



MISC 2017005460



JAN 23 2017 10:40 P 3

MISC 22 10 FEB 16 2000 7  
3 BKP 12-14-11 See attached  
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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
1/23/2017 10:40:49.12



2017005460

WHEN RECORDED MAIL TO:  
First Westroads Bank, Inc.  
15750 West Dodge Road  
Omaha, NE 68118

FOR RECORDER'S USE ONLY

### MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS

**THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS dated April 3, 2003, is made and executed between Cynet, Inc. a Nebraska Corporation, ("Trustor") and First Westroads Bank, Inc., whose address is 15750 West Dodge Road, Omaha, NE 68118 ("Lender").**

**Deed of Trust and Assignment of Rents.** Lender and Trustor have entered into a Deed of Trust and Assignment of Rents dated April 3, 2003 (the "Deed of Trust and Assignment of Rents") which have been recorded in Douglas County, State of Nebraska as follows:

**Recorded in the Register of Deeds Office of Douglas County, Nebraska  
April 23, 2003 as MTG 2003 19215 Bk 8022 PG 233-240 and MISC:2003-14446 BK 1512  
PG 360-364**

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

See attached Exhibit "A"

The Real Property or its address is commonly known as 13502-13548 Discovery Dr and 4870 So 137<sup>th</sup> St. Omaha, NE 68137. The real Property Tax Identification numbers are 1690 5049 09 & 0491 0516 18

**MODIFICATION.** Lender and Grantor hereby modify the Deed of Trust and Assignment of Rents as follows:

**The word "Note" means collectively the Promissory Notes, executed by Cynet, Inc. dated December 16, 2016, in the original amount of \$2,063,842.31, along with Promissory Note, executed by Cynet, Inc. dated December 16, 2016, in the amount of \$2,131,574.46, together with all renewals of, extensions of, modifications of, re-financings of, consolidations of, and substitutions for the notes or credit agreements.**

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Deed of Trust and Assignment of Rents 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 Assignment of Rents 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 Assignment of Rents (the "Note"). It is the intention of Lender to retain as liable all parties to the Assignment of Rents 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 Assignment of Rents 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 applied not only to any initial extension of modification, but also to all such subsequent actions.

**TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS IS DATED December 16, 2016**

**TRUSTOR:**

Cynet, Inc.

By: 

Greg Bush, President of Cynet, Inc.

By: 

Deanna Stickney, Secretary of Cynet, Inc.

**LENDER:**

FIRST WESTROADS BANK, INC.

X 

Timothy Riha, Vice President

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MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS  
(Continued)

Loan No: 8128 & 8828  
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CORPORATE ACKNOWLEDGEMENT

STATE OF Nebraska )  
 ) SS  
COUNTY OF Douglas )

On this 29 day of December, 2016 before me, the undersigned Notary Public, **Cynthia A. Gibbs, President of Cynet, Inc. and Janet K. Bush, Vice President of Cynet, Inc.**, known to me to be authorized agents of the corporation that executed the Modification of Deed of Trust and Modification of Assignment of Rents, and acknowledged the Modification to be the free and voluntary act and deed of the corporation by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the corporation..

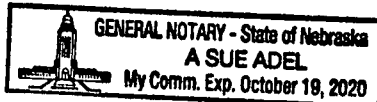


By Barbara Hardin  
Printed Name Barbara Hardin  
Notary Public in and for the State of Nebraska  
Residing at Douglas County  
My commission expires 8/21/2019

LENDER ACKNOWLEDGMENT

STATE OF Nebraska )  
 ) SS  
COUNTY OF Douglas )

On this 29 day of December, 2016, before me, the undersigned Notary Public, personally appeared Timothy Riha, Vice President, authorized agent for First Westroads Bank, Inc. that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of First Westroads Bank, Inc., duly authorized by First Westroads Bank, Inc. through its board of directors or otherwise, for the uses and purposes therein mentioned, and oath stated that he is authorized to execute this said instrument and in fact executed this said instrument of First Westroads Bank, Inc.



By A Sue Adel  
Notary Public in and for the State of NE  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

EXHIBIT "A"

65-08630

LEGAL DESCRIPTION:

**TRACT 1:** All of Lots 22, 23, 24, and 25, Cynet Commercial Plaza, as surveyed, platted and recorded in Douglas County, Nebraska, and a tract of land located in the Northeast 1/4 of Section 12, Township 14 North, Range 11 East of the 6th Principal Meridian, Douglas County, Nebraska; being more particularly described as follows: Beginning at the Southwesterly corner of Lot 22, Cynet Commercial Plaza; thence Southeasterly along the Southerly line of Lot 22, Cynet Commercial Plaza, a distance of 150.00 feet to the Southeasterly corner of Lot 22, Cynet Commercial Plaza; thence Southwesterly along the Northwesterly line of Lot 23, Cynet Commercial Plaza, a distance of 150.00 feet to the Westerly corner of Lot 23, Cynet Commercial Plaza; thence Northwesterly along the Northeasterly right of way line of Discovery Drive a distance of 150.00 feet to a point of intersection with the Southeasterly right of way line of 136th Street; thence Northeasterly along the Southeasterly right of way line of said 136th Street, a distance of 150.00 feet to the point of beginning. (13502-48 Discovery Dr)

12-14-11  
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**PARCEL B:** That part of Lot 6, Moritz Plaza, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, more particularly described as:  
Part of Lot 6, Moritz Plaza, located in the Southeast Quarter of Section 1, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

64-26280

Beginning at the point of intersection of the Westerly right-of-way line of 137th Street and the Northerly right-of-way line of Millard Avenue; thence South 50°48'17" West (assumed bearing) along said Northerly right-of-way line of Millard Avenue, a distance of 385 feet, to a point on the Westerly line of said Lot 6, Moritz Plaza, said Westerly line also being the centerline of the West Papillion Creek; thence North 33°16'12" West along said Westerly line of Lot 6 Moritz Plaza and said centerline of the West Papillion Creek, a distance of 110 feet; thence Northeasterly on a line parallel to the Northerly right-of-way line of Millard Avenue to a point on the Westerly right-of-way line of 137th Street, 110 feet Northwest of the point of beginning; thence South 40°52'23" East along said Westerly right-of-way line of 137th Street, a distance of 110 feet to the point of beginning. (4870 So. 137th St.)