



MISC 2016106691



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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 12/21/2016 10:24:19.92



2016106691

FOR RECORDER'S USE ONLY

WHEN RECORDED MAIL TO:
First Westroads Bank, Inc.
 15750 West Dodge Road
 Omaha, NE 68118

MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS

THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS dated November 28, 2016, is made and executed between Chris C. Holtberg and Linda J. Holterg, Husband and Wife, whose address is 21162 Riha Road, Springfield, NE 68059 ("Trustor") and First Westroads Bank, Inc., whose address is 15750 West Dodge Road, Omaha, NE 68118 ("Lender").

Deed of Trust and Assignment of Rents. Lender and Trustor have entered into a Deed of Trust and Assignment of Rents dated November 16, 2011 (the "Deed of Trust and Assignment of Rents") which have been recorded in Douglas County, State of Nebraska as follows:

Recorded in the Register of Deeds Office of Douglas County Nebraska, December 5, 2011 as Instrument Numbers 2011104238 and 2011104239

REAL PROPERTY DESCRIPTION. The Deed of Trust and Assignment of Rents now covers the following described real property located in Douglas County, State of Nebraska:

See attached Exhibit "A"

The Real Property or its address is commonly known as 4721 & 4723 S 24th Street, Omaha, NE 68107. The real Property Tax Identification numbers are 1215 0000 04 / 1213 0000 04.

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust and Assignment of Rents as follows:

The word "Note" means collectively the Promissory Note, executed by Chris C. and Linda J. Holtberg, originally dated November 16, 2011 in the original amount of \$ 254,648.51, along with two (2) Promissory Notes, executed by Chris C. Holtberg Inc. and Holtberg Family Inc. originally dated November 28, 2016, each in the amount of \$200,000.00, together with all renewals of, extensions of, modifications of, re-financings of, consolidations of, and substitutions for the note or credit agreement.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust and Assignment of Rents shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Assignment of Rents as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Assignment of Rents (the "Note"). It is the intention of Lender to retain as liable all parties to the Assignment of Rents and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Assignment of Rents does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applied not only to any initial extension of modification, but also to all such subsequent actions.

TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS IS DATED November 28, 2016

TRUSTOR:

Chris C. Holtberg and Linda J. Holtberg

By: [Signature]
 Chris C. Holtberg
 By: [Signature]
 Linda J. Holtberg

LENDER:

FIRST WESTROADS BANK INC.

X [Signature]
 Timothy Riha, Vice President

FIWRI

clt 4173

MODIFICATION OF DEED OF TRUST AND MODIFICATION OF ASSIGNMENT OF RENTS
(Continued)

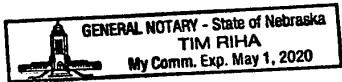
Loan No: 9080

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INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Nebraska)
COUNTY OF Douglas)) ss

On this 16th day of December, 2016 before me, the undersigned Notary Public, **Chris C. Holtberg and Linda J. Holtberg, as Husband and Wife**, personally appeared and known to me to be the individuals that executed the Modification of Assignment of Rents and acknowledged the Modification to be the free and voluntary act and deed of these individuals, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on their behalf.

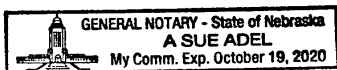


By [Signature]
Notary Public in and for the State of NE
Residing at Douglas County
My commission expires 5/1/20

LENDER ACKNOWLEDGMENT

STATE OF Nebraska)
COUNTY OF Douglas)) ss

On this 16 day of December, 2016, before me, the undersigned Notary Public, personally appeared Timothy Riha, Vice President, authorized agent for First Westroads Bank, Inc. that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of First Westroads Bank, Inc., duly authorized by First Westroads Bank, Inc. through its board of directors or otherwise, for the uses and purposes therein mentioned, and oath stated that he is authorized to execute this said instrument and in fact executed this said instrument of First Westroads Bank, Inc.



By [Signature]
Notary Public in and for the State of NE
Residing at _____
My commission expires _____

Exhibit A

LOCATED IN DOUGLAS COUNTY, STATE OF NEBRASKA

PARCEL A:

THE SOUTH 24 FEET OF THE WEST 110 FEET OF LOT 9, BLOCK 88, CITY OF SOUTH OMAHA, NOW PART OF THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA

PARCEL B:

THE NORTH 5 FEET OF THE EAST 40 FEET OF LOT 8 AND THE EAST 40 FEET OF THE SOUTH 24 FEET OF LOT 9, IN BLOCK 88, IN THE CITY OF SOUTH OMAHA, NOW A PART OF THE CITY OF OMAHA AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA

PARCEL C:

THE NORTH 36 FEET OF LOT 9, BLOCK 88, CITY OF SOUTH OMAHA, NOW A PART OF THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA

PARCEL A: 1215-0000-04

PARCEL B: 1213-0000-04

PARCEL C: 1213-0002-04