



MISC 2006140457



DEC 12 2006 11:50 P 3

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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 12/12/2006 11:50:38.00



2006140457

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

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No

COWLES/RS

EXHIBIT A
LEGAL DESCRIPTION OF ACQUIRED LAND

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