



MISC 2009138461



DEC 31 2009 09:38 P 2

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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
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2009138461

SUPPLEMENT TO REA

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

THIS SUPPLEMENT TO REA dated this 30th day of December, 20⁰⁹ 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.

RETURN TO:
 SPENCE TITLE SERVICES
 BOX 16

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):

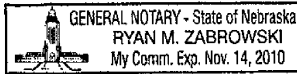
Entity Name: Goodwill Industries, Inc.
Entity Address: 4805 North 72nd Street
Omaha, Nebraska 68134-2304

Attn/Contact Person: Frank McGree
Telephone No.: (402) 233-1908
Fax: 402-341-7965

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

ACQUIRING ENTITY:
Goodwill Industries, Inc.
By: [Signature]
By: Frank McGree
Print Name: Frank McGree
Its: President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



On this 21ST day of DECEMBER, 2009 before me personally came FRANK MCGREE, known to me to be the person whose name is subscribed to the foregoing instrument as an authorized signatory for GOODWILL INDUSTRIES, 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.

Ryan M. Zabrowski
Notary Public My Commission Expires: NOVEMBER 14, 2010