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Lancaster County, NE Assessor/Register of Deeds Office AMDEED  
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Pages 19



After recording return to:  
Seacrest & Kalkowski, PC, LLO  
1128 Lincoln Mall, Suite 105  
Lincoln, NE 68508

**SECOND AMENDMENT TO  
THE DECLARATION OF  
TEN40 O CONDOMINIUM**

The undersigned, constituting the “Declarant” under the Declaration of Ten40 O Condominium dated December 7, 2021, and filed of record as Instrument Number 2021071114 in the Lancaster County Register of Deeds Office, in Lincoln, Nebraska, as amended by the Amendment to the Declaration of Ten40 O Condominium dated June 24, 2022, and filed of record as Instrument Number 2022026919 in the Lancaster County Register of Deeds Office, in Lincoln, Nebraska (collectively the “Declaration”), does hereby, pursuant to the rights retained by Declarant in Paragraph 6.B. of the Declaration, amend the Declaration as follows:

1. Exhibit “A” and Exhibit “B” attached to the Declaration are hereby repealed and replaced with Exhibit “A” and Exhibit “B” attached hereto which adjust the Plat and Plans and Allocated Interests to reflect changes in the Lower Level.
2. All other terms and conditions of the Declaration, except as amended herein, remain in full force and effect. In the event of a conflict between the terms of this Second Amendment and the terms of the Declaration, the terms of this Second Amendment shall control. Capitalized terms used herein and not defined herein have the same meaning as in the Declaration.

IN WITNESS WHEREOF, the Declarant has executed this Second Amendment to the Declaration of Ten40 O Condominium as of this 4 day of October, 2022.

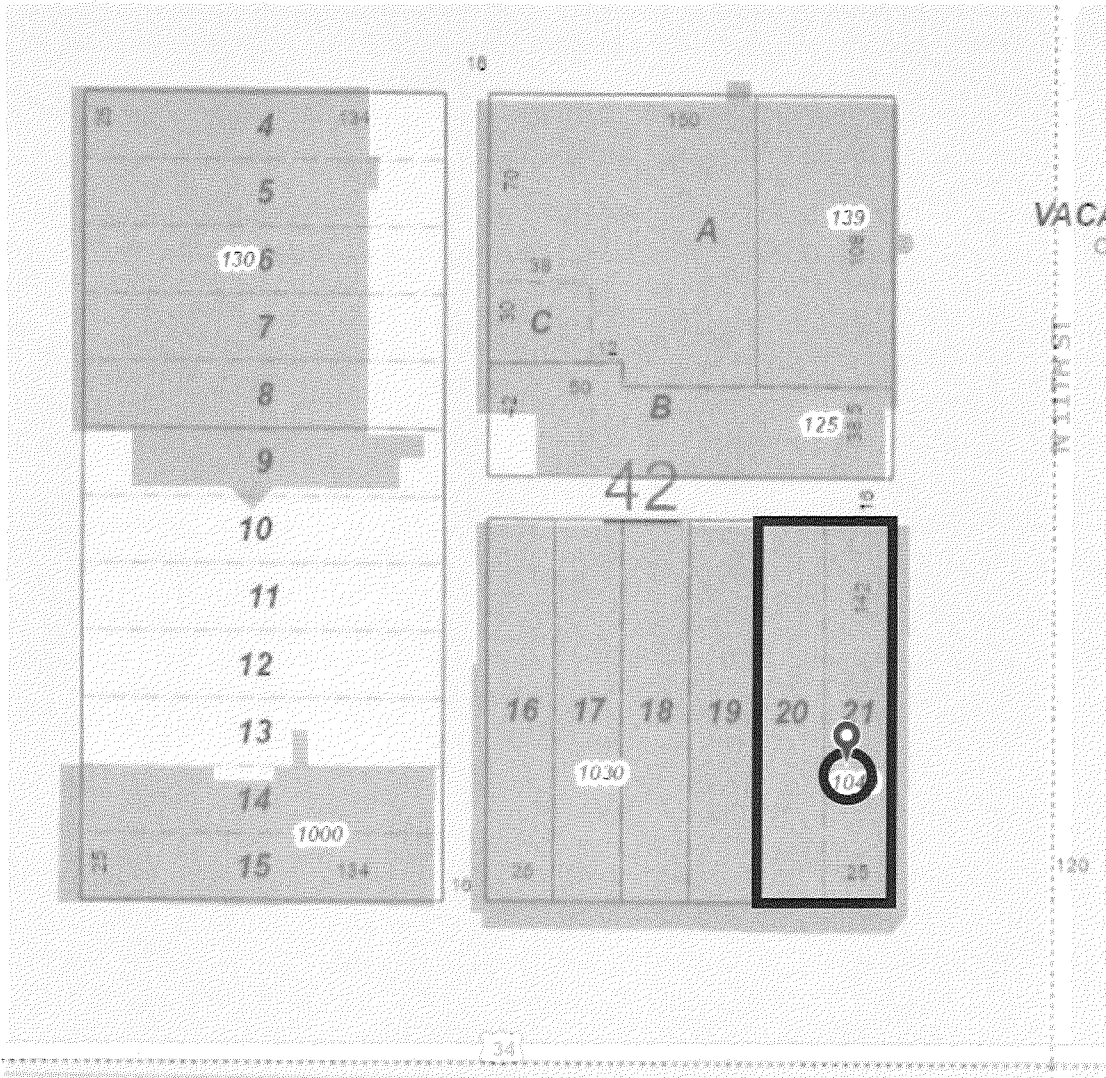


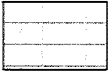


ND  
TEOLO

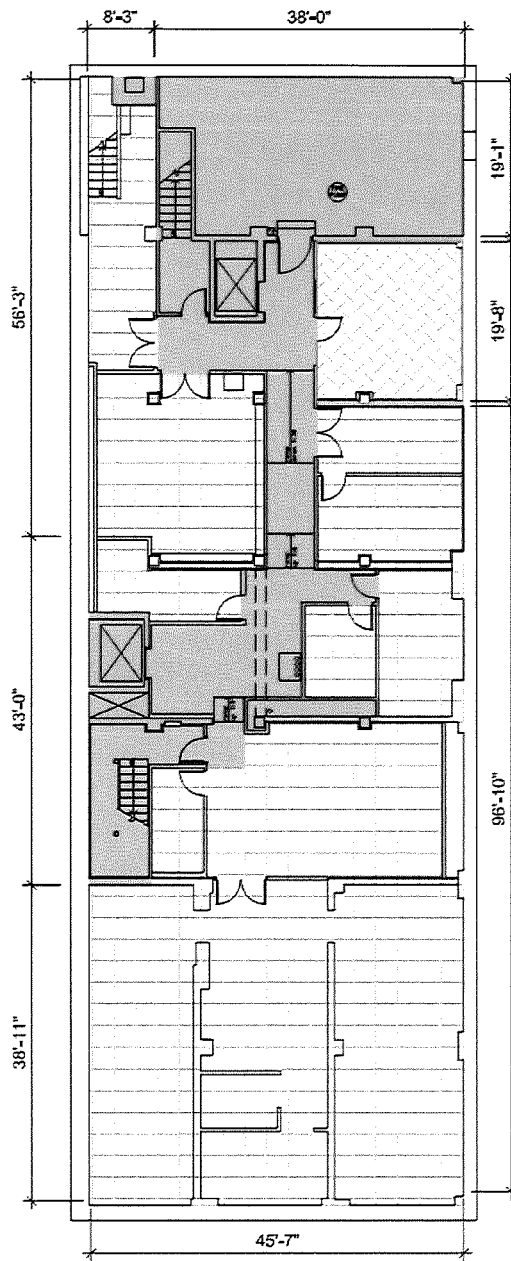
**EXHIBIT "A"**

**Plat and Plans of the Condominium**

Ten40 O Condominium, Lincoln, Lancaster County, Nebraska.







