

WASHINGTON COUNTY, STATE OF NEBRASKA
Instrument Number 2018-03893

Karen A. Madsen
REGISTER OF DEEDS

FILED

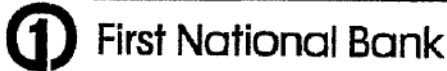
2018 Dec-21 PM 03:41

KAREN A. MADSEN
WASHINGTON COUNTY
REGISTER OF DEEDS
BLAIR, NE

Recorded _____
General _____
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Proofed _____
Scanned _____

WHEN RECORDED MAIL TO:
First National Bank of Omaha
114th and Dodge
11404 W Dodge RD
Omaha, NE 68154

FOR RECORDER'S USE ONLY



MODIFICATION OF DEED OF TRUST



*****580812212018*

THIS MODIFICATION OF DEED OF TRUST dated December 21, 2018, is made and executed between SILVER CREEK STABLES, LLC, a Nebraska limited liability company, whose address is 14558 County Road 36, Kennard, NE 68034 ("Trustor") and First National Bank of Omaha, whose address is 114th and Dodge, 11404 W Dodge RD, Omaha, NE 68154 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated April 25, 2018 (the "Deed of Trust") which has been recorded in Washington County, State of Nebraska, as follows:

Filed in Washington County, Nebraska on April 25, 2018, Instrument Number 2018-01143 and as modified.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Washington County, State of Nebraska:

See EXHIBIT "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 14558 County Road 36, Kennard, NE 68034.

MODIFICATION. Lender and Trustor hereby modify the Deed of Trust as follows:

Increase Max Lien Amount to \$1,725,000.00.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust 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 Deed of Trust 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 Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers 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 Deed of Trust 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 applies not only to any initial extension or modification, but also to all such subsequent actions.

ELECTRONIC COPIES. Lender may copy, electronically or otherwise, and thereafter destroy, the originals of this Agreement and/or Related Documents in the regular course of Lender's business. All such copies produced from an electronic form or by any other reliable means (i.e., photographic image or facsimile) shall in all respects be considered equivalent to an original, and Borrower hereby waives any rights or objections to the use of such copies.

TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 21, 2018.

TRUSTOR:

SILVER CREEK STABLES, LLC

By: Cara H Brown
Cara H Brown, Manager of SILVER CREEK STABLES, LLC

MODIFICATION OF DEED OF TRUST
(Continued)

LENDER:

FIRST NATIONAL BANK OF OMAHA

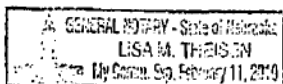
X [Signature]
Jeff Ash, Vice President, Commercial Banking

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NE)
) SS
COUNTY OF Douglas)

On this 21st day of December, 20 18, before me, the undersigned Notary Public, personally appeared Cara H Brown, Manager of SILVER CREEK STABLES, LLC, and known to me to be member or designated agent of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By [Signature]
Printed Name: Lisa M. Theisen
Notary Public in and for the State of NE
Residing at Omaha, NE
My commission expires 3/11/19



LENDER ACKNOWLEDGMENT

STATE OF NE)
) SS
COUNTY OF Douglas)

On this 21st day of December, 20 18, before me, the undersigned Notary Public, personally appeared Jeff Ash, and known to me to be the Vice President, Commercial Banking, authorized agent for First National Bank of Omaha that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of First National Bank of Omaha, duly authorized by First National Bank of Omaha through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of First National Bank of Omaha.

By [Signature]
Printed Name: Lisa M. Theisen
Notary Public in and for the State of NE
Residing at Omaha, NE
My commission expires 3/11/19

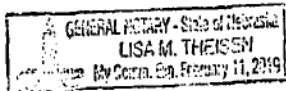


EXHIBIT "A"

TRACT A:

