

FILED SARPY CO. NE.
INSTRUMENT NUMBER
98-006110
98 MAR 17 AM 10:18
Glenn G. Downing
REGISTER OF DEEDS

98-06110
Counter *AA*
Verify *AA*
D.E. *AA*
Proof: *AA*
Fee: *27.00*
Ok
Cash
Charge

TERMINATION OF RESTRICTIONS

This Termination of Restrictions is made as of this 4th day of January, 1998, by **Twin Creek, L.P.**, a Nebraska limited partnership ("Twin Creek") and **John R. and Mary A. Thompson**, husband and wife ("Thompsons").

RECITALS

Reference is hereby made to the following described real estate (hereinafter referred to as "Summit Lot 5"):

Lot 5 Summit Plaza, a Subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska;

Reference is also hereby made to the following described real estate (hereinafter collectively referred to as the "Burdened Lots"):

Lot 3 Summit Plaza, a Subdivision, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 23, and 24 Twin Creek Plaza, a Subdivision, all as surveyed, platted and recorded in Sarpy County, Nebraska.;

WHEREAS, the owner of Summit Lot 5 did not fulfill, before December 5, 1997, all provisions of the Covenant to Develop (as referred to and defined in that certain Second Declaration of Restrictions - Adjacent Property made as of July 9, 1997, and recorded July 11, 1997, as Instrument Number 97-014509 in the records of the Sarpy County Register of Deeds (hereinafter referred to as "Second Declaration") and the Covenant to Develop (as referred to and defined in that certain Declaration of Restrictions made as of July 9, 1997, and recorded July 11, 1997, as Instrument Number 97-014506, in the records of the Sarpy County Register of Deeds, hereinafter referred to as "Declaration").

NOW, THEREFORE, pursuant to the right of termination contained in Paragraph 2 of the Declaration and in Paragraph 2 of the Second Declaration, the restrictions contained in Paragraph 1(i) of the Declaration and the restrictions contained in Paragraph 1(i) of the Second Declaration, prohibiting use of the Burdened Lots as a convenience store, as defined therein, is hereby terminated and shall be held for naught.

All other terms and provisions of the Declaration and the Second Declaration, including the rights of the undersigned to further modify or terminate the restrictions contained therein, shall remain unchanged.

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98-06110A

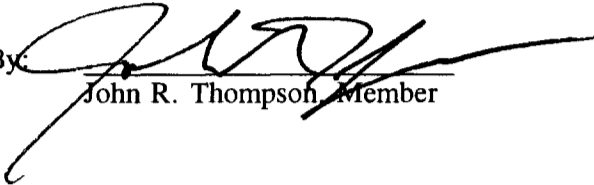
IN WITNESS WHEREOF, the parties have executed this Termination of Restrictions as of the day and year first above written.

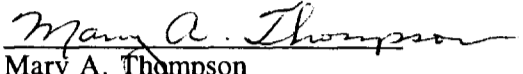
TWIN CREEK:
TWIN CREEK, L.P., a Nebraska
limited partnership

THOMPSONS:

By Twin Creek Development
Company, L.L.C., a Nebraska
limited liability company,
its General Partner

By: 
John R. Thompson

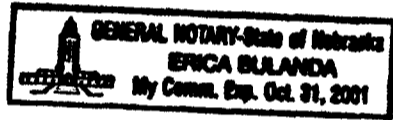
By: 
John R. Thompson, Member


By: 
Mary A. Thompson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 4th day of February, 1998, before me, a Notary Public in and for said county and state, personally came John R. Thompson, Member, known to me to be the identical person whose signature is affixed to the foregoing instrument as a Member of Twin Creek Development Company, L.L.C., and he acknowledged the execution thereof to be his voluntary act and deed.

WITNESS MY HAND and notarial seal the day and year first above written.



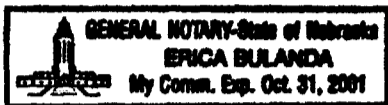

Notary Public

98-06110B

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 4th day of February, 1998, before me, a Notary Public in and for said county and state, personally came John R. Thompson, known to me to be the identical person whose signature is affixed to the foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed.

WITNESS MY HAND and notarial seal the day and year first above written.

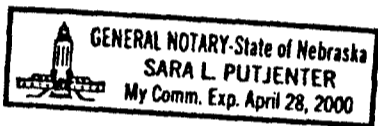


Erica Bulanda
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 5th day of February, 1998, before me, a Notary Public in and for said county and state, personally came Mary A. Thompson, known to me to be the identical person whose signature is affixed to the foregoing instrument, and she acknowledged the execution thereof to be his voluntary act and deed.

WITNESS MY HAND and notarial seal the day and year first above written.



Sara L. Putjenter
Notary Public