	RESIDENTIAL COMMON	3,996
	COMMERCIAL LIMITED COMMON	357
	BUILDING COMMON	1,876
<b>TOTAL</b>		<b>6,229 SF</b>

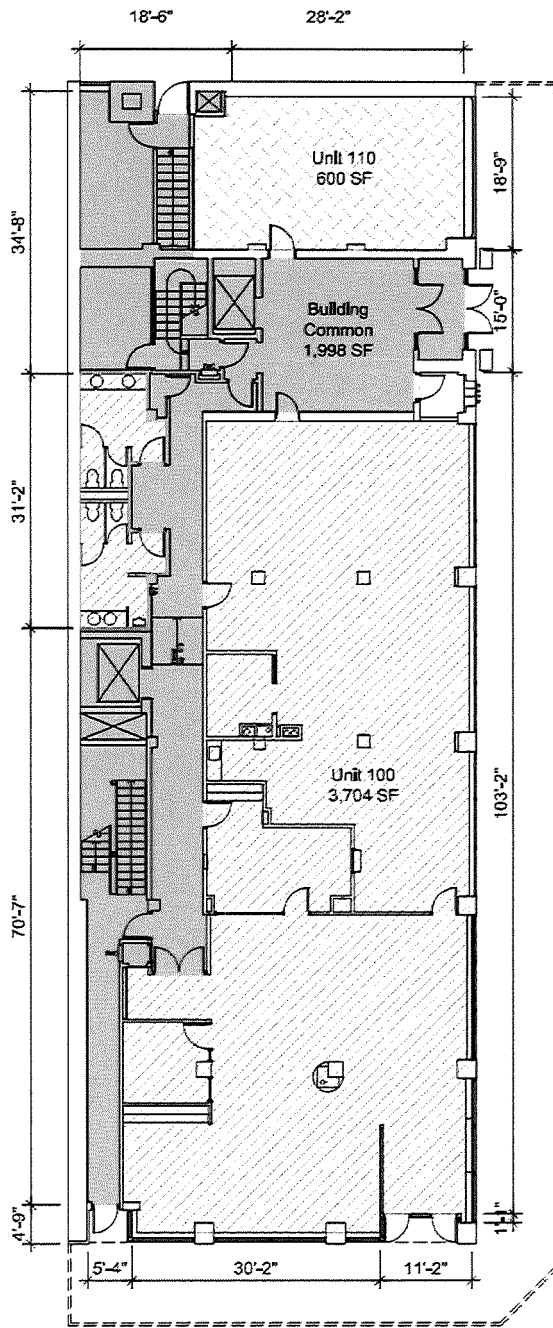


**LOWER LEVEL PLAN**

**Ten40 Building Condominium Regime**  
OCTOBER, 2022

**innerspace studios**  
Interior architecture and space planning  
335 North 8th Street, Suite C  
Lincoln, Nebraska 68508  
(402) 475-7224


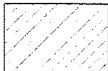


	RESIDENTIAL UNITS	600 SF
	COMMERCIAL UNITS	3,704 SF
	BUILDING COMMON	1,998 SF
	RESIDENTIAL COMMON	0 SF
<b>TOTAL</b>		<b>6,302 SF</b>



FIRST FLOOR PLAN

**Ten40 Building Condominium Regime**  
OCTOBER, 2022

**Innerspace studios**  
Interior architecture and space planning  
335 north 8th street, suite c  
Lincoln, Nebraska 68508  
(402) 475-7204

	RESIDENTIAL UNITS	4,471 SF
	COMMERCIAL UNITS	0 SF
	BUILDING COMMON	312 SF
	RESIDENTIAL COMMON	470 SF
<b>TOTAL</b>		<b>5,253 SF</b>

**UNIT DIMENSIONS**

**UNIT 210**

- A 8'-0<sup>3</sup>/<sub>8</sub>"
- B 6'-1<sup>3</sup>/<sub>8</sub>"
- C 5'-11<sup>1</sup>/<sub>4</sub>"
- D 2'-3<sup>7</sup>/<sub>8</sub>"
- E 5'-2<sup>5</sup>/<sub>8</sub>"
- F 6'-6<sup>1</sup>/<sub>2</sub>"
- G 3'-4"
- H 2'-6"
- I 5'-6<sup>1</sup>/<sub>2</sub>"
- J 21'-5<sup>3</sup>/<sub>8</sub>"

**UNIT 220**

- C 31'-0<sup>1</sup>/<sub>2</sub>"
- D 16'-7<sup>3</sup>/<sub>8</sub>"
- E 6'-1<sup>1</sup>/<sub>4</sub>"
- F 6'-6<sup>1</sup>/<sub>2</sub>"
- G 3'-3<sup>3</sup>/<sub>4</sub>"
- H 2'-6<sup>7</sup>/<sub>8</sub>"
- I 5'-6<sup>1</sup>/<sub>2</sub>"
- J 22'-3<sup>7</sup>/<sub>8</sub>"

**UNIT 230**

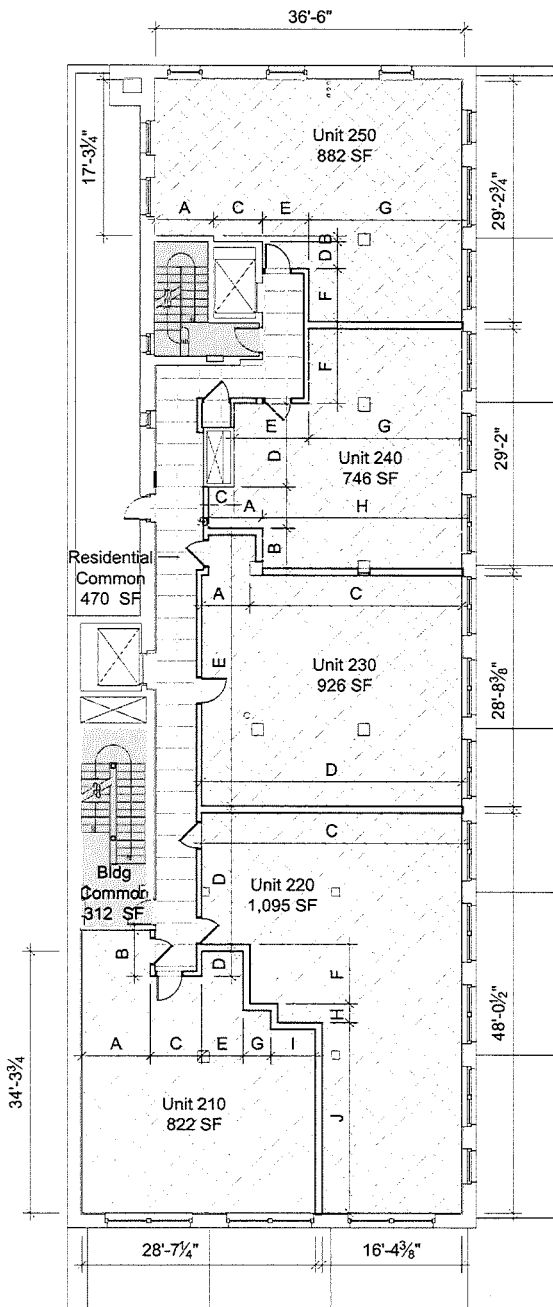
- A 6'-6<sup>1</sup>/<sub>8</sub>"
- B 5'-4<sup>1</sup>/<sub>8</sub>"
- C 24'-7"
- D 31'-0<sup>1</sup>/<sub>2</sub>"
- E 33'-10<sup>1</sup>/<sub>8</sub>"

