

09081

AMENDMENT TO DECLARATION OF EASEMENTS

Reference is made to a Declaration of Easements dated October 28, 1975 and filed for record on October 30, 1975 in the office of the Register of Deeds for Douglas County, Nebraska at Misc. Book 557, page 175 et seq. (the "Declaration").

The purpose of the Declaration was to establish a non-exclusive easement for the benefit of the owners and lessees of property commonly known as the Old Mill Office Park. Said office park (herein the "Old Mill Office Park") is located in Lots 14 and 15, Old Mill Plaza, as platted, Douglas County, Nebraska and is comprised of ten detached office buildings and related common areas.

The parties to this instrument comprise all of the fee owners and mortgagees having a present interest in the Old Mill Office Park.

By this instrument, the parties hereto intend to modify the easement area as described in the Declaration and to expand the class of beneficiaries of said easement.

Therefore, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties to this instrument do hereby amend the Declaration as follows:

1.

The legal description set forth on the attached Exhibit "A" is hereby substituted ab initio for the legal description of the easement area set forth on page two of the Declaration.

2.

For purposes of describing the class of persons for whom the subject easement was created, the reference on page 2 of the Declaration to "Old Mill Office Park" shall henceforth be not only to Phase I of said office park but also to Phase II of said office park so that the easement created in the Declaration, as amended herein, shall henceforth be for the use and benefit of and by the owners and lessees of real property in Old Mill Office Park (defined as aforesaid to include both Phases I and II) and their employees, guests, invitees, and agents. The legal description of Phase I is of record in the office of the Register of Deeds as aforesaid as Exhibits 1-5 inclusive to the Declaration, and the legal description for Phase II of the Old Mill Office Park is of record as Exhibits 1-5 inclusive to a Declaration of Easements dated July 29, 1977 and filed for record as aforesaid at Misc. Book 584, page 465 et seq.

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