

POOR COPY

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**FIRST AMENDMENT TO MASTER DEED AND DECLARATION OF
CONDOMINIUM OWNERSHIP FOR ANTLER VIEW OFFICE CONDOMINIUMS**

This First Amendment to Master Deed and Declaration of Condominium Ownership for Antler View Office Condominiums (this "First Amendment") is made this 4th day of March, 2020, by FTF Investments, LLC, a Nebraska limited liability company (hereinafter referred to as the "Declarant").

W I T N E S S E T H:

WHEREAS, this First Amendment is made effective pursuant to the terms and provisions of the Master Deed and Declaration of Condominium Ownership for Antler View Office Condominiums dated November 5, 2019, and recorded in the Office of the Douglas County Register of Deeds on November 22, 2019, as Instrument No. 2019102696 (the "Declaration").

WHEREAS, the Declarant is the lawful owner of the Phase 1 Property (as defined in the Declaration).

WHEREAS, pursuant to Article XVI and Section 3.5 of the Declaration and the Act, the Declarant hereby desires to amend the Declaration to evidence the construction of an additional Building on the Phase 1 Property and the inclusion of 4 additional units to the Condominium Regime.

WHEREAS, this First Amendment shall be indexed and recorded against the following legally described real property, to-wit:

Condominium Units 1A thru 1F, inclusive, and the Additional Units (defined below), together with their respective individual Allocated Interest in the Common Elements created by the Declaration.

WHEREAS, pursuant to Article XVI and Section 3.5 of the Declaration and the Act, the Declarant desires to amend the Declaration to evidence the creation of four (4) additional Units (the "Additional Units") within the additional Building constructed on the Phase 1 Property, as shown on the Plat and Plans attached hereto as Exhibit "B-1" and incorporated herein by this reference, including, but not limited to, all Common Elements and Limited Common Elements contained therein.

WHEREAS, pursuant to the Declaration and the Act, the Declarant desires to reallocate the Allocated Interests amongst the Units and Unit Owners within the Phase 1 Property in accordance with the formula set forth in Section 4.3 of the Declaration.

WHEREAS, by virtue of the recording of this Declaration, the Phase 1 Property, including the Additional Units, shall be owned, held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to the provisions of the Declaration and the Act and every grantee of any

interest in said Phase 1 Property, including the Additional Units, by acceptance of a deed or other conveyance of such interest, and every Unit Owner of any portion of the Phase 1 Property, including the Additional Units, whether or not such deed or other conveyance of such interest shall be signed by such person and whether or not such person shall otherwise consent in writing, shall own and take subject to the provisions of the Act and this Declaration and shall be deemed to have consented to the terms hereof.

WHEREAS, in furtherance of the condominium form of ownership and for the purposes and intents thereof, Declarant hereby subjects the Phase 1 Property, including the Additional Units, to the terms, covenants, restrictions and easements set forth in the Declaration, which shall apply to, govern, control and regulate the sale, resale, or other disposition, acquisition, ownership, use and enjoyment of the Phase 1 Property, including the Additional Units, and the improvements located or to be located thereon, and does hereby specify, agree, designate and direct that this Declaration and all of its provisions shall be and are covenants to run with the Phase 1 Property, including the Additional Units, and shall be binding on the present owners of the Phase 1 Property, and all its successors and assigns and all subsequent owners of the Phase 1 Property, including the Additional Units, and all of the improvements constructed or to be constructed thereon, together with their grantees, successors, heirs, executors, administrators, devisees and assigns.

NOW, THEREFORE, Declarant, for the purposes set forth above, does hereby amend the Declaration to, inter alia, include the Additional Units and all improvements and facilities constructed or to be constructed thereon into the Condominium Regime, and further states and declares as follows:

1. Recitals. The Recitals as set forth above are hereby incorporated into this First Amendment as if fully set forth herein.

2. Definitions. Unless otherwise defined in this First Amendment, all capitalized terms used in this First Amendment will have the same meanings ascribed to such terms in the Declaration.

3. Amendments. The Declarant hereby amends the Declaration as follows:

A. Section 3.5 of the Declaration is hereby deleted in its entirety and is replaced with the following:

“Section 3.5 Number of Units. As set forth in the Plat and Plans, the Phase 1 Property shall consist of two (2) Buildings, one Building containing six (6) Units in total, and one (1) Building containing the four (4) Units in total. The anticipated number of Units that the Declarant reserves the right to create within the Condominium is twenty-six (26), including the ten (10) total Units located on the Phase 1 Property. The Additional Units constructed on the Phase 1 Property are hereby created and shall be located on the Phase 1 Property as shown on the Plat and Plans attached hereto as Exhibit “B-1”. Pursuant to Section 76-847(a) of the Act, the Declarant shall be the initial Unit Owner of the Units created by this First Amendment.”

B. Section 2.1(u) is hereby amended, in part, to add the following language in order to include the amended Plat and Plans for the Phase 1 Property, and to specifically identify the Phase 1, additional Building on the Plat and Plans:

“Plat and Plans” shall also include the drawings set forth on Exhibit “B-1” attached hereto that were prepared by a registered architect or engineer that contains the information required by the provisions of the Act with respect to the Phase 1 Property, and shall also specifically include the Site Plan which identifies the Phase 1 Property, Phase 2 Property, Phase 3 Property, and Phase 4 Property, all as shown on Exhibit “B-2”.


C. Section 4.3 of the Declaration is hereby amended, in part, to reallocate the Allocated Interest amongst all of the Units located within the Phase 1 Property in accordance with the formula established in Section 4.3 of the Declaration as set forth on Exhibit "C" attached hereto and incorporated herein by this reference. Accordingly, Exhibit "C" attached hereto shall replace Exhibit "C" attached to the original Declaration.

