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MISC 1988 12284

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INDEXING  
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AMENDMENT NO. 1  
TO DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR APPLEWOOD HEIGHTS  
LOTS 366 THROUGH 523, INCLUSIVE

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GEORGE J. DUBLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

THIS AMENDMENT NO. 1 to Declaration, made on the date hereinafter set forth, by HARRISON STREET JOINT VENTURE, a Nebraska Joint Venture, hereinafter referred to as "Declarant".

W I T N E S S E T H :

WHEREAS, the Declarant did execute that certain Declaration of Covenants, Conditions and Restrictions for Applewood Heights, Lots 366 Through 523, Inclusive, on September 22, 1987, and filed September 28, 1987, in the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, at Book 827, Pages 536 through 543, inclusive (the "Declaration");

WHEREAS, Article VI, Paragraph B of the Declaration provides that the Declaration may be amended by the Declarant in any manner it shall determine in its full and absolute discretion for a period of five (5) years from the date the Declaration was recorded; and

WHEREAS, it is within said five (5) year period, and the Declarant desires to amend the Declaration as hereinafter set forth.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

ARTICLE I.  
AMENDMENTS

A. The second sentence of Paragraph G of Article III of the Declaration is hereby amended to read as follows:

"All dwellings shall be roofed with wood shakes or wood shingles or shakes or shingles manufactured primarily from bonded wood fibers."

B. Paragraph Q of Article III of the Declaration is hereby amended to delete the last sentence of said Paragraph.

ARTICLE II.  
RATIFICATION

The Declarant hereby ratifies and affirms the Declaration, as amended herein, and declares that all of the lots described above shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration, as amended herein. Said easements, covenants, restrictions and conditions shall run with said real property and shall be binding upon all parties having or acquiring any right, title or interest in the above described real property, or any part thereof, and they shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned, being the Declarant under the Declaration, has executed this Amendment No. 1 to Declaration of Covenants, Conditions and Restrictions for Applewood Heights Lots 366 through 523, Inclusive, this 21<sup>st</sup> day of July, 1988.

HARRISON STREET JOINT VENTURE, a  
Nebraska Joint Venture, "Declarant"

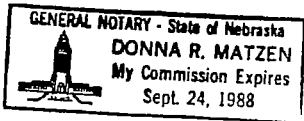
By Jerry L. Record  
Jerry L. Record, President  
For NEBRASKA INVESTMENT SERVICES, INC.,  
a Nebraska Corporation, Partner

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STATE OF NEBRASKA )  
 )  
COUNTY OF LANCASTER ) SS.

On this 21st day of July, 1988, before me, a Notary Public, in and for said County and State, personally appeared Jerry L. Record, President of NEBRASKA INVESTMENT SERVICES, INC., Partner of HARRISON STREET JOINT VENTURE, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed, the voluntary act and deed of said corporation, and the voluntary act and deed of said Joint Venture.



Donna R. Matzen  
Notary Public