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W. L. H. TARELL  
REGISTER OF DEEDS  
NEBRASKA COUNTY, NE



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RETURN: W. B. KAMP  
c/o CENTURY 21 Century Real Estate  
2200 HARVEY DR  
Bellevoe, NE 68008  
291-4800

MODIFICATION OF  
DECLARATION OF RESTRICTIONS  
AND GRANT OF EASEMENTS

THIS MODIFICATION OF DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS ("Declaration") is made as of the 27<sup>th</sup> day of December, 2002, by HOWARD S. AMES and ANN K. BROOKS, whose mailing address is 11002 Hillside Drive, Austin, Texas 78736 ("First Party") and HOWARD S. AMES and ANN K. BROOKS, whose mailing address is 11002 Hillside Drive, Austin, Texas 78736 ("Second Party").

WHEREAS, the Declaration of Restrictions and Grant of Easements was executed on October 16, 2002, and was filed in the Register of Deeds of Douglas County, Nebraska at Book 1472, Pages 256-265 and Book 1472, Pages 272-277 on November 6, 2002; and

WHEREAS, Article IV, subparagraph 4.4 provides that for the first four years the owner of Lot 1 may modify in any respect, in whole or in part, the Declaration.

NOW THEREFORE, the undersigned modifies the Declaration as follows:

1. Delete all of Article III.7 and replace it with the following:

"3.7 Responsibility if No Maintenance Director: In the event that the current owner of Lot 3 sells Lot 3 to its present tenant and the Maintenance Director that exists on the date of the execution hereof ceases to be a Maintenance Director, then the successor Director shall be Charles Spaulding. The owner of Lot 3 may also appoint a successor Director should Mr. Spaulding be unable to service. If Lot 3 is not purchased from its present owner, or if the Maintenance Director that is designated herein at the time of the execution of the Declaration shall resign without the lot being purchased as set forth above, each owner shall be responsible for the maintenance of its own Lot according to the standards herein enumerated. If any owner fails to perform such obligations, such failure shall constitute a default, in which case any other owner may cause the performance of the obligations and bill the defaulting owner for the expenses incurred. In such event, the applicable provisions and remedies herein shall apply."

\* Lots 1, 2 and 3, Ames Replat, City of Ralston, Douglas Count NE.

Dated the date first set forth above.

FIRST PARTY:

*Howard S. Ames*

HOWARD S. AMES

*Ann K. Brooks*

ANN K. BROOKS

SECOND PARTY:

*Howard S. Ames*

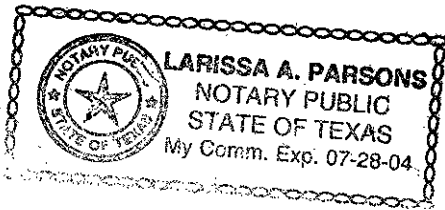
HOWARD S. AMES

*Ann K. Brooks*

ANN K. BROOKS

STATE OF TEXAS )  
COUNTY OF Trawis ) ss.

Subscribed, sworn to, and acknowledged before me by HOWARD S. AMES and ANN K. BROOKS this 27<sup>th</sup> day of December, 2002.



*Larissa A. Parsons*  
Notary Public

CONSENT

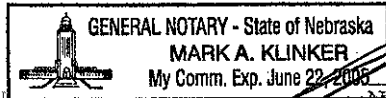
The undersigned consents to the above change.

CITY OF RALSTON

By: *Donald D. Grosser*

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

Subscribed, sworn to, and acknowledged before me by *Donald D. Grosser* of the City of Ralston this 27<sup>th</sup> day of December, 2002.



*Mark A. Klinker*  
Notary Public

RSD.4.M.HA