4. No Other Amendments. Except as set forth in this First Amendment, the Declaration shall remain in full force and effect.

[Remainder of Page Left Intentionally Blank; Execution Page Follows.]

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to be executed on the day and year first above written.

FTF Investments, LLC,
a Nebraska limited liability company

By: 
Name: Chris Falcone
Its: Authorized Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 4th day of March, 2020, by Chris Falcone, a member of FTF Investments, LLC, a Nebraska limited liability company, on behalf of said limited liability company.


State of Nebraska – General Notary
R. MICHELLE GILLOTT
My Commission Expires
May 5, 2021

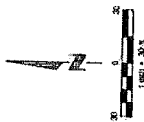
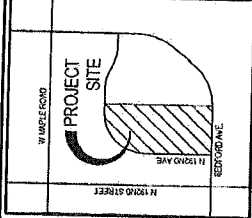

Notary Public

My commission expires:

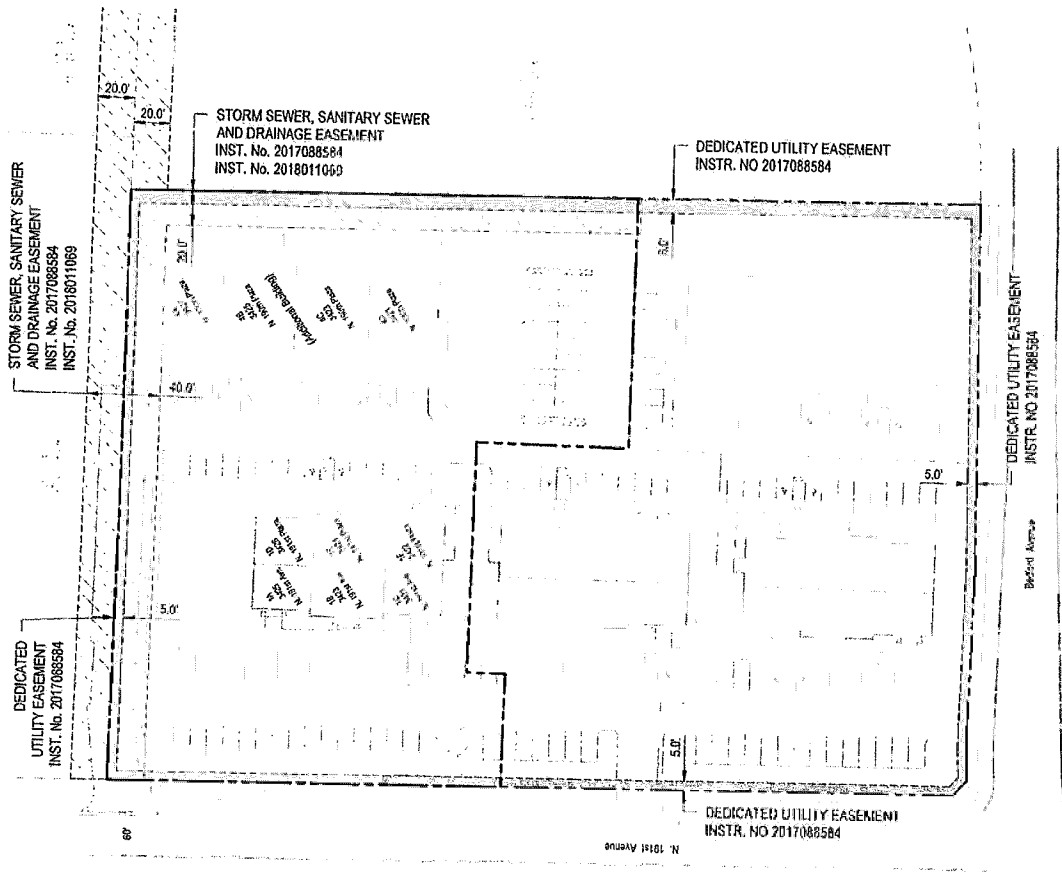
May 5, 2021


EXHIBIT "B-1"
PLAT AND PLANS
(Phase 1 Property)