**UNIT 240**

- A 7'-5"
- B 5'-4<sup>7</sup>/<sub>8</sub>"
- C 3'-9"
- D 10'-5"
- E 9'-2<sup>1</sup>/<sub>4</sub>"
- F 8'-6<sup>5</sup>/<sub>8</sub>"
- G 18'-5<sup>5</sup>/<sub>8</sub>"
- H 23'-8<sup>3</sup>/<sub>8</sub>"

**UNIT 250**

- A 6'-2<sup>7</sup>/<sub>8</sub>"
- B 8<sup>1</sup>/<sub>2</sub>"
- C 6'-5"
- D 4'-8<sup>3</sup>/<sub>8</sub>"
- E 5'-3<sup>1</sup>/<sub>2</sub>"
- F 6'-8"
- G 18'-5<sup>5</sup>/<sub>8</sub>"



**SECOND FLOOR PLAN 2A**

**Ten40 Building Condominium Regime**

DECEMBER, 2021





RESIDENTIAL COMMON  
MECHANICAL CHASE WALLS

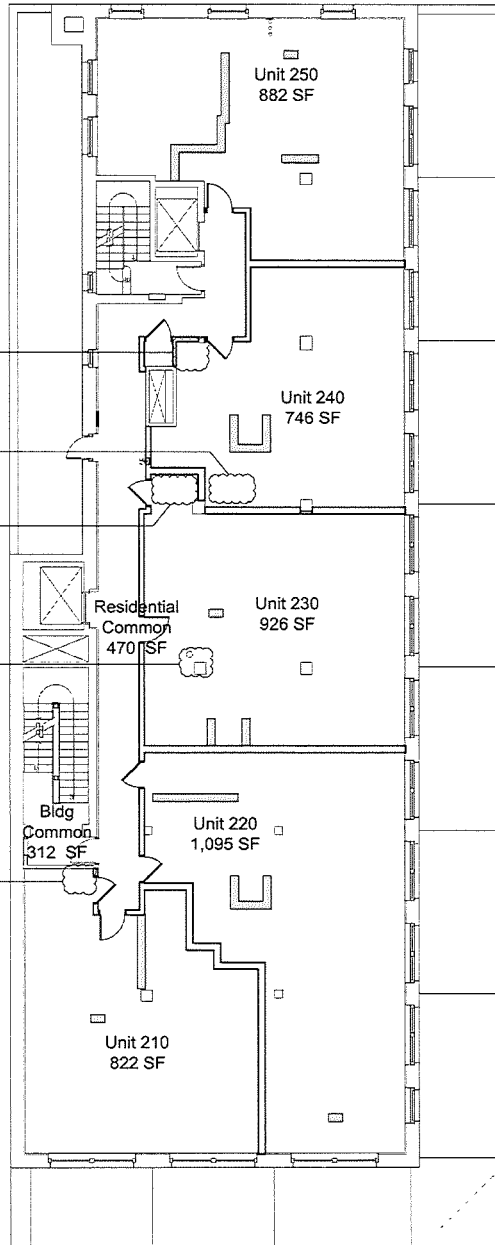
RESIDENTIAL COMMON  
ROOF DRAIN PIPING AND CONDUIT

RESIDENTIAL COMMON  
DUCTWORK ABOVE SHOWER CEILING

RESIDENTIAL COMMON  
HEAT PUMP PIPING

RESIDENTIAL COMMON  
ROOF DRAIN PIPE

RESIDENTIAL COMMON  
HEAT PUMP PIPING



SECOND FLOOR PLAN 2B





**Ten40 Building Condominium Regime**

DECEMBER, 2021



**innerspace studios**

interior architecture and space planning  
335 north 8th street, suite c  
Lincoln, Nebraska 68508

	RESIDENTIAL UNITS	4,555 SF
	COMMERCIAL UNITS	0 SF
	BUILDING COMMON	312 SF
	RESIDENTIAL COMMON	470 SF
<b>TOTAL</b>		<b>5,337 SF</b>

**UNIT DIMENSIONS**

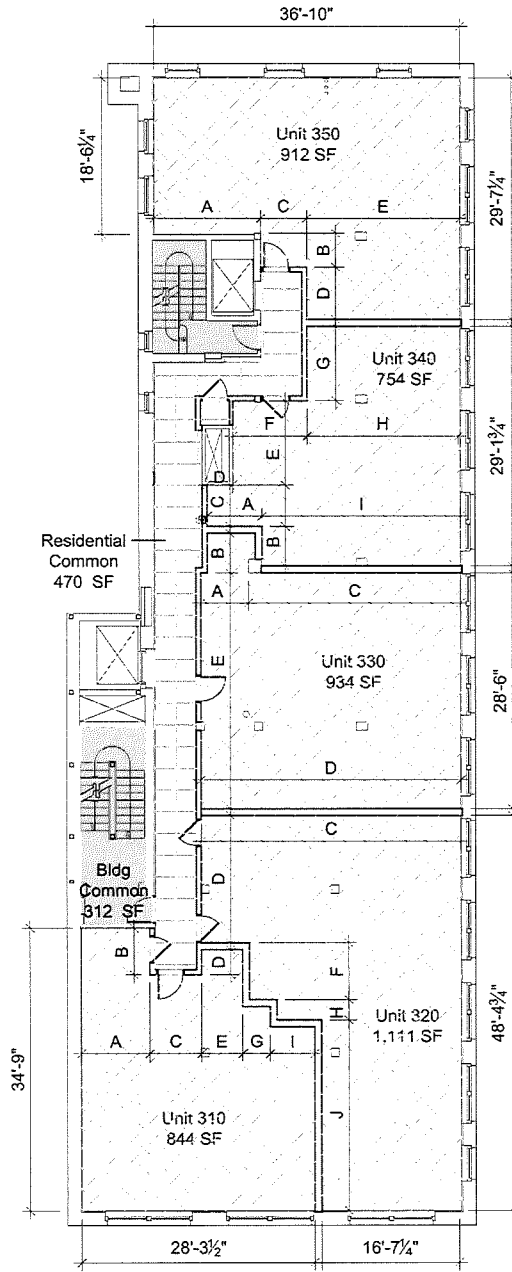
UNIT 310	UNIT 340
A 8'-3½"	A 7'-5⅝"
B 6'-1⅞"	B 5'-4¾"
C 6'-0¼"	C 4'-9⅞"
D 2'-3¾"	D 3'-9¼"
E 5'-2"	E 10'-5"
F 6'-6½"	F 8'-10½"
G 3'-3¾"	G 8'-6⅞"
H 2'-6"	H 18'-11¾"
I 5'-6"	I 24'-0⅞"
J 21'-10½"	

UNIT 320	UNIT 350
C 31'-5¾"	A 12'-8"
D 16'-7¼"	B 4'-7"
E 6'-1"	C 5'-2½"
F 6'-6⅞"	D 6'-8⅞"
G 3'-3⅞"	E 18'11¼"
H 2'-6"	
I 6'-6"	
J 22'-7⅜"	

