

662-328

BOOK 502 40-528

AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR APPLEWOOD HEIGHTS

The undersigned, HARRISON STREET JOINT VENTURE, a Nebraska Joint Venture, being the owner of all of the following described property, to-wit:

Lots 1-31, 34-42, 44-48, 50-61, 63, 65-68, 70-88, 91-94, 96, 97, 99-105, 110, 113-116, 125-136, 138-140, 142-169, 172, 173, 175, 178-181, and 183-213, Applewood Heights, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska,

does hereby amend the Declaration of Covenants, Conditions and Restrictions, filed with respect to said property on November 5, 1980, and recorded in Book 641 of Miscellaneous Records at Pages 604 through 614, inclusive, in the Office of the Register of Deeds of Douglas County, Nebraska, pursuant to the power it reserved unto itself in Article VI(B), as follows:

1. Article III(W) is hereby deleted, and the following is substituted therefor:

"W. The front, side and rear yards of all Lots shall be sodded, and two (2) trees, each not less than two (2) inches in diameter, shall be planted in the yards within one (1) year from the date the foundation for the residence on the Lot is completed. At least one (1) of said trees shall be planted in the front yard of each residence, to be located between the front of the dwelling placed on the Lot and the front Lot line. No trees shall be planted in the dedicated street right-of-way located between the pavement and the Lot line. The trees referred to above shall be one of the following varieties:

Greenspire Linden  
Marshall Seedless Ash  
Skyline Honeylocust  
Emerald Ash"

Except as so amended, the original Declaration of Covenants, Conditions and Restrictions for Applewood Heights shall remain in full force and effect.

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IN WITNESS WHEREOF, the undersigned, HARRISON STREET JOINT VENTURE, has executed this Amendment to Declaration this 4 day of November, 1981.

HARRISON STREET JOINT VENTURE, A  
Nebraska Joint Venture

By: NEBRASKA INVESTMENT SERVICES, INC., a  
Nebraska Corporation, Partner

By: Jim Blair  
Vice-President

Attest  
Paul Fechner  
Assistant Secretary

STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

On this 4 day of November, 1981, before me a Notary Public in and for said County and State, personally appeared Jim Blair and Paul Fechner, Vice-President and Assistant Secretary of NEBRASKA INVESTMENT SERVICES, INC., a Nebraska Corporation, Partner of HARRISON STREET JOINT VENTURE, a Nebraska Joint Venture, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed, the voluntary act and deed of said corporation and the voluntary act and deed of said partnership.

A GENERAL NOTARY State of Nebraska  
PAMELA M. WIMPLE  
My Comm. Exp. Dec. 21, 1983

Pamela M. Wimple  
Notary Public

My Commission Expires December 21, 1983

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C. HAROLD BERRY  
REGISTERED CLERK  
STATE OF NEBRASKA

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