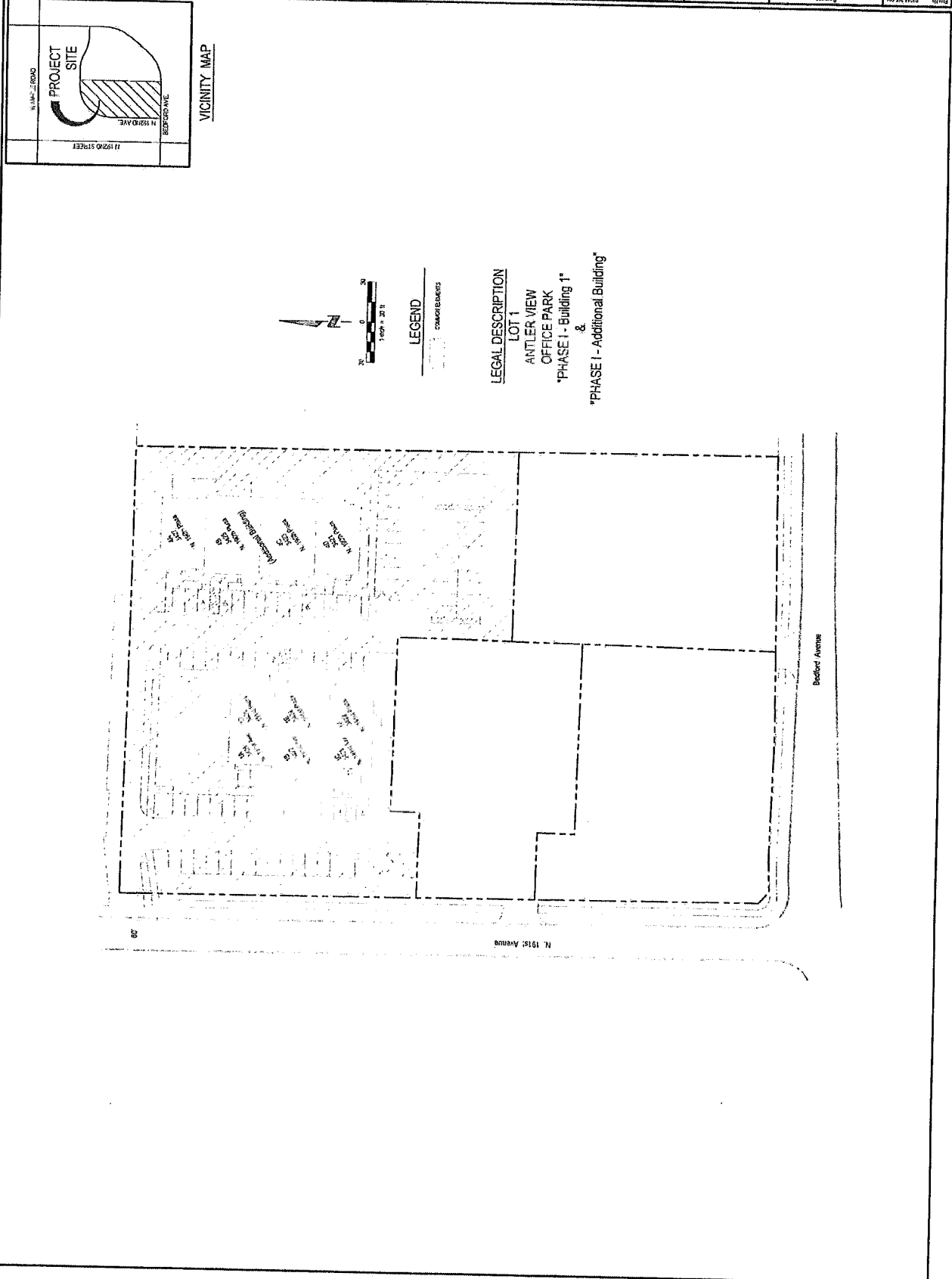
 <p>E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 192ND & MAPLE OFFICE PARK OAKLAND, NEBRASKA</p>	<p>EXHIBIT B-1</p>	<p>DATE: _____</p> <p>SCALE: _____</p> <p>PROJECT: _____</p>
		<p>PROJECT: _____</p> <p>DATE: _____</p> <p>SCALE: _____</p>