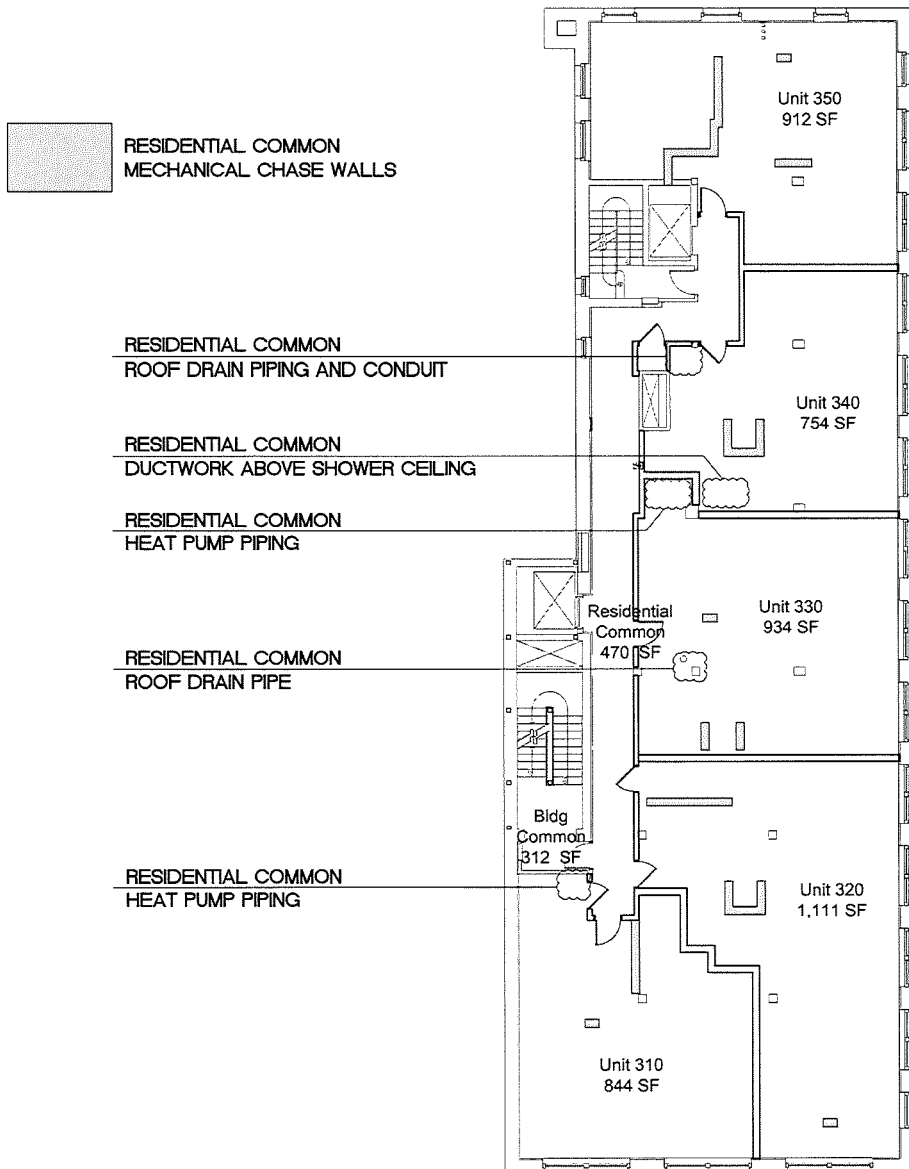
  

UNIT 330
A 6'-11"
B 5'-4⅞"
C 24'-11¼"
D 31'-5¾"
E 33'-10½"



**THIRD FLOOR PLAN 3A**

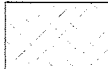
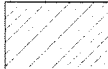






THIRD FLOOR PLAN 3B

Ten40 Building Condominium Regime  
DECEMBER, 2021

**innerspace studios**  
interior architecture and space planning  
335 north 8th street, suite c  
Lincoln, Nebraska 68508  
(402) 475-7234

	RESIDENTIAL UNITS	4,561 SF
	COMMERCIAL UNITS	0 SF
	BUILDING COMMON	312 SF
	RESIDENTIAL COMMON	470 SF
<b>TOTAL</b>		<b>5,343 SF</b>

**UNIT DIMENSIONS**

**UNIT 410**

- A 8'-2 $\frac{1}{2}$ "
- B 5'-10 $\frac{3}{4}$ "
- C 5'-11 $\frac{1}{8}$ "
- D 2'-3 $\frac{5}{8}$ "
- E 5'-2 $\frac{1}{4}$ "
- F 6'-6 $\frac{5}{8}$ "
- G 3'-4 $\frac{3}{4}$ "
- H 2'-6 $\frac{1}{2}$ "
- I 5'-5 $\frac{5}{8}$ "
- J 21'-10 $\frac{3}{4}$ "

**UNIT 420**

- C 31'-5 $\frac{5}{8}$ "
- D 16'-6 $\frac{5}{8}$ "
- E 6'-1 $\frac{1}{2}$ "
- F 6'-6 $\frac{3}{4}$ "
- G 3'-3 $\frac{3}{4}$ "
- H 2'-6"
- I 5'-5 $\frac{5}{8}$ "
- J 23'-0 $\frac{5}{8}$ "

**UNIT 430**

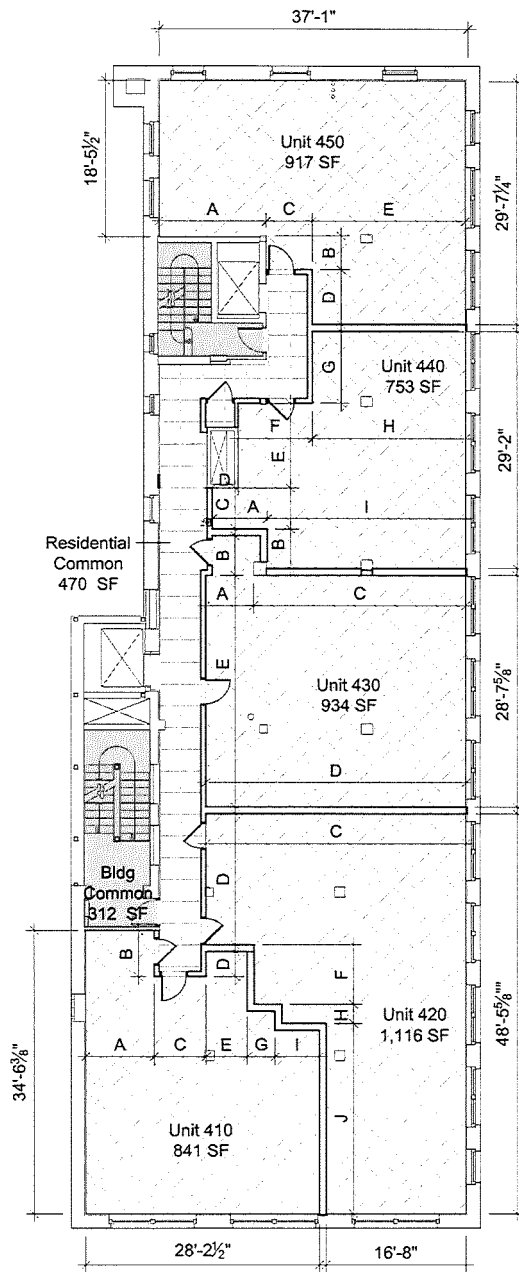
- A 6'-6 $\frac{1}{2}$ "
- B 5'-4 $\frac{1}{8}$ "
- C 24'-0 $\frac{1}{8}$ "
- D 31'-5 $\frac{5}{8}$ "
- E 33'-11 $\frac{1}{8}$ "

