


COUNTER <u>DKH</u>
VERIFY <u>DKH</u>
FEES \$ <u>46.00</u>
CHG <u>SFILE</u>
SUBMITTED <u>THOMPSON, DREESSEN, & DORN</u>

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2013-16497
2013 May 24 09:41:32 AM
Sheryl J. Doudney
REGISTER OF DEEDS


RECORDING INFORMATION ABOVE

AMENDMENT TO PERMANENT EASEMENT

may THIS AMENDMENT TO PERMANENT EASEMENT is made and entered into this *16th* day of _____, 2013 (the "Effective Date"), by and among PAPILLION PROFESSIONAL PARK, LLC, a Nebraska limited liability company (hereinafter referred to as "Papillion Professional Park"), PETERSON PARCEL, LLC, a Nebraska limited liability company (hereinafter referred to as "Peterson"), and PPP LOT 4, LLC, a Nebraska limited liability company (hereinafter referred to as "PPP"; Papillion Professional Park, Peterson and PPP shall be collectively referred to herein as the "Parties").

WHEREAS, Papillion Professional Park is the owner of the real property legally described as Lot 1 and Lot 2, Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (the "Papillion Professional Park Property").

WHEREAS, Peterson is the owner of the real property legally described as Lot 3, Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (the "Peterson Property").

WHEREAS, PPP is the owner of the real property legally described as Lot 4, Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (the "PPP Property").

WHEREAS, the Parties are parties to that certain Permanent Easement recorded July 2, 2002 as Instrument No. 200224665 with the Sarpy County, Nebraska Register of Deeds (the "Easement Agreement"), which Easement Agreement sets forth the Parties' agreements relating to the installation, maintenance and operation of drainage structures and/or drainage ways on, over, and/or across portions of the Papillion Professional Park Property, the Peterson Property and the PPP Property (such area being referred to herein as the "Easement Area").

WHEREAS, the Parties desire to amend the Easement Agreement to reflect the modification of the Easement Area as a result of the relocation of a portion of the Easement Area and, as a result of such relocation, the release of Lot 1, Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska ("Lot 1"), from the terms of the Easement Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Amendments to Easement Agreement.

- a. The Easement Agreement is hereby amended to reflect the relocation of the portion of the Easement Area that ran on, over, and/or across portions of the Papillion Professional Park Property such that such Easement Area shall now only run on, over, and/or across portions of Lot 2, Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, as shown on the exhibit attached hereto as Exhibit "A".
- b. As a result of the relocation of the Easement Area, as reflected on the attached Exhibit "A", the Easement Agreement is hereby amended to release Lot 1 from the terms and obligation of the Easement Agreement.
- c. Paragraphs 4 and 6 of the Easement Agreement are hereby amended to delete in their entirety any reference to Lot 1 and replace such reference with "Lot 2".

2. Miscellaneous.

- a. No Other Amendment. Except as amended herein, all of the terms, conditions and provisions of the Easement Agreement are ratified and confirmed and remain in full force and effect.
- b. Counterparts. The Parties acknowledge that this Amendment to Permanent Easement has been or may be executed in several counterparts, each of which shall be deemed an original and all such counterparts together shall constitute one and the same instrument.

[Remainder of Page Left Intentionally Blank; Execution Pages Follow.]

PETERSON PARCEL, LLC,
a Nebraska limited liability company

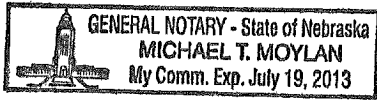
By: [Signature]
Name: Kristi Peterson
Title: Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Kristi Peterson, Member of PETERSON PARCEL, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 16th day of MAY, 2013.

[Seal]

[Signature]
Notary Public



PPP LOT 4, LLC,
a Nebraska limited liability company

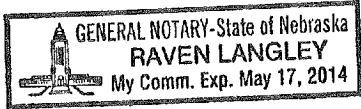
By: [Signature]
Name: MICHAEL T MOYLAN
Title: Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Michael Moylan, owner of PPP LOT 4, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 15 day of MAY, 2013.

[Seal]

[Signature: Raven Langley]
Notary Public



IN WITNESS WHEREOF, the Parties have executed this Amendment to Permanent Easement as of the Effective Date.

PAPILLION PROFESSIONAL PARK, LLC,
a Nebraska limited liability company,

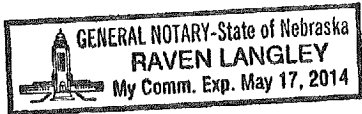
By: [Signature]
Name: MICHAEL T MOYLAN,
Title: MEMBER

