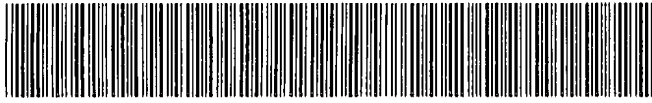




MISC 2014038037



MAY 22 2014 11:13 P 7

*me*  
 7 FEE 46.00 FB 61-28686  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP 82  
 5 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

A

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 5/22/2014 11:13:17.59



2014038037

After recording please return to:  
 Daniel R. Carnahan  
 STALNAKER, BECKER & BURESH, P.C.  
 1111 N. 102nd Court, Suite 330  
 Omaha, NE 68114

**FIRST AMENDMENT  
 TO  
 MASTER DEED AND DECLARATION  
 OF  
 OMAHA INDUSTRIAL FOUNDATION, DISTRICT 3, REPLAT 11 CONDOMINIUM**

THIS FIRST AMENDMENT TO MASTER DEED AND DECLARATION ("First Amendment") dated May 17<sup>th</sup> 2014 is made by the undersigned, being the sole owner of all of the Units of Omaha Industrial Foundation, District 3, Replat 11 Condominium, a condominium regime in Douglas County, Nebraska.

PRELIMINARY STATEMENT:

By way of that certain Master Deed and Declaration dated March 26, 2009 and recorded on April 14, 2009 as Instrument No. 2009034923 in the office of the Register of Deeds of Douglas County, Nebraska (the "Master Deed and Declaration"), that certain real estate legally described in Exhibit "A" attached hereto and incorporated by reference herein (the "Property") was submitted to the condominium form of ownership and use. The undersigned, being the sole owner of all of the Units of the condominium regime, desires to amend the Master Deed and Declaration to increase the number of Units as set forth herein.

AMENDMENT:

WHEREFORE, the undersigned, being the sole owner of all of the Units of the condominium regime, hereby amends the Master Deed and Declaration as follows:

1. Section 4 of the Master Deed and Declaration is hereby deleted in its entirety and the following is substituted in its place:

"4) Number of Units (76-842(a)(1)): The Condominium Regime consists of five (5) Units. No additional Units will be added in the future."

CK 028862

2. Section 5 of the Master Deed and Declaration is hereby deleted in its entirety and the following is substituted in its place:

“5) Unit Boundaries and Identifying Numbers (76-842(a)(5)): The area and location of each Unit and the boundaries of each Unit and identifying Unit designations are more particularly described in the Plat attached hereto and recorded with this Master Deed.”

3. The “Plat” referenced in Section 5 of the Master Deed and Declaration is hereby deleted in its entirety and the Plat set forth in Exhibit “B” attached hereto and incorporated by reference herein is hereby substituted in its place.

4. Section 8 of the Master Deed and Declaration is hereby deleted in its entirety and the following is substituted in its place:

“8) Allocation of Interests (76-842(a)(8)): Each Unit shall share in the expense of and the rights in common elements and shall vote in the Association (see Section 10(g) below) according to the following percentages allocated to each Unit.

Unit Number	Percentage Interest
1	19.70
2	14.72
3	21.35
4	35.41
5	8.82

”

5. Except as amended herein, the Master Deed and Declaration shall remain in full force and effect as previously recorded.

[ SIGNATURE PAGE TO FOLLOW ]

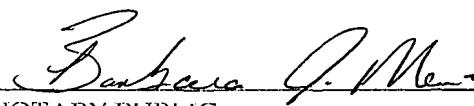
IN WITNESS WHEREOF, the undersigned, being the sole owner of all of the Units of the condominium regime, has executed this First Amendment as of the date first written above.

FLEETWOOD-101, LLC, a Nebraska limited liability company

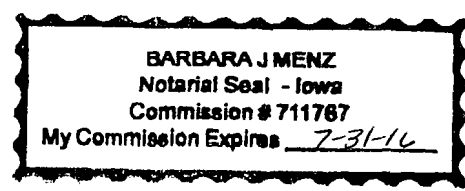
By:   
C.D. Van Houweling, Manager

STATE OF Iowa )  
 ) ss.  
COUNTY OF Dallas )

The foregoing instrument was acknowledged before me on 19<sup>th</sup> May, 2014 by C.D. Van Houweling, Manager of Fleetwood-101, LLC, a Nebraska limited liability company, on behalf of the company.