**UNIT 440**

- A 7'-5 $\frac{5}{8}$ "
- B 5'-4 $\frac{1}{8}$ "
- C 4'-9 $\frac{1}{4}$ "
- D 3'-9 $\frac{1}{8}$ "
- E 7'-3 $\frac{7}{8}$ "
- F 8'-10 $\frac{7}{8}$ "
- G 8'-6 $\frac{3}{8}$ "
- H 18'-9 $\frac{1}{4}$ "
- I 24'-0 $\frac{1}{8}$ "

**UNIT 450**

- A 13'-0"
- B 4'-6 $\frac{3}{8}$ "
- C 5'-4 $\frac{1}{8}$ "
- D 6'-8 $\frac{1}{8}$ "
- E 18'-9 $\frac{1}{4}$ "



**FOURTH FLOOR PLAN 4A**

RESIDENTIAL COMMON  
MECHANICAL CHASE WALLS

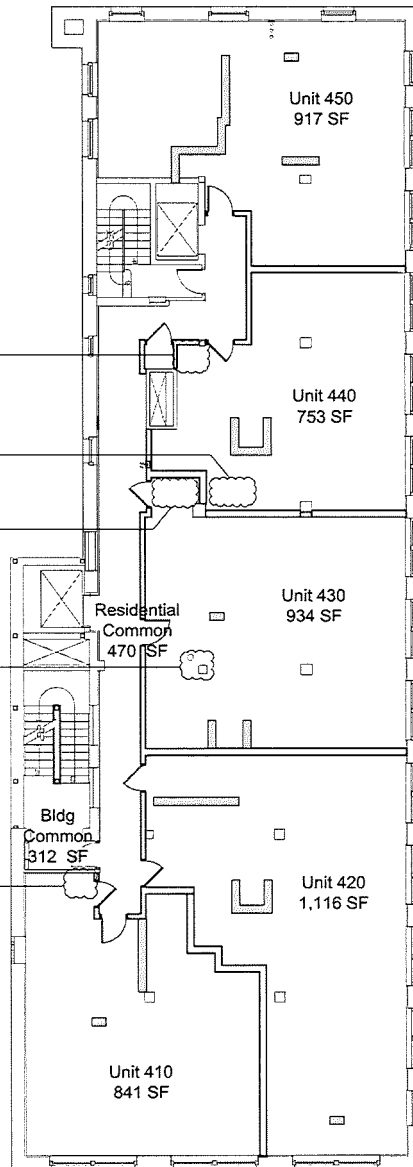
RESIDENTIAL COMMON  
ROOF DRAIN PIPING AND CONDUIT

RESIDENTIAL COMMON  
DUCTWORK ABOVE SHOWER CEILING

RESIDENTIAL COMMON  
HEAT PUMP PIPING

RESIDENTIAL COMMON  
ROOF DRAIN PIPE

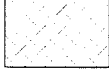
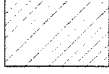

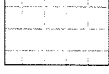
RESIDENTIAL COMMON  
HEAT PUMP PIPING



FOURTH FLOOR PLAN 4B

**Ten40 Building Condominium Regime**  
DECEMBER, 2021

**innerspace studios**  
interior architecture and space planning  
335 north 8th street, suite c  
Lincoln, Nebraska 68508  
(402) 475-7234

	RESIDENTIAL UNITS	4,581 SF
	COMMERCIAL UNITS	0 SF
	BUILDING COMMON	312 SF
	RESIDENTIAL COMMON	470 SF
<b>TOTAL</b>		<b>5,363 SF</b>

**UNIT DIMENSIONS**

**UNIT 510**

- A 8'-1 $\frac{1}{8}$ "
- B 5'-11 $\frac{7}{8}$ "
- C 6'-0 $\frac{3}{4}$ "
- D 2'-4 $\frac{1}{8}$ "
- E 5'-2 $\frac{1}{4}$ "
- F 6'-6 $\frac{1}{2}$ "
- G 3'-4 $\frac{1}{4}$ "
- H 2'-5 $\frac{3}{4}$ "
- I 5'-5 $\frac{7}{8}$ "
- J 21'-11 $\frac{1}{8}$ "

**UNIT 520**

- C 31'-5 $\frac{5}{8}$ "
- D 16'-6 $\frac{3}{4}$ "
- E 6'-1 $\frac{5}{8}$ "
- F 6'-6 $\frac{1}{4}$ "
- G 3'-4 $\frac{1}{4}$ "
- H 2'-5 $\frac{3}{4}$ "
- I 5'-5 $\frac{5}{8}$ "
- J 22'-9 $\frac{5}{8}$ "

**UNIT 530**

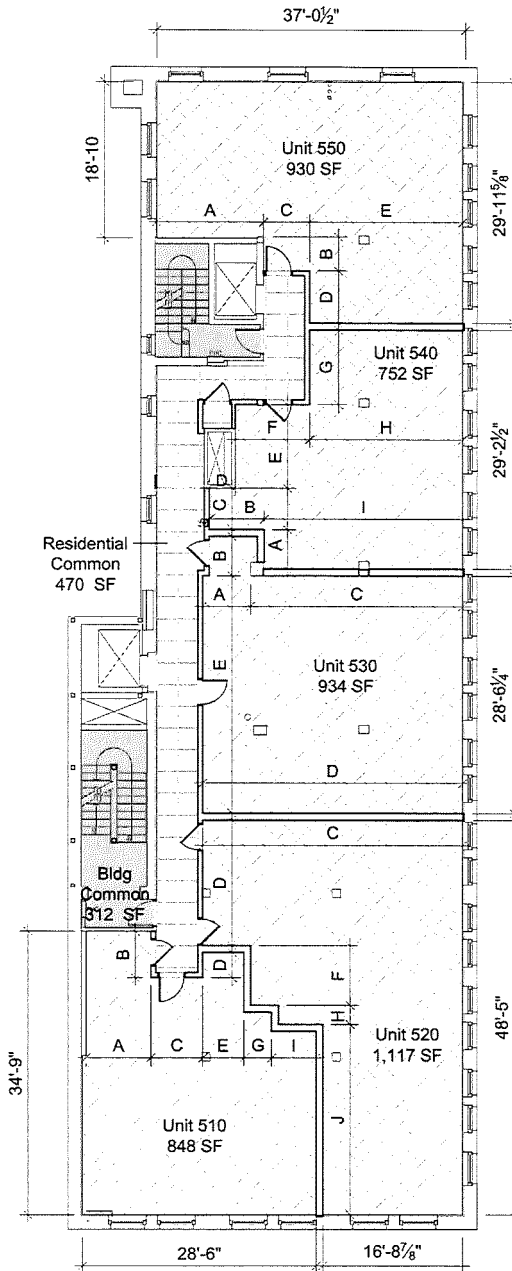
- A 6'-7 $\frac{7}{8}$ "
- B 5'-5 $\frac{1}{2}$ "
- C 24'-11 $\frac{1}{8}$ "
- D 31'-5 $\frac{7}{8}$ "
- E 33'-1 $\frac{1}{4}$ "

**UNIT 540**

- A 5'-5"
- B 7'-5 $\frac{1}{2}$ "
- C 4'-9 $\frac{5}{8}$ "
- D 3'-8 $\frac{3}{4}$ "
- E 10'-4 $\frac{3}{8}$ "
- F 8'-10 $\frac{3}{8}$ "
- G 8'-6 $\frac{3}{4}$ "
- H 18'-9 $\frac{5}{8}$ "
- I 23'-11 $\frac{3}{4}$ "

**UNIT 550**

- A 12'-11 $\frac{1}{4}$ "
- B 4'-5 $\frac{5}{8}$ "
- C 5'-3 $\frac{1}{2}$ "
- D 6'-8 $\frac{1}{4}$ "
- E 18'-9 $\frac{5}{8}$ "