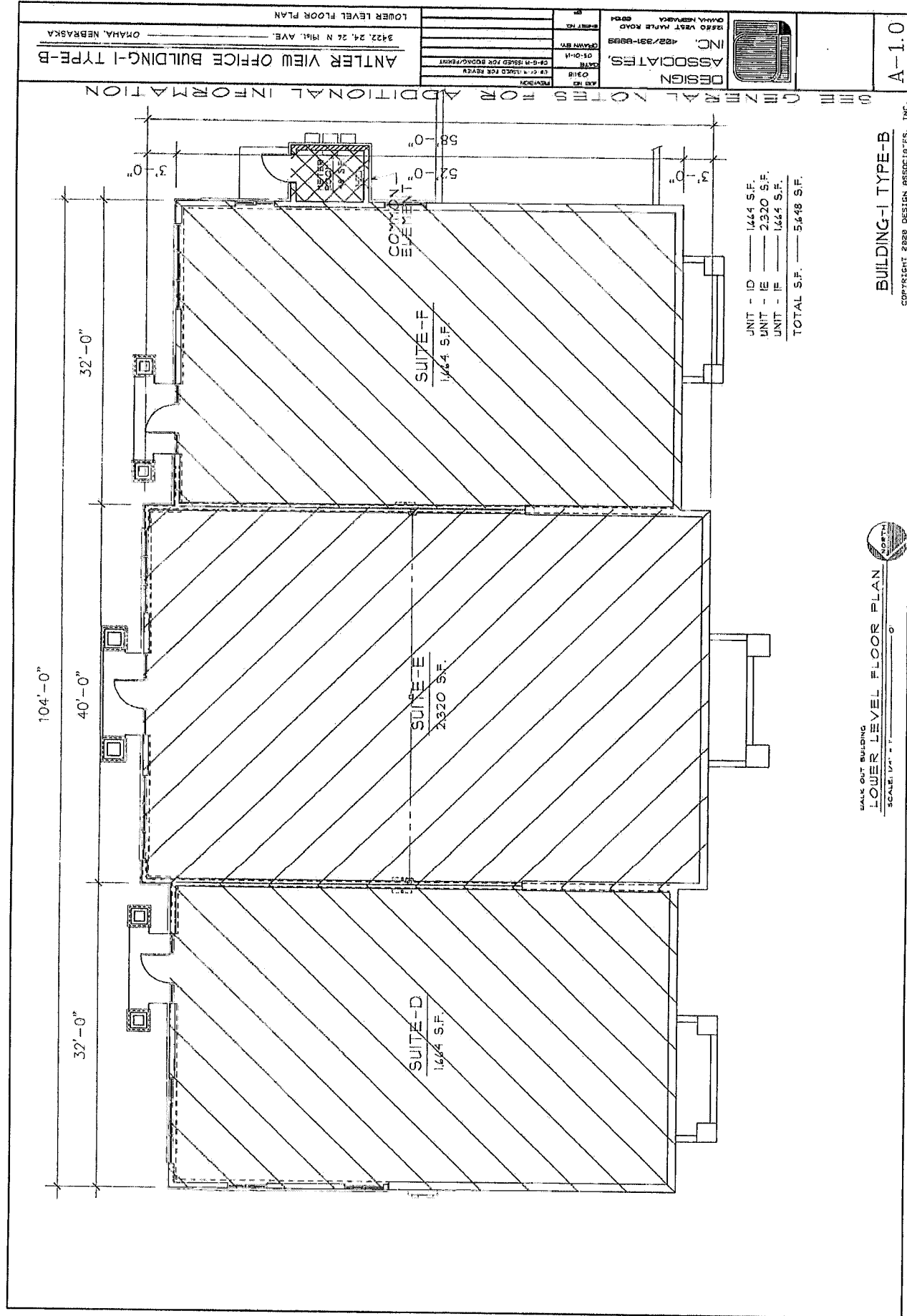


LEGAL DESCRIPTION
LOT 1
ANTLER VIEW
OFFICE PARK
"PHASE 1 - Building 1"
&
"PHASE 1 - Additional Building"



E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 182ND & MAPLE CRYSTAL SPRING, FL 32009 PHONE: 407.884.1900 • FAX: 407.884.1910 WWW.EA-CORP.COM	 E & A CONSULTING GROUP, INC. Engineering Services	OFFICE PARK 182ND & MAPLE CRYSTAL SPRING, FL 32009	EXHIBIT B-1 COMMON ELEMENTS		
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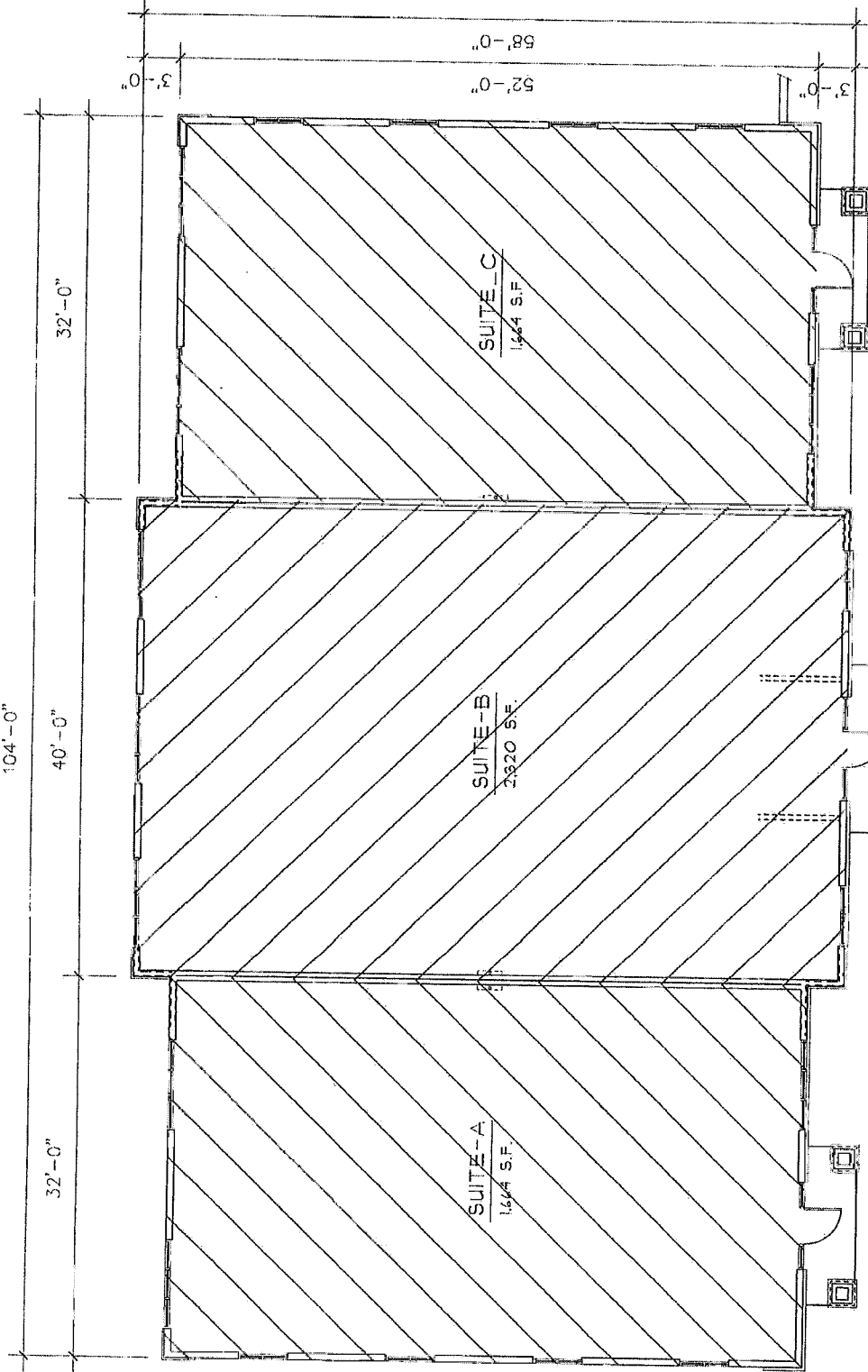
ANTLER VIEW OFFICE BUILDING-I TYPE-B
 3422, 24, 26 N 19th AVE. OMAHA, NEBRASKA
 MAIN LEVEL FLOOR PLAN