  
NOTARY PUBLIC

(Seal)



CONSENT

Mutual of Omaha Bank, a National Banking Association, hereby consents to the foregoing First Amendment to Master Deed and Declaration of Omaha Industrial Foundation District No. 3 Replat 11 Condominium.

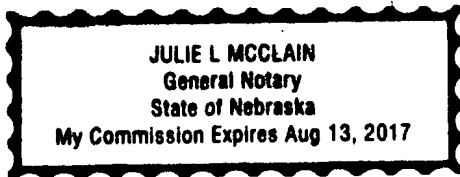
MUTUAL OF OMAHA BANK, a National Banking Association

By: Ann McFuller

Its: Asst Branch Manager

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me on May 8, 2014 by Ann Fuller, Asst. Branch Manager of Mutual of Omaha Bank, a National Banking Association, on behalf of the bank.



(Seal)

Julie L McClain  
NOTARY PUBLIC

EXHIBIT "A"

Legal Description of Property

Lot 1, Omaha Industrial Foundation, District No. 3, Replat 11, a subdivision located in the NE  $\frac{1}{4}$  of Section 1 and also the NW  $\frac{1}{4}$  of said Section 1: all located in Township 14 North, Range 11, East of the P.M., Douglas County, Nebraska.

EXHIBIT "B"

Plat

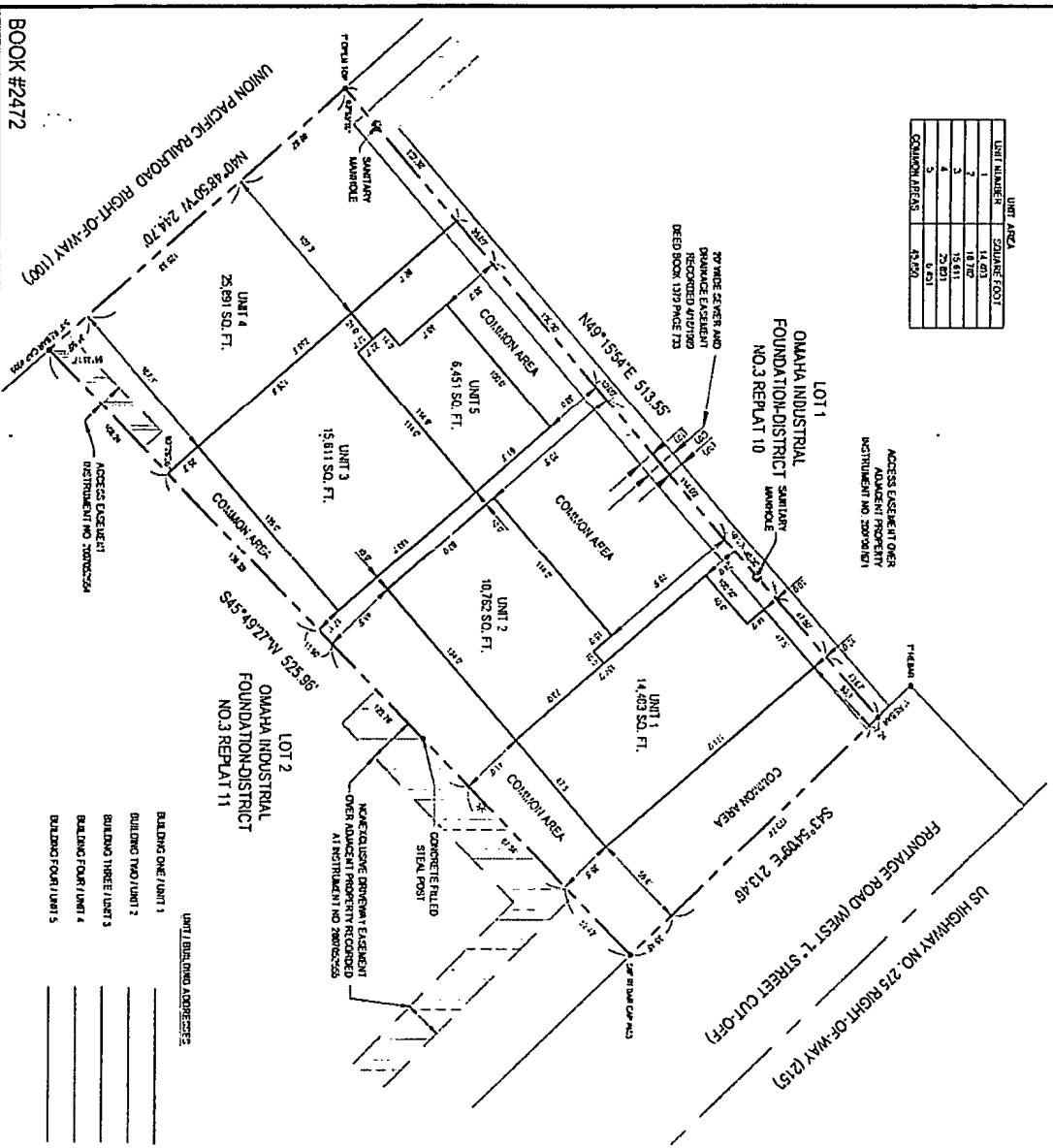
(Attached)

# OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11 CONDOMINIUM

BEING: CONDOMINIUM ADDITION TO THE CITY OF OMAHA CONSISTING OF UNITS 1 THRU 4, INCLUSIVE, AND COMMON AREAS BEING A SUBDIVISION OF LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, A SUBDIVISION LOCATED IN THE NORTH OF SECTION 1, AND ALSO THE NORTH OF 2ND SECTION 1, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLASS COUNTY, NEBRASKA

## UNITS 1 THRU 4, INCLUSIVE, AND COMMON AREAS

UNIT NUMBER	SQUARE FEET
1	14,403
2	10,762
3	15,811
4	25,691
5	6,451
COMMON AREAS	43,250



**LEGEND**

- PROPERTY CORNER FOUND AS NOTED
- BALDWIN
- IRON
- IRON POLE
- MARKER

**NO SCALE**

### NOTES

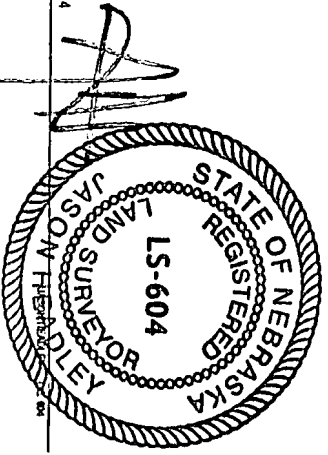
1. ALL ANGLES OF LAND ARE INTERIOR UNLESS NOTED
2. EASEMENT SHOWN ON PLAT LISTED BELOW
3. 20' WIDE SETBACK AND DRAINAGE EASEMENT RECORDED WITH DEED BOOK 1320 PAGE 730
4. AGREEMENT FOR EASEMENT FOR ACCESS TO EXISTING BUILDING, UTILITIES, AND RELATED APPURTENANCES, RECORDED MAY 18, 2003 AT INSTRUMENT NO. 200302555
5. EASEMENT DRIVEWAY EASEMENT OVER THE ADJACENT PROPERTY, RECORDED MAY 18, 2003 AT INSTRUMENT NO. 200302555

### LEGAL DESCRIPTION

OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11 CONDOMINIUM, BEING A CONDOMINIUM ADDITION TO THE CITY OF OMAHA CONSISTING OF UNITS 1 THRU 4, INCLUSIVE, AND COMMON AREAS BEING A SUBDIVISION OF LOT 1, OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11, A SUBDIVISION LOCATED IN THE NORTH OF SECTION 1, AND ALSO THE NORTH OF 2ND SECTION 1, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLASS COUNTY, NEBRASKA

LAND TRACT OF LAND CONTAINS AN AREA OF 11,800 SQUARE FEET OR 2.71 ACRES, MORE OR LESS

LAND SURVEYOR CERTIFICATE  
I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA



MARCH 11, 2014

DATE

## OMAHA INDUSTRIAL FOUNDATION DISTRICT NO. 3 REPLAT 11 CONDOMINIUM

DOUGLASS COUNTY, NEBRASKA



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS

300 NORTH 11TH STREET  
OMAHA, NE 68102  
PHONE: (402) 504-1100  
FAX: (402) 505-3009

7700 SOUTH 24TH STREET, SUITE 10  
LINCOLN, NE 68506-3441  
PHONE: (402) 426-2710  
FAX: (402) 426-2710

Plot No.	FD004 625.002
Date	01/08/2010
Designed By	DAUFRE
Scale	1" = 50'
Sheet	1 of 1

BOOK #2472