

95-02897

PLEASE RETURN TO:
PORTLAND TITLE SERVICES, INC.
1320 S 119th ST
OMAHA, NE 68144

INSTRUMENT NUMBER
95-02897
95 FEB -9 AM 8:45

James V. McCart

REGISTER OF DEEDS
AMENDMENT TO DECLARATION OF COVENANTS

BROOK VALLEY BUSINESS PARK

THIS AMENDMENT IS MADE THIS 20TH DAY OF FEBRUARY, 1995 BY AND BETWEEN BROOK VALLEY LIMITED PARTNERSHIP, A NEBRASKA LIMITED PARTNERSHIP (HEREINAFTER REFERRED TO AS "DECLARANT") AND WAYNE L. RYAN, (HEREINAFTER REFERRED TO AS "BUYER")

WHEREAS, THE DECLARANT IS THE OWNER OF THE FOLLOWING DESCRIBED REAL PROPERTY:

* Lot 1 EXCEPT the North 30.00 feet of the West 456.00 feet of said Lot 1, TOGETHER WITH Lot 2 EXCEPT the East 300 feet of the North 582.03 feet of said Lot 2, TOGETHER WITH all of Lot 3* TOGETHER WITH that part of Lot 4 more particularly described as follows: Beginning at the Northwest corner of said Lot 4; thence North 87°38'24" East (Assumed bearing) 471.84 feet on the North line of said Lot 4 to the Northeast corner thereof; thence Southeasterly on the Easterly line of said Lot 4 on a non-tangent 275.00 foot radius curve to the left, chord bearing South 11°35'43" East, chord distance 88.27 feet, an arc distance of 88.65 feet; thence South 69°10'11" West 478.14 feet on a non-tangent line to the West line of said Lot 4; thence North 21°21'40" West 116.97 feet on the West line of said Lot 4; thence North 00°08'15" East 128.13 feet on the West line of said Lot 4 to the point of beginning, TOGETHER WITH all of Lots 5 through 17, both inclusive, TOGETHER WITH the East 49.39 feet of Lots 18 and 21, TOGETHER WITH all of Lots 22 through 26, both inclusive, TOGETHER WITH all of Lot 28, ALL in BROOK VALLEY BUSINESS PARK, a Subdivision, as surveyed, platted and recorded, in Sarpy County, Nebraska, AND

THE DECLARANT HAS AGREED TO AMEND SAID DECLARATION OF COVENANTS WHICH WERE RECORDED ON THE 25TH DAY OF FEBRUARY, 1993 AT INSTRUMENT NO. 93-003605 OF THE RECORDS OF SARPY COUNTY, NEBRASKA, BY DELETING ARTICLE III, PARAGRAPH C OF SAID COVENANTS AS IT PERTAINS TO LOT 16, LOT 17 AND THE EAST 49.39 FEET OF LOT 18, LOT 22 AND THE EAST 49.39 FEET OF LOT 21, AND LOT 23.

THE BUYER OF LOT 16, LOT 17 AND THE EAST 49.39 FEET OF LOT 18, LOT 22 AND THE EAST 49.39 FEET OF LOT 21, AND LOT 23, (WAYNE L. RYAN), UNDERSTANDS THAT THE DISTANCE BETWEEN BUILDINGS WILL BE CONTROLLED BY THE BUILDING CODES OF THE CITY OF LAVISTA, SARPY COUNTY, NEBRASKA AND ANY OTHER COUNTY ZONING CODES THAT MAY APPLY.

THE PARTIES HEREIN STATE THAT THE REMAINDER OF SAID DECLARATION OF COVENANTS SHALL CONTINUE ON IN FULL FORCE AND EFFECT AND ARE HEREBY RATIFIED AND AFFIRMED BY THE UNDERSIGNED.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AMENDMENT ON THE DATE FIRST MENTIONED ABOVE.

* now known as Lots 31, 32, part of Lots 30 and 33, Brook Valley Business Park.

Fee # 2250
Ck Cash Chg

BROOK VALLEY LIMITED PARTNERSHIP,
a Nebraska Limited Partnership

By: Prime Realty, Inc., general partner

By: *James V. McCart*
James V. McCart, President

95-02897A

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me, a Notary Public, on this 22 day of February 1995, by James V. McCART President of Prime Realty, General Partner of Brook Valley Limited Partnership.

Linda L. Decker NOTARY PUBLIC
My Commission expires 12-22-95

