



MISC 2006140454



DEC 12 2006 11:49 P 3

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/12/2006 11:49:22.51



2006140454

SUPPLEMENT TO REA

THIS SUPPLEMENT TO REA dated this 23rd day of October, 2006 is executed by the undersigned pursuant to the terms of the Reciprocal Easement and Operation Agreement identified herein.

WITNESSETH:

WHEREAS, BENSON PARK PLAZA, L.L.C. ("Developer") and Home Depot U.S.A., Inc. ("HD") executed a Reciprocal Easement and Operation Agreement dated June 14, 2000, and recorded June 15, 2000, in Book 1341, at Page 366, as amended by recorded documents ("REA"), on property described as Lots 1 through 8, Benson Park Plaza Replat 1 (of which Lots 3 and 4 were subsequently replatted by Administrative Subdivision into Lots 1 and 2, Benson Park Plaza Replat 2 and Lots 6, 7 and 8 were subsequently replatted by Administrative Subdivision into Lots 1, 2 and 3, Benson Park Plaza Replat 3), an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, the REA provides that any entity acquiring a Parcel or a portion of a Parcel must execute this Supplement to acknowledge that such acquiring entity has, because of such acquisition, become an "Owner" under the REA; and

WHEREAS, the undersigned has acquired the real property ("Acquired Land") described in Exhibit A, attached and incorporated herein by reference;

NOW, THEREFORE, pursuant to and in compliance with the terms of the REA, the undersigned hereby acknowledges and agrees that it: (a) is an Owner under the terms of the REA; (b) will comply with the terms of the REA; and (c) will be responsible from the date of this Supplement for the obligations of the Owner of the Acquired Land as set forth in the REA.

After recording please return to
Seldin Company
Attn: Marilyn Watson
13057 West Center Road
Omaha, NE 68144

B misc
3/4
FEE 17.00 FB 43-0344
BKP _____ C/O _____ COMP A
DEL _____ SCAN _____ FV _____

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COURTESY RS

Pursuant to Article X of the REA, the undersigned hereby states that notices and other communications issued under the REA to the undersigned should be sent as follows (telephone and Fax numbers are shown for informational purposes and do not amend the manner in which Notice shall be given):

Entity Name: Seldin Properties
Entity Address: c/o Seldin Company
13057 West Center Road
Omaha, NE 68144
Attn/Contact Person: Randall Lenhoff
Telephone No.: (402) 333-7373
Fax: (402) 333-4281

The undersigned hereby authorizes an executed copy of this Supplement to be recorded in the Recorder's Office of Douglas County, Nebraska.

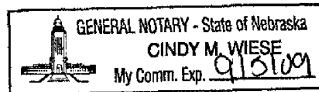
ACQUIRING ENTITY:

Seldin Properties
a Nebraska general partnership
By: Stanley C. Silverman Revocable Trust, General Partner
By: Stanley C. Silverman
Print Name: Stanley C. Silverman, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 8th day of December, 2006 before me personally came Stanley C. Silverman, known to me to be the person whose name is subscribed to the foregoing instrument as an authorized signatory for the Stanley C. Silverman Revocable Trust as General Partner of Seldin Properties, the entity described in and which executed the foregoing instrument, and who acknowledged to me that: the instrument was executed for the purpose and consideration therein expressed as the act of the entity, the seal, if any, was affixed, and the instrument was signed by the authorized signatory, all by order of the board of directors or similar governing body of said entity.

Cindy M. Wiese My Commission Expires: 9-5-09
Notary Public



**EXHIBIT A
LEGAL DESCRIPTION OF ACQUIRED LAND**

Lot 2, Benson Park Plaza Replat 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska and Lots 1, 2 and 3, Benson Park Plaza Replat 3, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.