



MISC 2008062986



JUN 19 2008 14:26 P 3

MISC 2150 PL 19-18590  
3 WP 50 COMP DW  
13 DE 30W PL

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
6/19/2008 14:26:45.65



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PAGE DOWN FOR BALANCE OF INSTRUMENT

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Check Number  
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**FIRST AMENDMENT TO DEED OF TRUST AND CONSTRUCTION SECURITY**

THIS FIRST AMENDMENT TO DEED OF TRUST AND CONSTRUCTION SECURITY ("First Amendment") is made and entered into this 12<sup>th</sup> day of June, 2008, by and among Bellamini Properties, LLC, a Nebraska limited liability company ("Trustor"), Fremont National Bank & Trust Company, as trustee (the "Trustee") and Fremont National Bank & Trust Company, as beneficiary (the "Beneficiary").

WHEREAS, on or about April 27, 2006, Trustor, executed and delivered a Deed of Trust and Construction Security Agreement to Trustee for the benefit of Beneficiary (the "Deed of Trust"), which was recorded April 27, 2006, in the office of the Register of Deeds of Douglas County, Nebraska, as Instrument No. 2006046921 and encumbers the real estate legally described as Lot 19 and the West 110 feet of Lot 20 and the east 30 feet of Lot 20, Rees Place, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, pursuant to the terms of the Declaration of Condominium for The Jamison Condominiums, which was recorded in the office of the Douglas County Register of Deeds on September 21, 2007 as Instrument #2007107959 (the "**Condominium Declaration**"), the real estate and improvements located on the West 110 feet of Lot 20 and the east 30 feet of Lot 20, Rees Place, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska was submitted to the provisions of the Nebraska Condominium Act, Nebraska Revised Statutes § 76-825, et seq. (the "**Condominium Act**"); and

WHEREAS, the parties hereto wish to amend the Deed of Trust in order to specifically acknowledge the change in the legal description of the real estate secured by the Deed of Trust due to the filing of the Condominium Declaration.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Effective as of the recording of the Condominium Declaration, the Deed of Trust shall be amended to include the following real estate in the legal description set forth in paragraph 1 of the Deed of Trust:

The following condominium units in The Jamison Condominiums, Omaha, Douglas County, Nebraska, which were created pursuant to the terms of the Declaration of Condominium for The Jamison Condominiums, which was recorded in the office of the Douglas County, Nebraska, Register of Deeds on September 21, 2007 as Instrument #2007107959:

Units 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and 99

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- 2. Except as specifically amended herein, the Deed of Trust shall remain in full force and effect as originally executed.
- 3. This First Amendment shall be binding on the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and date first above written.

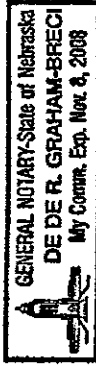
BELLAMINI PROPERTIES, LLC, a  
Nebraska limited liability company

By: Theresa M. Manahan  
Theresa M. Manahan, Member

By: Thomas J. Walz  
Thomas J. Walz, Member

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on this 12<sup>th</sup> day of June, 2008, by Theresa M. Manahan and Thomas J. Walz, Members of Bellamini Properties, LLC, a Nebraska limited liability company, on behalf of the company.



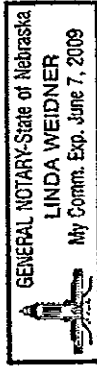
De R. Graham-Breci  
Notary Public

FREMONT NATIONAL BANK & TRUST  
COMPANY, as trustee and beneficiary

By: Bonnie B. Skarvedt  
Bonnie B. Skarvedt, Vice President  
i.p.

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me on this 12<sup>th</sup> day of June, 2008, by Bonnie B. Skarvedt, Vice President of Fremont National Bank & Trust Company, as trustee and beneficiary, on behalf of said bank.



Linda Weidner  
Notary Public