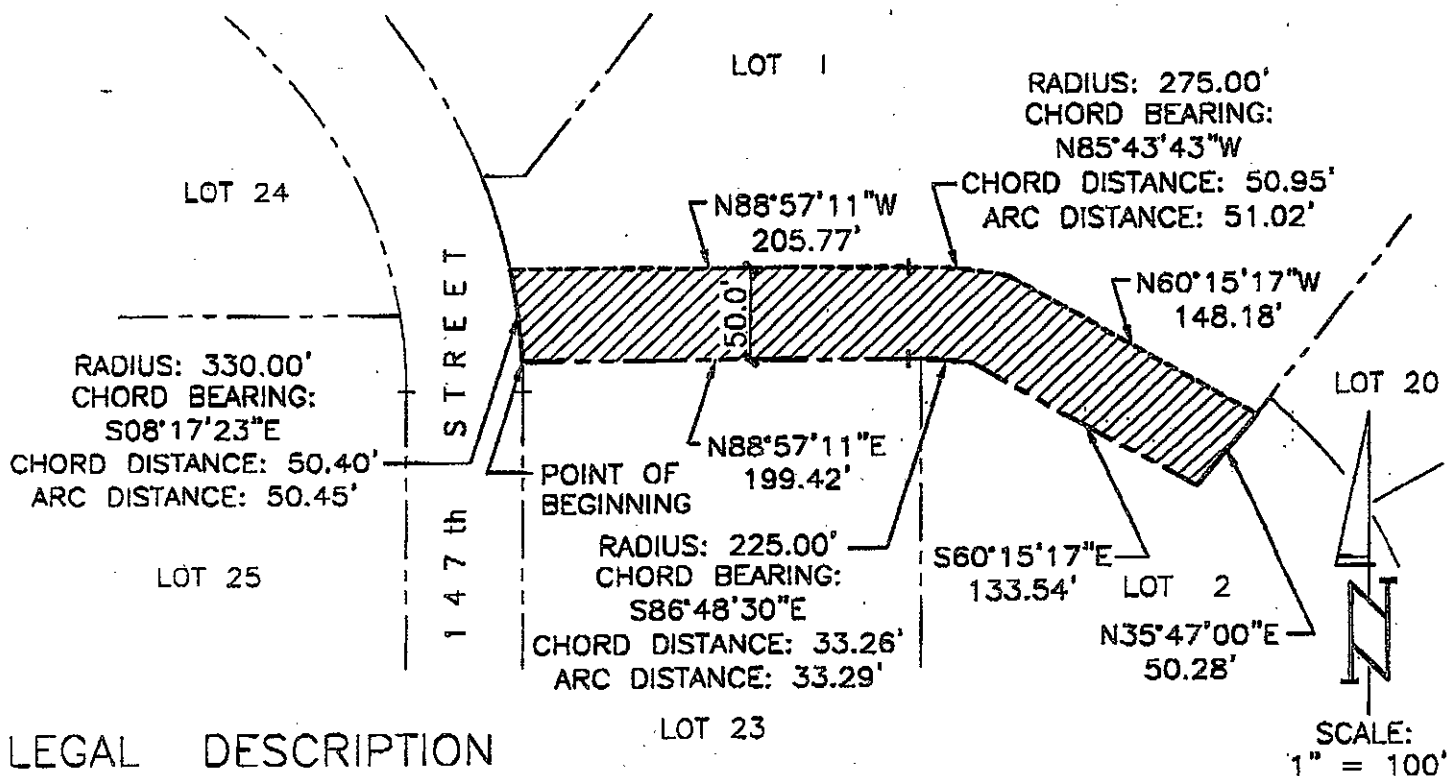
S.I.D. 422 DOUGLAS COUNTY

TD2 FILE NO. 1085-104-B

DATE: AUGUST 26, 1999

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

*Exhibit B*



LEGAL DESCRIPTION

LOT 23

SCALE: 1" = 100'

A 50.00 FOOT WIDE STRIP OF LAND LYING WITHIN THAT PART OF LOT 1, ALTECH BUSINESS PARK REPLAT 3, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 1;

- THENCE N88°57'11"E (ASSUMED BEARING) 199.42 FEET ON THE SOUTHERLY LINE OF SAID LOT 1;
- THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID LOT 1 ON A 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S86°48'30"E CHORD DISTANCE 33.26 FEET, AN ARC DISTANCE OF 33.29 FEET;
- THENCE SOUTHEASTERLY ON THE SOUTHERLY LINE OF SAID LOT 1 S60°15'17"E 133.54 FEET TO THE SE CORNER THEREOF;
- THENCE NORTHEASTERLY ON THE EASTERLY LINE OF SAID LOT 1 N35°47'00"E 50.28 FEET;
- THENCE N60°15'17"W 148.18 FEET ON A LINE 50.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1;
- THENCE NORTHWESTERLY ON A NON-TANGENT 275.00 FOOT RADIUS CURVE TO THE LEFT CHORD BEARING N85°43'43"W CHORD DISTANCE 50.95 FEET, AN ARC DISTANCE OF 51.02 FEET ON A LINE 50.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1;
- THENCE N88°57'11"W 205.77 FEET ON A LINE 50.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1 TO THE WESTERLY LINE THEREOF;
- THENCE SOUTHERLY ON THE WESTERLY LINE OF SAID LOT 1 ON A NON-TANGENT 330.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S08°17'23"E CHORD DISTANCE 50.40 FEET, AN ARC DISTANCE OF 50.45 FEET TO THE POINT OF BEGINNING.