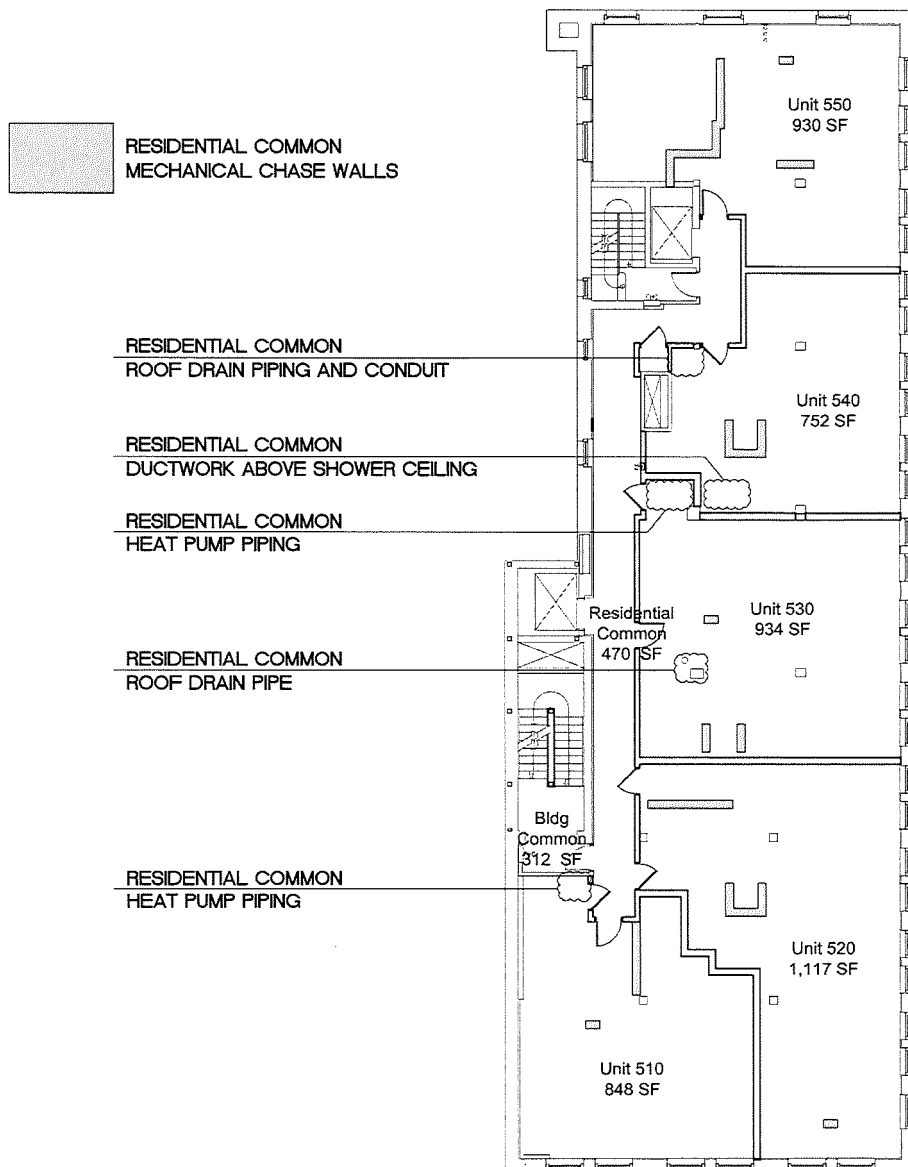


**FIFTH FLOOR PLAN 5A**

**Ten40 Building Condominium Regime**

DECEMBER, 2021


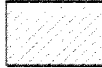

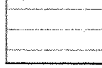
**innerspace studios**  
 interior architecture and space planning  
 335 north 8th street, suite c  
 Lincoln, Nebraska 68508  
 (402) 475-7234



FIFTH FLOOR PLAN SB

**Ten40 Building Condominium Regime**  
 DECEMBER, 2021

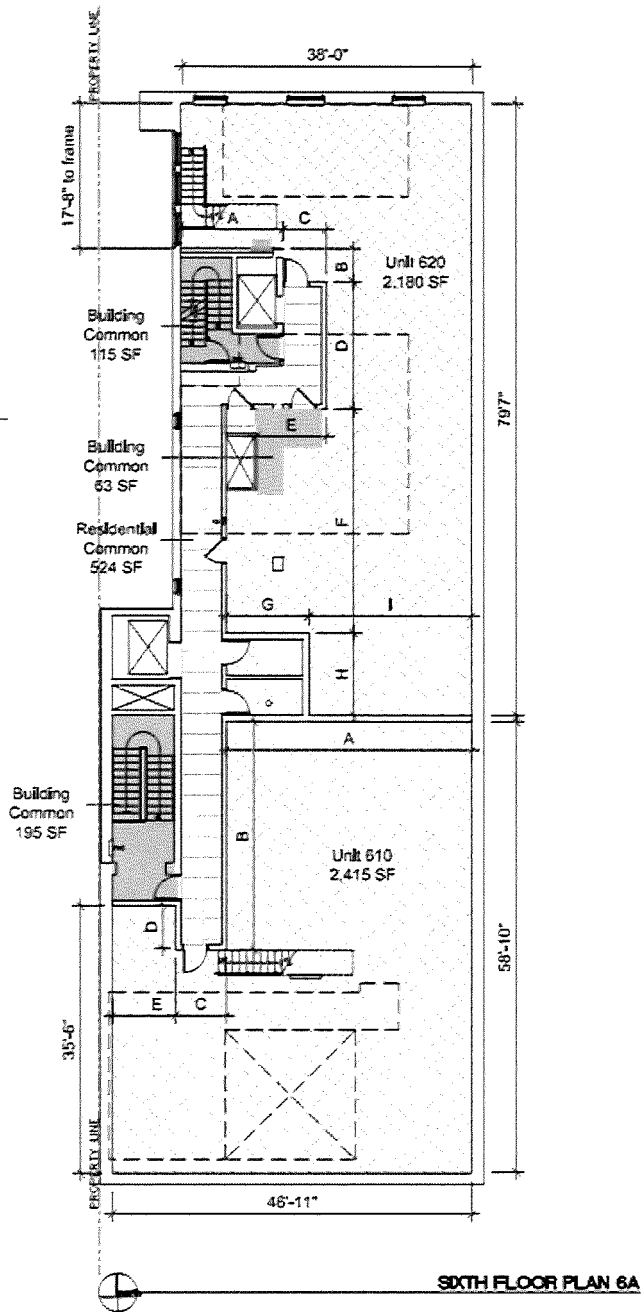
**innerspace studios**  
 Interior architecture and space planning  
 335 north 8th street, suite c  
 Lincoln, Nebraska 68508  
 (402) 475-7234

	<b>RESIDENTIAL UNITS</b>	4,595 SF
	<b>COMMERCIAL UNITS</b>	0 SF
	<b>BUILDING COMMON</b>	373 SF
	<b>RESIDENTIAL COMMON</b>	524 SF
<b>TOTAL</b>		<b>5,492 SF</b>