DATE	08-01-18
DESIGN	ASSOCIATES, INC.
PROJECT NO.	888-231-8888
PROJECT	1280 WEST MAPLE ROAD OMAHA, NEBRASKA



A-1.1

SEE GENERAL NOTES FOR ADDITIONAL INFORMATION




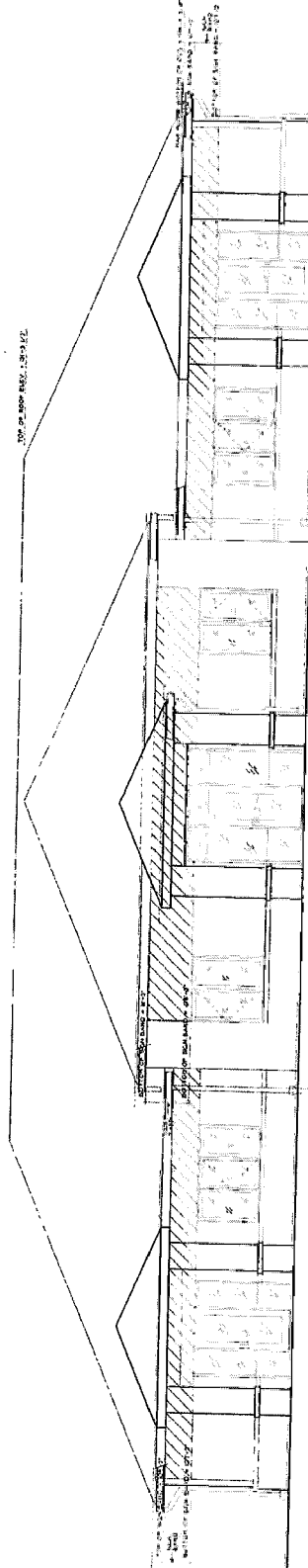
UNIT - IA — 1664 S.F.
 UNIT - IB — 2320 S.F.
 UNIT - IC — 1664 S.F.
 TOTAL S.F. — 5648 S.F.

UPPER LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"

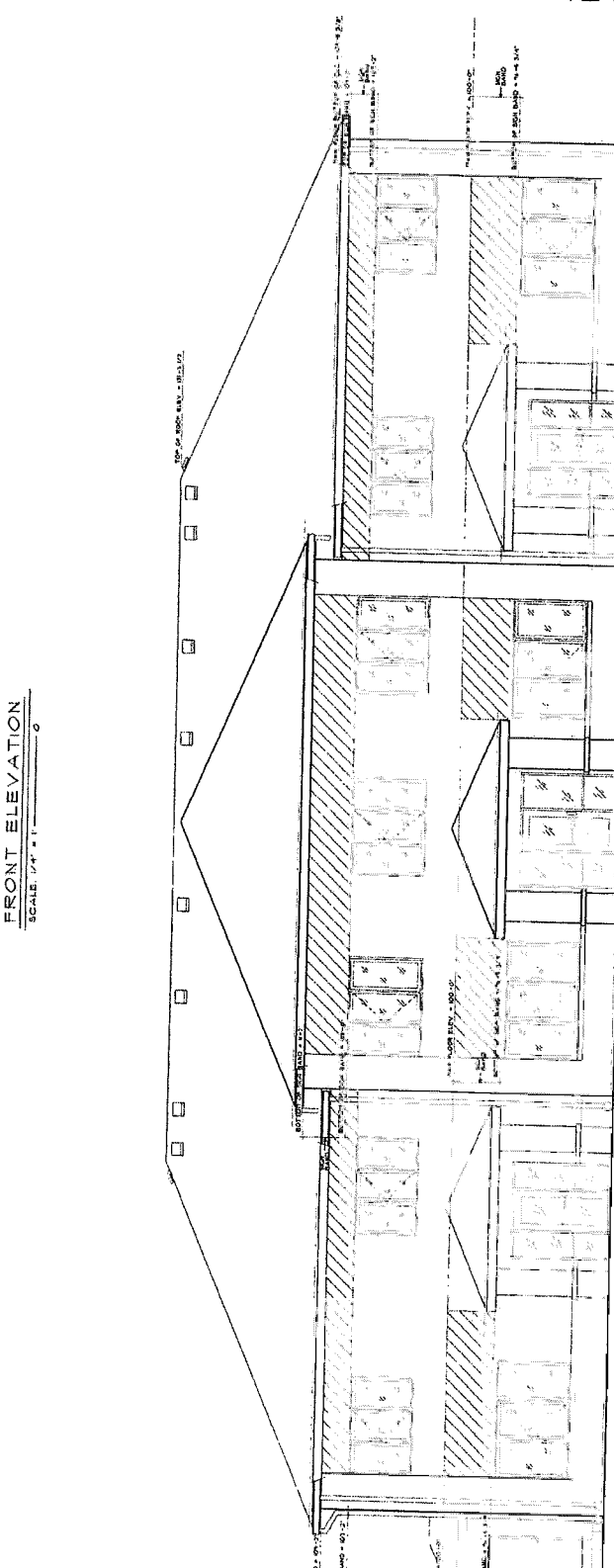
BUILDING-I TYPE-B

COPYRIGHT 2020 DESIGN ASSOCIATES, INC.
 1701 S. 26TH ST. SUITE 100 OMAHA, NEBRASKA 68106

	DESIGN ASSOCIATES, INC. 12550 WEST MAPLE ROAD OMAHA, NEBRASKA 68144 PHONE: 402/391-8999	SHEET NO. A-2.1 PROJECT NO. 12550 WEST MAPLE ROAD	GENERAL NOTES FOR ADDITIONAL INFORMATION	ANTLER VIEW OFFICE BUILDING-I TYPE-B 3422, 24, 26 N 19th AVE OMAHA, NEBRASKA
EXTERIOR ELEVATIONS				



(WEST)
FRONT ELEVATION
SCALE 1/4" = 1'-0"



(EAST)
REAR ELEVATION
SCALE 1/4" = 1'-0"

