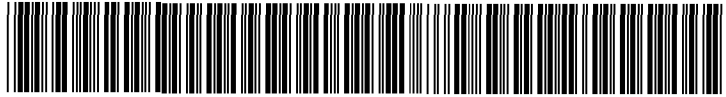




MISC 2016063592



AUG 08 2016 13:04 P 2

Fee amount: 16.00
FB: M1-00502
COMP: CC

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
08/08/2016 13:04:52.00



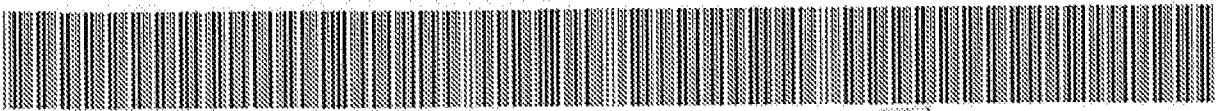
2016063592

WHEN RECORDED MAIL TO:

Great Western Bank
Loan Administration Department
9290 W Dodge Rd 401
Omaha, NE 68114

FOR RECORDER'S USE ONLY

**MODIFICATION OF DEED OF TRUST
AND ASSIGNMENT OF RENTS**



THIS MODIFICATION OF DEED OF TRUST dated August 2, 2016, is made and executed between **SUTKO REAL PROPERTY MANAGEMENT, LLC, A NEBRASKA LIMITED LIABILITY COMPANY** whose address is 4610 S. 133RD STREET, SUITE 101, OMAHA, NE 68137; ("Trustor") and **GREAT WESTERN BANK**, whose address is Omaha Corporate Banking, 9290 W Dodge Rd Suite 401, Omaha, NE 68114 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated February 24, 2016 (the "Deed of Trust") which has been recorded in DOUGLAS County, State of Nebraska, as follows:

CONSTRUCTION DEED OF TRUST DATED FEBRUARY 24, 2016 AND RECORDED MARCH 1, 2016 AS INSTRUMENT NO. 2016014647 AT DOUGLAS COUNTY REGISTER OF DEEDS.

ASSIGNMENT OF RENTS DATED FEBRUARY 24, 2016 AND RECORDED MARCH 1, 2016 AS INSTRUMENT NO. 2016014649 AT DOUGLAS COUNTY REGISTER OF DEEDS.

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

LOT 11, IN ALTECH BUSINESS PARK, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED, IN DOUGLAS COUNTY, NEBRASKA.

The Real Property or its address is commonly known as 3809 S. 148TH STREET, OMAHA, NE 68144-5567. The Real Property tax identification number is 1223 0070 05.

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

THE "NOTE" DESCRIPTION SET FORTH IN THE DEED OF TRUST AND ASSIGNMENT OF RENTS REFERENCED ABOVE IS HEREBY DELETED IN ITS ENTIRETY AND THE FOLLOWING IS SUBSTITUTED THEREFORE:

The word "Note" means that promissory note dated February 24, 2016 in the principal amount of \$1,125,000.00 from Borrower to Lender, and that promissory note dated August 2, 2016 in the principal amount of \$250,000.00 from Borrower to Lender, together with all renewals of, extensions of, modifications of, re-financings of, consolidations of, and substitutions for the promissory notes referenced in this paragraph.

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 AUGUST 2, 2016.

TRUSTOR:

SUTKO REAL PROPERTY MANAGEMENT, LLC

By: Thomas J. Sufko
THOMAS J. SUTKO, Manager of SUTKO REAL PROPERTY MANAGEMENT, LLC

MODIFICATION OF DEED OF TRUST
(Continued)

LENDER:

GREAT WESTERN BANK

x [Signature]
Dan Gomez, SVP

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 4th day of August, 2016, before me, the undersigned Notary Public, personally appeared THOMAS J. SUTKO, Manager of SUTKO REAL PROPERTY MANAGEMENT, 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.

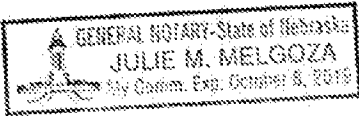


By [Signature]
Printed Name: Dan K. Gomez
Notary Public in and for the State of NE
Residing at Omaha
My commission expires 10-26-16

LENDER ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

On this 4th day of August, 2016, before me, the undersigned Notary Public, personally appeared Dan Gomez, and known to me to be the SVP, authorized agent for GREAT WESTERN BANK that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of GREAT WESTERN BANK, duly authorized by GREAT WESTERN 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 GREAT WESTERN BANK.



By [Signature]
Printed Name: Julie M. Melgoza
Notary Public in and for the State of NE
Residing at Omaha NE
My commission expires 10-8-2015