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GEORGE J. BUOLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE



**AMENDMENT TO FIRST NATIONAL BUSINESS PARK
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment to the First National Business Park Declaration of Covenants, Conditions and Restrictions (this "Amendment") effective as of December 15, 1995 is made, by and among FIRST NATIONAL BANK OF OMAHA, a national banking association ("Declarant") and FIRST NATIONAL BUSINESS PARK PROPERTY OWNERS ASSOCIATION, a Nebraska nonprofit corporation (the "Corporation").

RECITALS

Declarant and the Corporation desire to amend that certain First National Business Park Declaration of Covenants, Conditions and Restrictions (the "Covenants"), dated December 21, 1994, and recorded January 11, 1994 in the real estate records of Douglas County, Nebraska.

NOW, THEREFORE, Declarant and the Corporation hereby impose the following amendments to the Covenants on the First National Business Park, legally described on the attached Exhibit A (the "Premises"), which shall run with the equitable and legal title to the land and shall be for the benefit or burden, as the case may be, of the owners of any portion of the Premises, their respective heirs, legal representatives, successors and assigns, and any mortgagees.

AMENDMENT

1. *Amendment.* a. Section 1(b) of the Covenants is hereby deleted in its entirety and amended to read:

(b) "Owner" means each person, partnership, corporation, limited liability company, trust or other entity now or hereafter holding fee title to any Parcel, or if an Owner is a partnership, corporation, limited liability company or trust, Owner shall mean any officer, partner, trustee,

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Omaha NE 68102

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beneficiary, employee, authorized agent, designee or representative of such Owner, as designated in writing by such Owner.

b. Section 4(b) is amended by deleting the first sentence in its entirety and restating it to read:

The Owner of each lot, now or hereafter created, except for outlots, shall be a member of the Association, or if an Owner is a partnership, corporation, limited liability company or trust, a member may be an officer, partner, trustee, beneficiary, employee, authorized agent, designee or representative of such Owner, as designated in writing by such Owner.

2. *Ratification.* Except as otherwise expressly set forth above, the Covenants are unmodified and in full force and effect, including, but not limited to, Declarant's rights to consent to any Architectural Control Committee approval in Declarant's capacity as Owner of Lot 2 or as occupant of 85% of the net floor space of all buildings located on Lot 2.

3. *Acknowledgment and Consent.* The Corporation is a party hereto for the purpose of acknowledging and consenting to this Amendment. This Amendment is being executed upon a two-thirds majority vote of the Corporation, cast in favor of this Amendment, as required in Section 11 of the Covenants.

4. *Counterparts.* This Amendment may be executed in counterparts, each of which when duly executed and delivered shall be an original, and such counterparts together shall constitute one instrument.

Effective as of December 15, 1995.

DECLARANT:

FIRST NATIONAL BANK OF OMAHA,
a national banking association

By JWH
Name J.W. Henry
Title Executive Vice President

CORPORATION:

**FIRST NATIONAL BUSINESS PARK
PROPERTY OWNERS ASSOCIATION,
a Nebraska nonprofit corporation**

By **FIRST NATIONAL BANK OF OMAHA,
a national banking association**

By [Signature]
Name J.W. Henry
Title Executive Vice President

By **NDC WEST DODGE, L.L.C.,
a Nebraska limited liability company**

By [Signature]
Name Harlan J. Noddle
Title Member

By **NW, L.L.C.,
a Nebraska limited liability company**

By [Signature]
Name John Noddle
Title Member

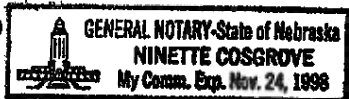
By **13305 BIRCH LIMITED LIABILITY
COMPANY, a Nebraska limited liability
company**

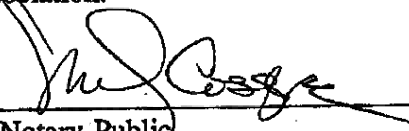
By [Signature]
Name Ronald J. Cizek
Title MEMBER

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15 day of December, 1995 by J. W. HENRY, Exec Vice President of First National Bank of Omaha, a national banking association, on behalf of the association.

(Seal)





Notary Public

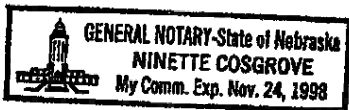
My commission expires:

11-24-98

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15 day of December, 1995 by J. W. HENRY, Exec Vice President of First National Bank of Omaha, a national banking association, member of First National Business Park Property Owners Association, a Nebraska nonprofit corporation, on behalf of the corporation.

(Seal)



[Signature]
Notary Public

My commission expires:

11-24-98

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 20th day of December, 1995 by Harlan J. Nollke, Member of NDC West Dodge, L.L.C., a Nebraska limited liability company, member of First National Business Park Property Owners Association, a Nebraska nonprofit corporation, on behalf of the corporation.

(Seal)



[Signature]
Notary Public

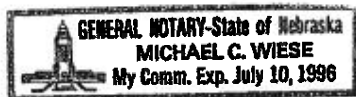
My commission expires:

July 10, 1996

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 20th day of December, 1995 by Jay P. Noble, Member of NW, L.L.C., a Nebraska limited liability company, member of First National Business Park Property Owners Association, a Nebraska nonprofit corporation, on behalf of the corporation.

(Seal)




Notary Public

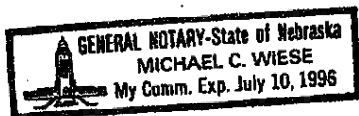
My commission expires:

July 10, 1996

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15th day of December, 1995 by Ronald T. Cizek, Member of 13305 Birch Limited Liability Company, a Nebraska limited liability company, member of First National Business Park Property Owners Association, a Nebraska nonprofit corporation, on behalf of the corporation.

(Seal)




Notary Public

My commission expires:

July 10, 1996

EXHIBIT A

LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5, 6, 7, and 8 and Outlots 1 and 2, all in FIRST NATIONAL BUSINESS PARK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

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