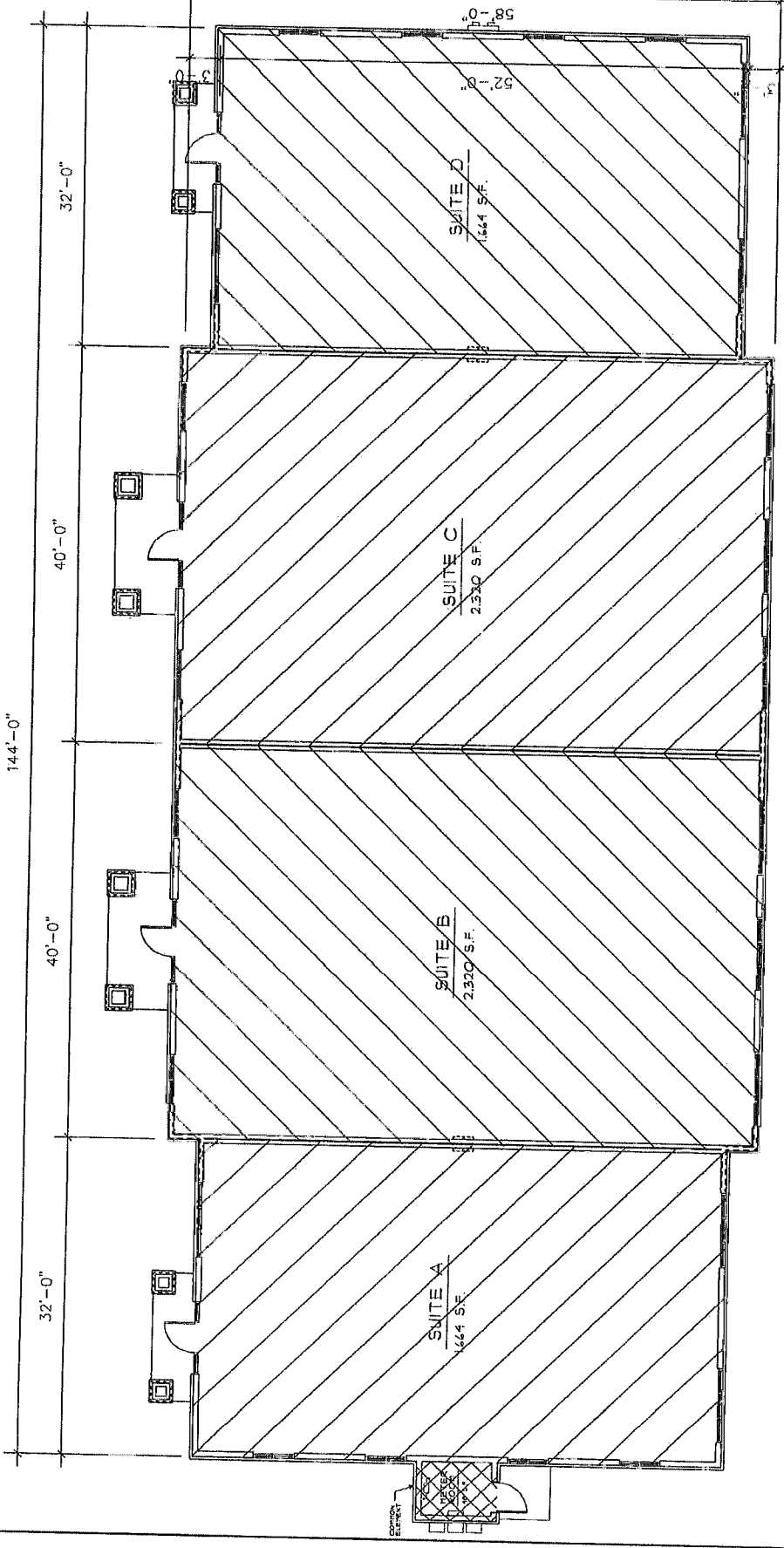
PLANS FOR
ANTLER VIEW OFFICE BUILDING-4 TYPE-A
3421 23, 25, 27 N. 196th AVE.
OMAHA, NE

DATE	02-24-20
PROJECT	DESIGN ASSOCIATES
NO.	452/281-0003
ISSUED FOR	3421 23, 25, 27 N. 196th AVE.
BY	DESIGN ASSOCIATES
DATE	02-24-20
PROJECT	DESIGN ASSOCIATES
NO.	452/281-0003
ISSUED FOR	3421 23, 25, 27 N. 196th AVE.
BY	DESIGN ASSOCIATES



DESIGN ASSOCIATES
INC.
452/281-0003
3421 23, 25, 27 N. 196th AVE.
OMAHA, NE

COMMENTS FOR ADDITIONAL INFORMATION



SUITE - 4A — 1,280 S.F.
 SUITE - 4B — 1,600 S.F.
 SUITE - 4C — 1,600 S.F.
 SUITE - 4D — 1,280 S.F.
 TOTAL S.F. — 7,568 S.F.

BUILDING - 4
 FLOOR PLAN
 SCALE: 1/8" = 1'-0"

BUILDING-4 TYPE-A

DESIGN ASSOCIATES, INC. COPYRIGHT 2020

A-11

GENERAL NOTES FROM ADDITIONAL INFORMATION

PLANS FOR: ANTLER VIEW OFFICE BUILDING-4 TYPE-A

3421, 23, 25, 27 N. 191st AVE.

OMAHA, NE.

DATE	01-14-10
BY	DL/SL
PROJECT	0318
REVISION	01-13-10 LOCAL
NO.	
DATE	
BY	
PROJECT	

DESIGN ASSOCIATES, INC.