**UNIT DIMENSIONS**

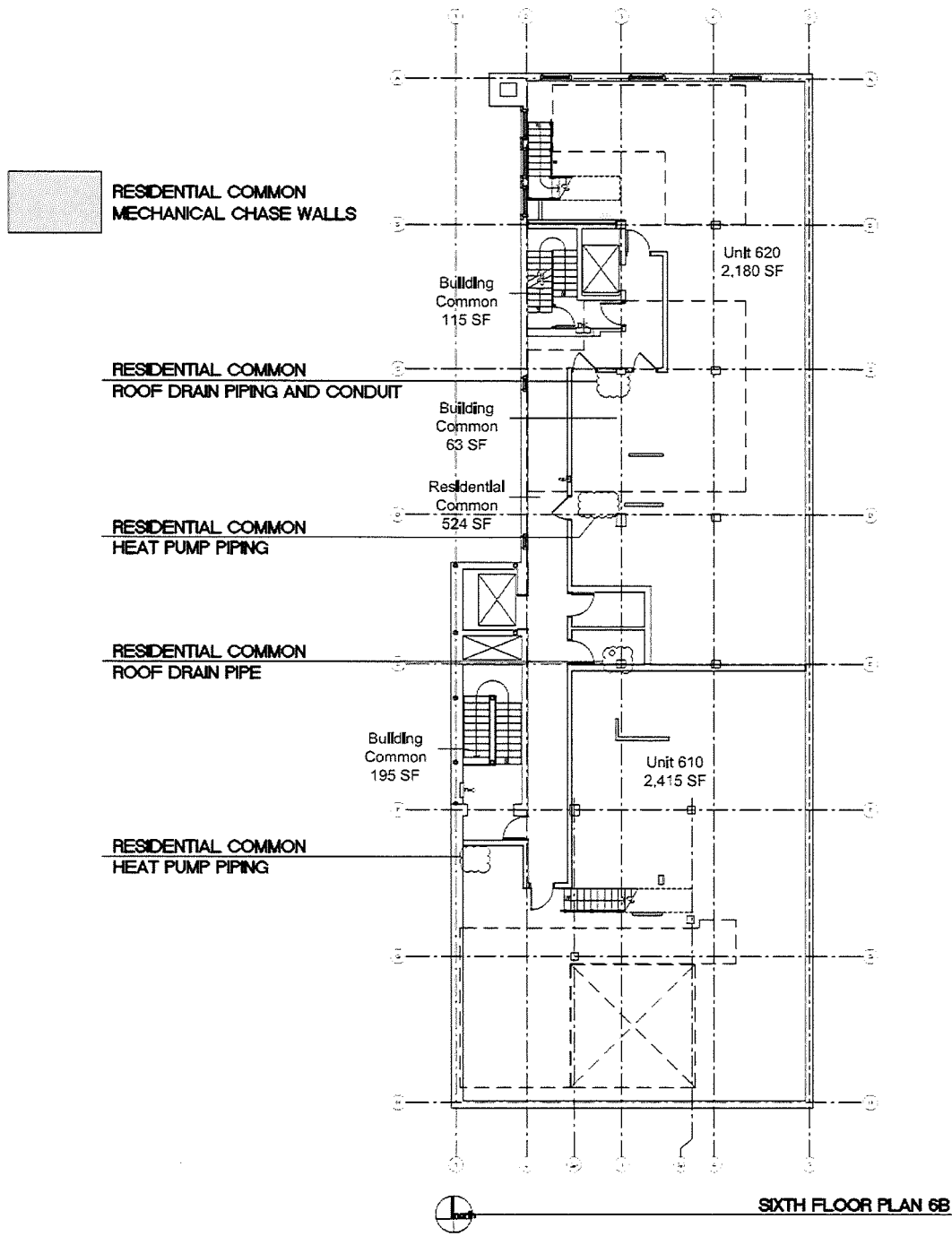
- UNIT 610**  
 A 32'-0 $\frac{1}{2}$ "  
 B 29'-4 $\frac{1}{2}$ "  
 C 8'-6"  
 D 5'-10"  
 E 8'-4 $\frac{1}{2}$ "

- UNIT 620**  
 A 13'-3"  
 B 4'-4"  
 C 5'-7"  
 D 16'-6 $\frac{1}{2}$ "  
 E 8'-8"  
 F 30'-6"  
 G 10'-10 $\frac{1}{2}$ "  
 H 10'-8"  
 I 21'-2"



**Ten40 Building Condominium Regime**  
 MAY, 2022

**Innerspace studios**  
 Interior architecture and space planning  
 222 North 3rd Street, Suite C  
 Chicago, Illinois 60610  
 (800) 475-7234



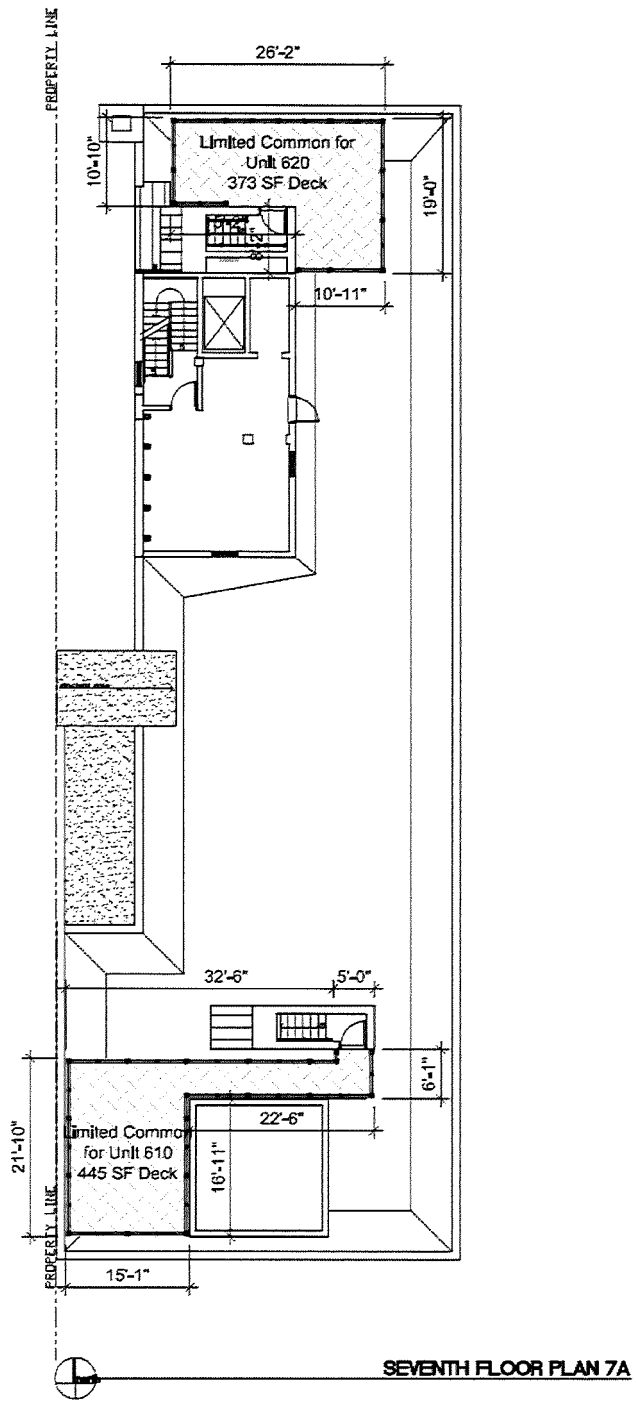
**Ten40 Building Condominium Regime**

MAY, 2022

**innerspace studios**  
interior architecture and space planning  
355 north 4th street, suite c  
minneapolis, minnesota 55401  
(414) 475-2934