THE E1/2 OF THE SW1/4 OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 11 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 11 EAST AND ASSUMING THE WESTERLY LINE OF THE SW 1/4 OF SAID SECTION 16 TO BEAR N 00 DEGREES 28' 41" E; THENCE S 90 DEGREES 00' 00" E ALONG THE SOUTHERLY LINE OF SAID SW 1/4 A DISTANCE OF 1318.62 FEET TO THE SOUTHWEST CORNER OF THE SE1/4 OF THE SW 1/4 OF SAID SECTION 16 AND THE POINT OF BEGINNING; THENCE N 00 DEGREES 26' 46" E ALONG THE WESTERLY LINE OF THE E 1/2 OF SAID SW 1/4 A DISTANCE OF 2645.39 FEET TO THE NORTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 16; THENCE S 89 DEGREES 52' 17" E ALONG THE NORTHERLY LINE OF SAID SW 1/4 A DISTANCE OF 1317.12 FEET TO THE CENTER OF SAID SECTION 16; THENCE S 00 DEGREES 24' 51" W ALONG THE EASTERLY LINE OF SAID SW 1/4 A DISTANCE OF 2642.43 FEET TO THE S 1/4 CORNER OF SAID SECTION 16; THENCE N 90 DEGREES 00' 00" W ALONG THE SOUTHERLY LINE OF SAID SW 1/4 A DISTANCE OF 1318.61 FEET TO THE POINT OF BEGINNING.

TRACT B:

PART OF TAX LOTS 2 AND 16 LYING IN THE W1/2 OF THE SW 1/4 OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 11 EAST OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 11 EAST AND ASSUMING THE WESTERLY LINE OF THE SW 1/4 TO BEAR N 00 DEGREES 28' 41" E; THENCE S 90 DEGREES 00' 00" E ALONG THE SOUTHERLY LINE OF SAID SW 1/4 A DISTANCE OF 1219.37 FEET TO THE SOUTHEAST CORNER OF A PREVIOUSLY ACQUIRED COUNTY ROAD RIGHT-OF-WAY; THENCE N 00 DEGREES 00' 00" E ALONG THE EASTERLY LINE OF SAID PREVIOUSLY ACQUIRED COUNTY ROAD RIGHT-OF-WAY A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASTERLY AND NORTHERLY LINES OF SAID PREVIOUSLY ACQUIRED COUNTY ROAD RIGHT-OF-WAY AS FOLLOWS: N 00 DEGREES 00' 00" E A DISTANCE OF 6.37 FEET; THENCE N 90 DEGREES 00' 00" W A DISTANCE OF 164.04 FEET; THENCE N 75 DEGREES 04' 07" W A DISTANCE OF 50.93 FEET; THENCE N 90 DEGREES 00' 00" W A DISTANCE OF 163.94 FEET TO A POINT IN THE CENTERLINE OF BIG PAPIO CREEK, AS IS NOW EXISTS; THENCE DEPARTING SAID PREVIOUSLY ACQUIRED NORTHERLY COUNTY ROAD RIGHT-OF-WAY AND ALONG SAID CREEK CENTERLINE AS FOLLOWS: N 21 DEGREES 37' 56" W A DISTANCE OF 326.98 FEET; THENCE N 20 DEGREES 23' 07" W A DISTANCE OF 154.27 FEET; THENCE N 17 DEGREES 21' 17" W A DISTANCE OF 267.15 FEET; THENCE N 06 DEGREES 39' 46" W A DISTANCE OF 453.08 FEET; THENCE N 02 DEGREES 49' 26" E A DISTANCE OF 370.58 FEET; THENCE N 07 DEGREES 06' 46" E A DISTANCE OF 457.82 FEET; THENCE N 06 DEGREES 40' 07" E A DISTANCE OF 620.50 FEET TO THE NORTHERLY LINE OF SAID SW 1/4; THENCE S 89 DEGREES 52' 17" E A DISTANCE OF 656.56 FEET TO THE NORTHEAST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 16; THENCE S 00 DEGREES 26' 46" W ALONG THE EASTERLY LINE OF THE W 1/2 OF SAID SW 1/4 A DISTANCE OF 2612.39 FEET TO A POINT 33.00 FEET NORTHERLY OF THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 16; THENCE N 90 DEGREES 00' 00" W PARALLEL TO AND 33.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID SW 1/4 A DISTANCE OF 99.51 FEET TO THE POINT OF BEGINNING.