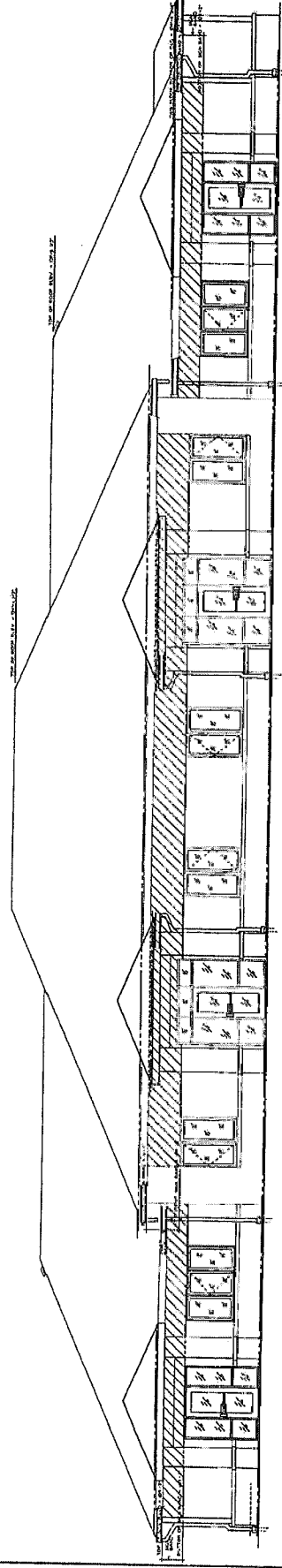
422/231-0098

3600 WEST MAPLE ROAD

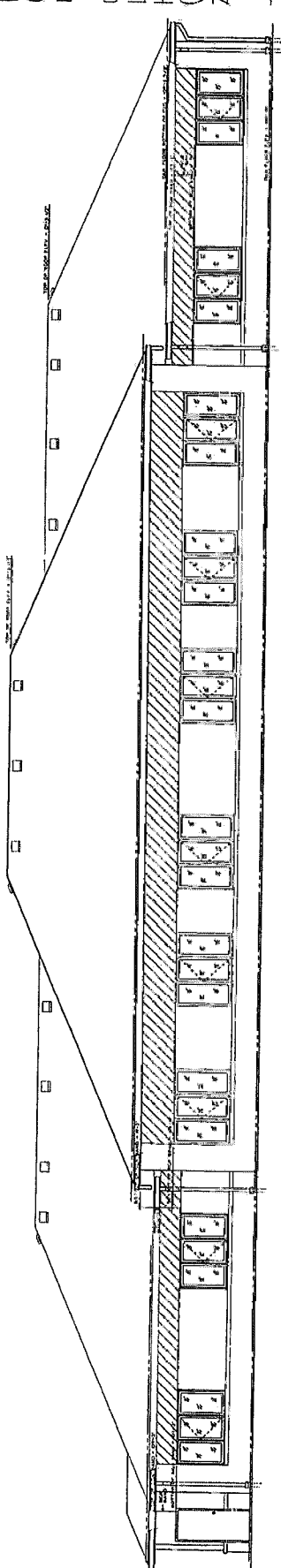
OMAHA, NE 68104



A-21



FRONT ELEVATION
SCALE: 1/4" = 1'



REAR ELEVATION
SCALE: 1/4" = 1'

BUILDING-4 TYPE-A

COPYRIGHT 2008 DESIGN ASSOCIATES, INC.

SCALE: 1/4" = 1' UNLESS OTHERWISE NOTED OTHERWISE

SEE GENERAL NOTES FOR ADDITIONAL INFORMATION

DESIGN ASSOCIATES, INC. 402/231-8808
 3421, 23, 25, 27 N. 191st AVE. — OHAMA, NE.

ANTLER VIEW OFFICE BUILDING-4 TYPE-A

PLANS FOR: EXTERIOR ELEVATIONS

DATE	03/18
BY	...
SCALE	AS SHOWN
PROJECT	ANTLER VIEW OFFICE BUILDING-4 TYPE-A
DESCRIPTION	EXTERIOR ELEVATIONS

DESIGN ASSOCIATES, INC. 402/231-8808

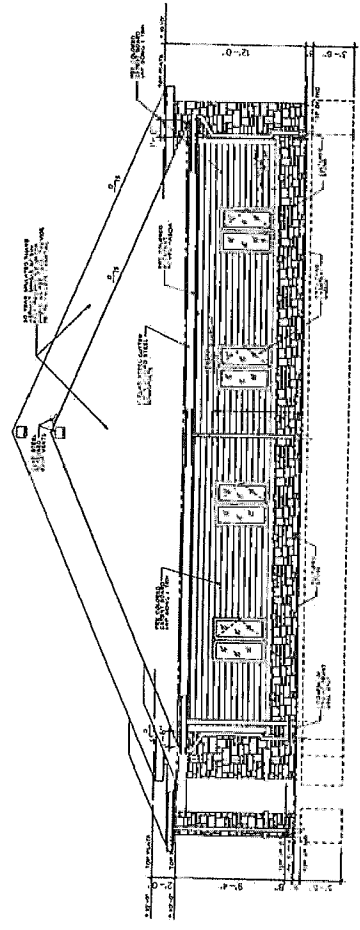
3421, 23, 25, 27 N. 191st AVE. — OHAMA, NE.

ANTLER VIEW OFFICE BUILDING-4 TYPE-A

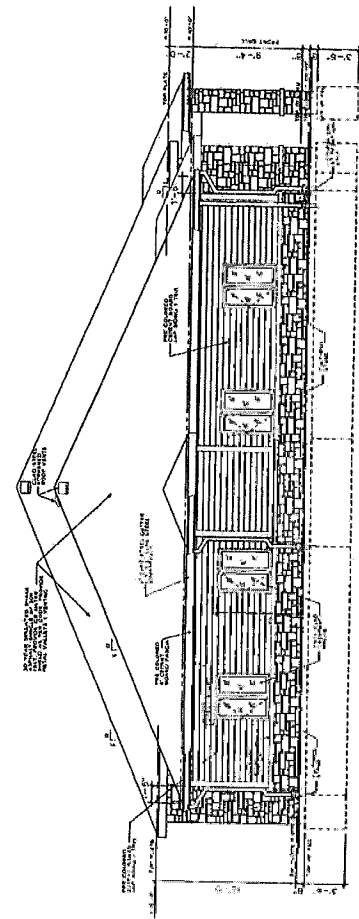
PLANS FOR: EXTERIOR ELEVATIONS

BUILDING-4 TYPE-A

COPYRIGHT 2018 DESIGN ASSOCIATES, INC.