RESIDENTIAL LIMITED COMMON

818 SF

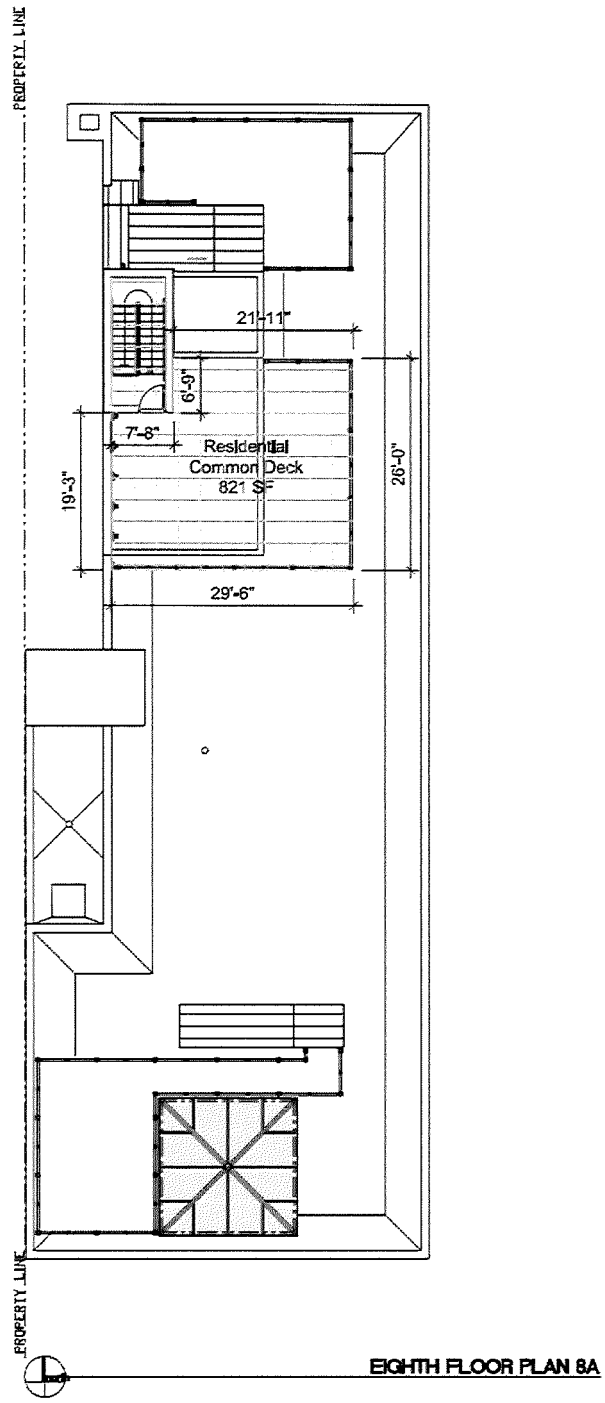


Ten40 Building Condominium Regime  
MAY, 2022

**innerspace studios**  
Interior architecture and space planning  
335 North 9th Street, Suite C  
Lincoln, Nebraska 68505  
(402) 475-7234




**RESIDENTIAL COMMON** 821 SF



**Ten40 Building Condominium Regime**  
 MAY, 2022


**innerspace studios**  
 interior architecture and space planning  
 335 north 6th street, suite c  
 lincoln, nebraska 68508  
 (402) 475-4204

**EXHIBIT "B"**

**Ten 40 O Total Allocated Interests**

<u>Unit</u>	<u>Condo Unit Size (Total Square Feet)</u>	<u>Total Square Feet Allocated Interest</u>	<u>Residential Units Limited Commons Square Feet Allocated Interest</u>	<u>Unit 610 Limited Commons Allocated Interest</u>	<u>Unit 620 Limited Commons Allocated Interest</u>	<u>Commercial Limited Common Allocated Interest</u>
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First Floor

100 (commercial)	3704	13.68%	--	--	--	100%
110	600	2.22%	2.57%			

Second Floor

210	822	3.04%	3.52%			
220	1095	4.05%	4.69%			
230	926	3.42%	3.96%			
240	746	2.76%	3.19%			
250	882	3.26%	3.78%			

Third Floor

310	844	3.12%	3.61%			
320	1111	4.10%	4.76%			
330	934	3.45%	4.00%			
340	754	2.79%	3.23%			
350	912	3.37%	3.90%			

Fourth Floor

410	841	3.11%	3.60%			
420	1116	4.12%	4.78%			
430	934	3.45%	4.00%			
440	753	2.78%	3.22%			
450	917	3.39%	3.93%			

Fifth Floor

510	848	3.13%	3.63%			
520	1117	4.13%	4.78%			
530	934	3.45%	4.00%			
540	752	2.78%	3.22%			
550	930	3.44%	3.98%			

Sixth Floor

610	2415	8.92%	10.34%	100%		
620	2180	8.05%	9.33%		100%	

Total Square Feet	<b>27067</b>	<b>100.00%</b>				
Total Residential Square Feet	<b>23363</b>		<b>100.00%</b>			

**Ten 40 0 total square footage interests**

			<u>Commercial</u>		<u>Residential</u>	
<b>Basement</b>	<b>6,229</b>	<b>15.21%</b>				
Residential commons	3,996	9.76%			3,996	9.76%
Building common	1,876	4.58%			1,876	4.58%
Commercial limited commons	357	0.87%	357	0.87%		
<b>1st Floor</b>	<b>6,302</b>	<b>15.39%</b>				
Commercial	3,704	9.04%	3,704	9.04%		
Building common	1,998	4.88%			1,998	4.88%
Unit 110	600	1.46%			600	1.46%
<b>2nd floor</b>	<b>5,253</b>	<b>12.83%</b>			<b>5,253</b>	<b>12.83%</b>
Unit 210	822	2.01%				
Unit 220	1,095	2.67%				
Unit 230	926	2.26%				
Unit 240	746	1.82%				
Unit 250	882	2.15%				
Building common	312	0.76%				
Residential commons	470	1.15%				
<b>3rd floor</b>	<b>5,337</b>	<b>13.03%</b>			<b>5,337</b>	<b>13.03%</b>
Unit 310	844	2.06%				
Unit 320	1,111	2.71%				
Unit 330	934	2.28%				
Unit 340	754	1.84%				
Unit 350	912	2.23%				
Building common	312	0.76%				
Residential commons	470	1.15%				
<b>4th floor</b>	<b>5,343</b>	<b>13.05%</b>			<b>5,343</b>	<b>13.05%</b>
Unit 410	841	2.05%				
Unit 420	1,116	2.72%				
Unit 430	934	2.28%				
Unit 440	753	1.84%				
Unit 450	917	2.24%				
Building common	312	0.76%				
Residential commons	470	1.15%				
<b>5th floor</b>	<b>5,363</b>	<b>13.09%</b>			<b>5,363</b>	<b>13.09%</b>
Unit 510	848	2.07%				
Unit 520	1,117	2.73%				
Unit 530	934	2.28%				
Unit 540	752	1.84%				
Unit 550	930	2.27%				
Building common	312	0.76%				
Residential commons	470	1.15%				
<b>6th floor</b>	<b>5,492</b>	<b>13.41%</b>			<b>5,492</b>	<b>13.41%</b>
Unit 610	2,415	5.90%				
Unit 620	2,180	5.32%				
Building commons	373	0.91%				
Residential commons	524	1.28%				
<b>7th floor</b>	<b>818</b>	<b>2.00%</b>			<b>818</b>	<b>2.00%</b>
Unit 610 Residential limited commons	445	1.09%				
Unit 620 Residential limited commons	373	0.91%				
<b>8th floor</b>	<b>821</b>	<b>2.00%</b>			<b>821</b>	<b>2.00%</b>
Residential commons	821	2.00%				
<b>Total</b>	<b>40,958</b>	<b>100.00%</b>	<b>4,061</b>	<b>9.92%</b>	<b>36,897</b>	<b>90.08%</b>