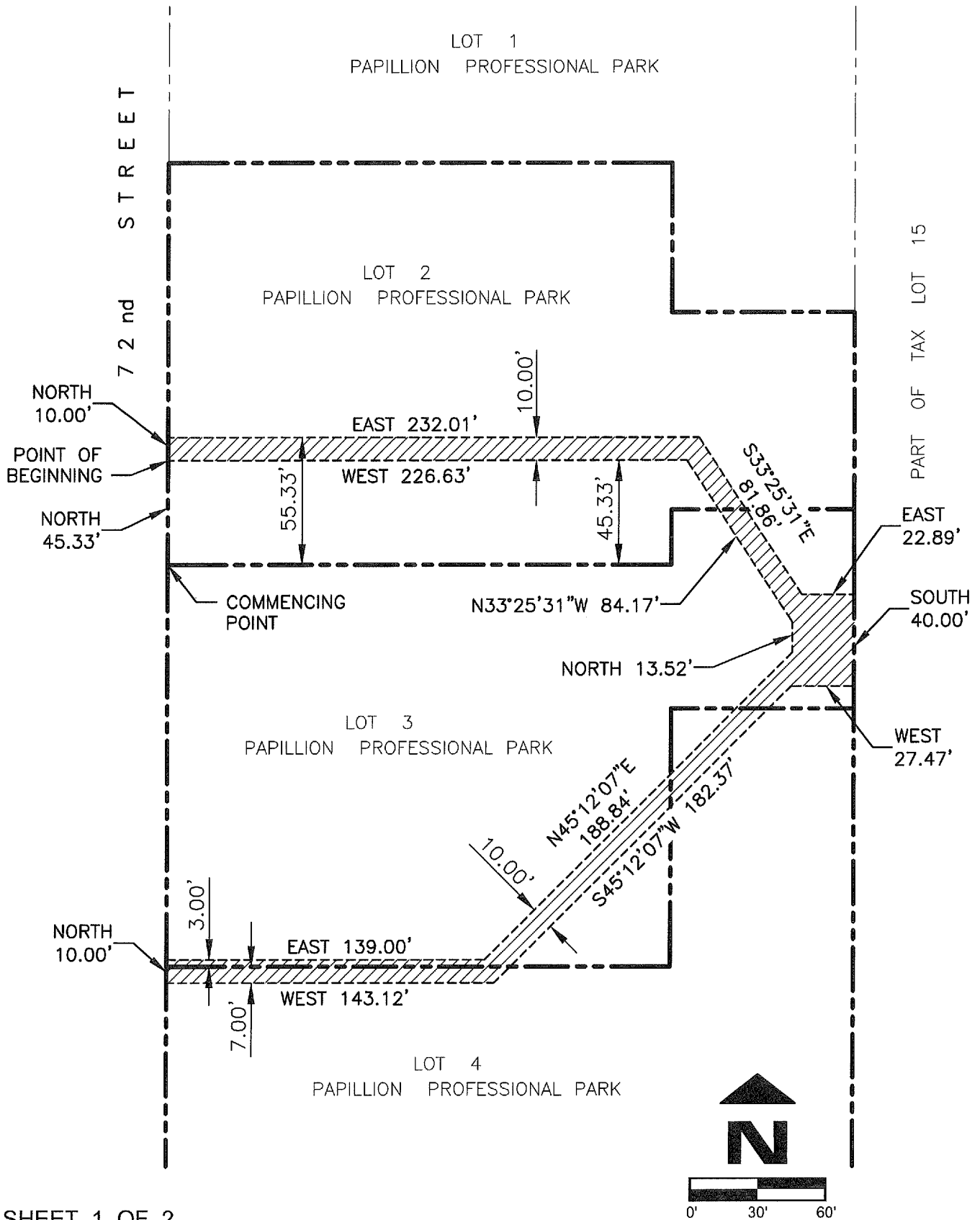
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Michael Moylan, owner of PAPILLION PROFESSIONAL PARK, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 15 day of May, 2013.

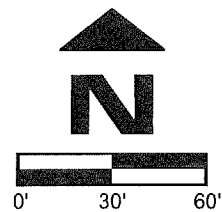
[Seal]

[Signature]
Notary Public





SHEET 1 OF 2



Job Number: 1623-101-EX3
 thompson, dreessen & dorner, inc.
 10836 Old Mill Rd
 Omaha, NE 68154
 p.402.330.8860 f.402.330.5866
 td2co.com

Date: MAY 16, 2013
 Drawn By: RJR
 Reviewed By: JDW
 Revision Date:

EXHIBIT " A "

SHAMROCK DEVELOPMENT

Book
Page

LEGAL DESCRIPTION

THAT PART OF LOTS 2, 3 AND 4, PAPILLION PROFESSIONAL PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, COMMENCING AT THE SW CORNER OF SAID LOT 2;

THENCE NORTH (ASSUMED BEARING) 45.33 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

THENCE CONTINUING NORTH 10.00 FEET ON THE WEST LINE OF SAID LOT 2;

THENCE EAST 232.01 FEET ON A LINE 55.33 FEET NORTH OF AND PARALLEL WITH THE WESTERLY PORTION OF THE SOUTH LINE OF SAID LOT 2;

THENCE S33°25'31"E 81.86 FEET;

THENCE EAST 22.89 FEET TO THE EAST LINE OF SAID LOT 3;

THENCE SOUTH 40.00 FEET ON THE EAST LINE OF SAID LOT 3;

THENCE WEST 27.47 FEET;

THENCE S45°12'07"W 182.37 FEET;

THENCE WEST 143.12 FEET ON A LINE 7.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 4 TO THE WEST LINE THEREOF;

THENCE NORTH 10.00 FEET ON THE WEST LINES OF SAID LOTS 4 AND 3;

THENCE EAST 139.00 FEET ON A LINE 3.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 3;

THENCE N45°12'07"E 188.84 FEET;

THENCE NORTH 13.52 FEET ON A LINE 27.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 3;

THENCE N33°25'31"W 84.17 FEET;

THENCE WEST 226.63 FEET ON A LINE 45.33 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

SHEET 2 OF 2



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