SOUTH ELEVATION
SCALE 1/4" = 1'-0"

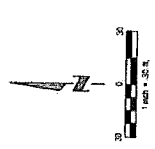
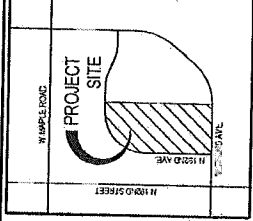


NORTH ELEVATION
SCALE 1/4" = 1'-0"

SCALE 1/4" = 1'-0"

EXHIBIT "B-2"
CONDOMINIUM REGIME SITE PLAN

E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental Field Services 1209 14th Street, Suite 100 • Chicago, IL 60605 Phone: 847.836.6100 • Fax: 847.836.6101 www.eacgroup.com	 E & A CONSULTING GROUP, INC. Engineering Services	OFFICE PARK 152ND & MAPLE OMAHA, NEBRASKA	EIGHT B-Z SITE PLAN	PROJECT NO. DATE DRAWN BY DATE	SHEET NO. OF	PROJECT NO. DATE DRAWN BY DATE



CONDOMINIUM REGIME
SITE PLAN

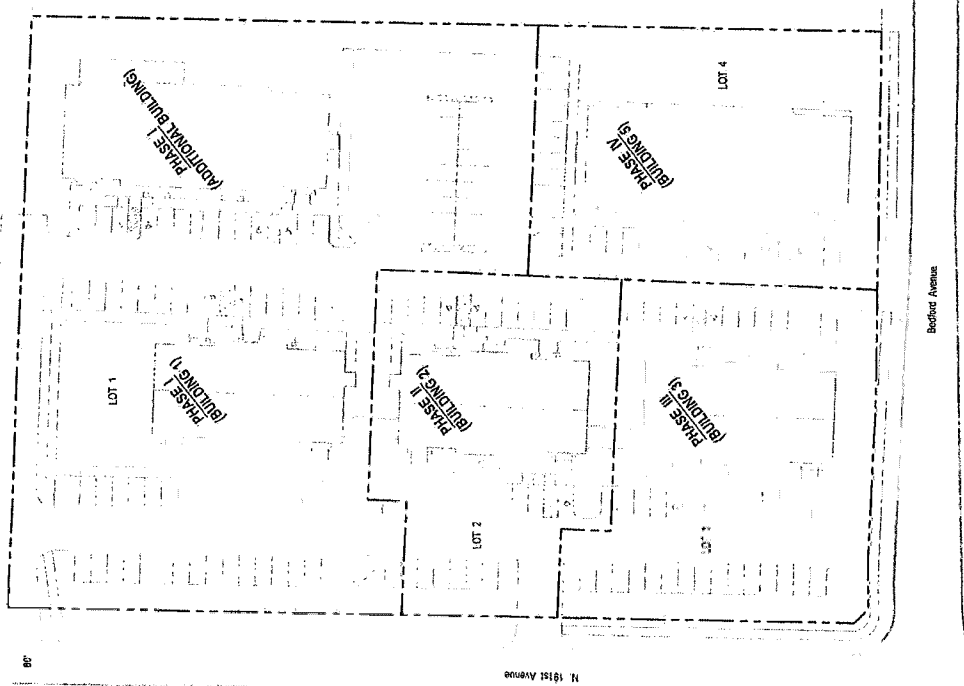


EXHIBIT "C"
UNIT OWNERSHIP AND PERCENTAGE INTERESTS TABLE

<u>Unit No.</u>	<u>Square Footage</u>	<u>Allocated Interest of Common Elements</u>	<u>Allocated Interest of Common Expenses</u>	<u>Number of Votes in Association Matters</u>
1A	1,664	8.64%	8.64%	1
1B	2,320	12.04%	12.04%	1
1C	1,664	8.64%	8.64%	1
1D	1,664	8.64%	8.64%	1
1E	2,320	12.04%	12.04%	1
1F	1,664	8.64%	8.64%	1
4A	1,664	8.64%	8.64%	1
4B	2,320	12.04%	12.04%	1
4C	2,320	12.04%	12.04%	1
4D	1,664	8.64%	8.64%	1
Totals	19,264	100%	100%	10

CONSENT OF MORTGAGEE

Pinnacle Bank, holder of a Construction Deed of Trust dated August 6, 2019 and recorded on August 7, 2019 as Instrument No. 2019061945, hereby consents to the execution and recording of the First Amendment to Declaration and Master Deed of Condominium Ownership to which this Consent is attached.

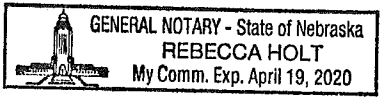
IN WITNESS WHEREOF, Pinnacle Bank has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf, on this 5 day of MARCH, 2020.

PINNACLE BANK

By [Signature]
Name MATTHEW J. SMITH
Title AVP - COMMERCIAL LENDING

STATE OF NEBRASKA)
) ss.
COUNTY OF Nebraska)

The foregoing instrument was acknowledged before me this 5 day of March, 2020, by Matthew J. Smith the Asst. VP of Pinnacle Bank on behalf of the bank.



[Signature]
Notary Public

My commission expires:
April 19, 2020