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SUBMITTED <u>TITLECORE - OMAHA ESCROW</u>

FILED SARPY CO. NE.
INSTRUMENT NUMBER

2013-21856

2013 Jul 09 12:31:28 PM

Sheryl J. Dowling

REGISTER OF DEEDS



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**FIRST AMENDMENT TO
COMMON AREA MAINTENANCE AGREEMENT**

THIS FIRST AMENDMENT TO COMMON AREA MAINTENANCE AGREEMENT (this "First Amendment") is made this 5 day of July, 2013 (the "Effective Date"), by and among PETERSON CHANDLER SHAMROCK, LLC, a Nebraska limited liability company (hereinafter referred to as "Peterson Chandler Shamrock"), 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"; Peterson Chandler Shamrock, Peterson and PPP shall be collectively referred to herein as the "Parties").

RECITALS:

WHEREAS, Peterson Chandler Shamrock, LLC is the owner of the real property legally described as Lot 1, Papillion Professional Park Replat One, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (the "Peterson Chandler Shamrock Property"), which property was formerly legally described as Lot 1 and Lot 2, each in Papillion Professional Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, and was combined into one (1) lot pursuant to a replatting (the "Lot Combination").

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 Common Area Maintenance Agreement recorded July 2, 2002 as Instrument No. 200224669 with the Sarpy County, Nebraska Register of Deeds (the "Maintenance Agreement"), which Maintenance Agreement sets forth the Parties' agreements relating to the maintenance of the Parcels.

12-116024

WHEREAS, as a result of the Lot Combination, the Parties desire to amend the Maintenance Agreement as of the Effective Date.

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

1. Definitions. All capitalized terms used in this First Amendment shall have the meanings set forth in the Maintenance Agreement except as otherwise defined herein.

2. Deletion of References to Parcel 2. As a result of the Lot Combination, any reference to Parcel 2 appearing in the Maintenance Agreement shall be deleted in its entirety.

3. Amendment to Section 7.1. The table appearing at the end of the last sentence of Section 7.1 of the Maintenance Agreement is hereby deleted in its entirety and replaced with the following:

Parcel 1:	50%
Parcel 3:	25%
Parcel 4:	25%

4. Amendment to Schedule I. Schedule I to the Maintenance Agreement is deleted in its entirety and replaced with the Schedule I attached hereto.

5. No Other Amendment. Except as specifically set forth herein, the Maintenance Agreement shall remain in full force and effect.

6. Counterparts. This First Amendment may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart.

[Remainder of page left intentionally blank; execution page follows.]

IN WITNESS WHEREOF, the undersigned has executed this First Amendment on the day and year first above written.

PETERSON CHANDLER SHAMROCK, LLC,
a Nebraska limited liability company,

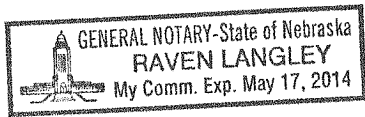
By: [Signature]
Name: Michael T. Moylan
Title: Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Michael Moylan, member of PETERSON CHANDLER SHAMROCK, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 5 day of July, 2013.

[Seal]

[Signature]
Notary Public



PETERSON PARCEL, LLC,
a Nebraska limited liability company

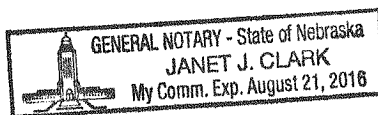
By: *Kristi Peterson*
Name: *Kristi Peterson*
Title: *Member*

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 *5* day of *July*, 2013.

[Seal]

Janet J. Clark
Notary Public



PPP LOT 4, LLC,
a Nebraska limited liability company

By: _____

Name: Michael T. Moylan

Title: member

STATE OF NEBRASKA)

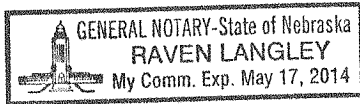
) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Michael Moylan, member of PPP LOT 4, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 5 day of JULY, 2013.

[Seal]

Raven Langley
Notary Public



Schedule I
Description of Center

The Center is made up of Parcels 1, 3 and 4, which are legally described as follows:

Parcel 1: Lot 1, Papillion Professional Park Replat One, as surveyed, platted and recorded in Sarpy County, Nebraska

Parcel 3: Lot 3, Papillion Professional Park, as surveyed, platted and recorded in Sarpy County, Nebraska

Parcel 4: Lot 4, Papillion Professional Park, as surveyed, platted and recorded in Sarpy County, Nebraska